
ICANN Transcription

IDNs EPDP

Thursday, 02 March 2023 at 13:00 UTC

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 2nd March, 2023 at 13:00 UTC. We do have apologies from Nigel Hickson, joining will be Edmon Chung. Our 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 and so it is captured in the recording. Oh, I'm sorry, Anil is also listed as an apology. Thank you. Observers will remain as an attendee and 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 need assistance updating your statements of interest, please email the GNSO Secretariat. Our documentation and information can be found on the IDN EPDP

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wiki space. Recordings will be posted 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 the ICANN multi stakeholder process are to comply with the Expected Standards of Behavior. Thank you. And back over to our chair, Donna Austin, please begin.

DONNA AUSTIN:

Thanks, Devan, and welcome everybody to today's call. This is our last one before the ICANN meeting, and so you get a break next week, but I'm sure most people are going to be traveling anyway. And then if you haven't had an opportunity to look at the agenda for ICANN76, when you do, you'll realize that we're first up on Saturday morning from nine o'clock. We have two sessions, so I think one goes for 90 minutes and one goes for 60 minutes, with a 30-minute break in between, so we're first up on Saturday. It would be really helpful to understand who will actually be attending that session in-person. I'm hoping that we do have a good turnout, but if you can just mention in chat here that you'll be there in person or participating remotely, that would be helpful to us.

The other thing to note as well, is that we're going to try to do a group photo. And from my experience in the Registry Stakeholder Group, this is always a pain, but we'll probably do that at the break at the end of the first session. So if you can just give us a couple of minutes to get people arranged, and somebody will take a photo. So we're going to continue to discuss our draft recommendations with potential gaps. And what we're going to come back to first is the discussion around fees. So we started

into that conversation at the end of last week, but we'll continue with that this week. And then Ariel is going to take us through what the structure of the initial report is going to look like, and the public comment timeline.

So four and five are good news, because it means that we're getting close to the end of the work that we need to do on the chatter questions for phase one of our report. So congratulations, and thank you to everyone for your dedication. It's been a bit of a slog, but I'm pretty pleased with where we are, so thank you to everyone for your continued participation and dedication to the work. So with that, I don't think I have any other updates for the group. So with that, I'll hand it over to Ariel, and she'll take us through the today's call. Over to you, Ariel.

ARIEL LANG:

Thanks, Donna. This is Ariel. So I just want to quickly remind folks about the draft tax that we circulated because there was a lot we did in the past week or so. And this is the list that I think most of you have seen during last week's call. It's the remaining tasks before we published the phase one initial report. So item 1, 2, 3, the draft tax. So the first one, A3, is the String Similarity Review, draft tax that was circulated, I think early last week, but I can't remember exactly, but it was a while ago. And then we send out the second batch, which is AH2 E7/B5.

That was circulated as well, I think, last Thursday or Wednesday, but it's around that timeframe. And so that's the second batch, and then we just send out the third batch, which is draft tax that was revised as a result of the review of ICANN work puts. And

those work input was discussed again, last week. I know we firmed up the revised language, so we just sent out the draft text, I think, two days ago, and then that's the 3A basically, the substantive ones. And then also, ICANN Work has provided some editorial and now substantive input, and this group already give staff the green light to make ratline edits to incorporate those inputs.

So we're in the process of doing that, and we should be able to send out another batch shortly after consulting and confirming the language with the leadership team. So I just want to give folks a quick reminder of all these draft tax that's in the mailing lists, and the goal is to receive your input during the ICANN76 meeting, possibly session one. We will talk about any additional common input question you have for all these draft texts, and so that's basically our second reading that we will conduct during ICANN76. So you have a bit of time to finish out the reading. It's a lot, but it's important way we get this done so we won't have to face [00:06:59 - inaudible] reporting issue.

And there are some additional tasks on this list. I'm not going to reiterate because we already talked about them. So we'll do these few weeks is to get all these done before phase one initial report is published. Any questions, comments now for this list of tasks? And as a countdown, we'll have seven weeks, a little bit more than seven weeks, before our targeted for publishing the initial report. So not seeing hands or comments, I guess we can move on to the recommendation we need to close gaps. The first one is E1b, and it's about recommendation 2.7.

So as a refresher, E1b asks the question about-- it's actually several parts that we already closed off most of them. But one part we didn't completely close off is about what should be the associated fees, including the application fees and annual registration fees of variant TLDs? That's the part we are trying to close the gap on today. And currently, we have the [00:08:20 - inaudible] recommendation 2.7, which is the recommendation to follow the principle of cost recovery model.

That's already affirmed by SubPro, and it's reflected in the 2012 applicant guidebook to deal with the fee structure associated with IDN gTLD applications that include variant labels. And the leadership team had a question, which we discussed last week too, is whether we should have-- so the question says, "Given our recommendation for a single application and single registry agreement, do we need to reconsider the recommendation 2.7, and to what extent do we need to take into account the priority and importance that ICANN Board and Org have placed in IDNs for future new gTLD programs?"

So that's the overall question, and what the leadership team proposed for the group's consideration is to create new recommendation. I believe it's in addition to 2.7 or not to replace 2.7. It says, "For new IDNs applicants and registry operators, and IDN gTLD application that includes variant labels will incur a single application fee." So it's a flat fee applicable to the IDN gTLD applications. Disregard whether that includes variant labels or not or how many variant labels that includes in application. So it's a single flat application fee.

That's the first proposed recommendation for consideration, and then the other part of this is an IDN gTLD registry operator that has one registry agreement covering for primary and allocatable variant labels will incur the same registry fee as a single gTLD registry operator. So I think it's kind of along the same line of thinking in terms of a single fee and kind of a flat fee for the annual registration fee. So that's what the leadership team is proposing for consideration. And also, just for folks that don't remember the details regarding the regulatory level fee, that's in Article 6, section 6.1 of the registry agreement.

So it reads that the registry operator shall pay ICANN registry level be equal to one registry fixed fee of US \$6,250 per calendar quarter, and to the registry level transaction fee, and then there are some details regarding the transaction fee in this paragraph, I'm not going to read the whole thing. So that's what the registry level fee is about for folks who are not familiar. And then I just wanted to add some comments from my end. I was checking our notes when this question was discussed many, many months ago.

And I believe the reason why the group didn't develop a specific recommendation about the annual registration fee is because there was a question on whether this is actually within the remit of a PDP to discuss whether this is actually a policy question or this is really a question for ICANN Org to decide on. And I think the preliminary conclusion is this is not a policy question, that's why there was no specific recommendation developed. But I'm happy to be corrected if the recollection was wrong, and if there was some new understanding of this, so yes. That's the introduction of

the E1b rec. 2.7. I will stop here and see whether there's comments, inputs, hand raised.

DONNA AUSTIN:

Thanks, Ariel. So, obviously, this could be a sensitive topic, particularly among other registry operators, so I think it's important that even if we decide just to stick with the original recommendation that cost recovery is, we'll just maintain consistency with that. I still think we should have, I don't know, obviously a recommendation, probably not, because it does create policy. But I think we need some kind of guidance or thoughts from the group on what our thinking is on this, particularly because we do have the recommendations for single application and single registry agreement.

And on Ariel's second note about the annual registration fees not being something for us to determine, we're not actually determining the fees per se, that will be done by ICANN, but what we are doing is just stating what our view about how the fee should be applied for a gTLD registry operator and its IDN variants. So, some might think that, well, it's three TLDs, so therefore, it should be that 25,000 per year should be tripled, to take into account the variants, but my feeling is that that's not what this group would want, and to do that would be cost prohibitive to the registry operator.

So I don't think it makes sense to go down that path. So I'm really interested to hear from folks on what you're-- put aside the policy part because we're not setting the fees themselves here, it's just the application of, you've got a registry operator that has one

registry agreement to cover three strings. So it's how those fees would be applied, that's what we're trying to get to here. So I see we've got some hands up. So Dennis, Maxim, and then Michael.

DENNIS TAN TANAKA: Thank you, Donna. Dennis, for the record registries. So as my understanding of the cost recovery principle evolves in my mind, and all the information I'm gathering, referring back to the previous meeting at around the 2012 round, it seems to me that it was applied as a principle, it was not driving the exact dollar amount that a specific any given applicant would have to pay in terms of what processes were applied to that specific application.

Just for an example here. So we can speak about an ASCII gTLD and an IDN gTLD. Just because the IDN gTLD will need to pass a different test, that did not mean, and please somebody keep me honest here if you have more information, but as far as I know, there was no additional cost or the other way around, the ASCII TLD did not have any discounts from a dollar amount perspective. Same goes with two TLDs applying for the labels, and one having, for example, IDN tables on the second level, and let's say 10 script tables or languages tables, and another 100 of those tables, that did not seem to drive any cause higher or lower in terms of because they were using resources in order to go through those tests.

If a registry operator was applying for 10 tables, they will not go through one test for IDN services, and each day, we would need to pass a specific test, same with the one applying with 100 tables. But again, that did not seem to drive costs higher or lower.

The application fee was set as one value and that was it. So I think the way that the recommendation, how to look at the variant set and how it's applied, to me, it seems consistent with the principle, the principle and the objectives of the program.

But again, I'm just sharing my thought process as I become more of understanding the principle and how it was applied in the past, and how we would want these to be applied in the future relative to the variant sets. But the Registry Stakeholder Group will discuss this item in our next meeting, the small group that is supporting this EPDP team, and we'll come back with more substantive opinion on it. Thank you.

DONNA AUSTIN: Thanks, Dennis. Maxim.

MAXIM ALZOBA: Maxim Alzoba for the record. Do you hear me?

DONNA AUSTIN: Yes, Maxim.

MAXIM ALZOBA: I agree that all we can do is to say that the principle, most probably, the same principle that is applicable to other TLDs is going to apply, like cost to [00:19:11 - inaudible], because if we say anything about the particular pricing, most probably most people will leave this group because partially we are going to be liable personally, and it's not fine, because it will be against many

ideas of many anti-monopoly communities all over the world. So we can say that, yes, it's principle. And how to apply the principle is up to ICANN because it's a business decision, and until the applicant is approved, they are not registry, so one side that could make the decision, it's ICANN.

Speaking about the recommendation 2.24, what I heard in the past from registries, this approach would create unfair advantage for those who apply to variants, especially in situation where registry has an ASCII string, and the translation of the same work into IDN compared to the registry for has two variant strings. From the point of view of typical court, it's not different, so why the different prices? It's going to cause issues. Thanks.

DONNA AUSTIN:

Thanks, Maxim. So just a couple of things on that. So one of the other recommendations we have is that there's no ceiling on the number of variants that an applicant could apply for. And one of the things that-- what you said, that the applicant decides on how many variants it's going to apply for, so some of our thinking about when we didn't apply the ceiling, is that there would be economic reasons why an applicant is going to be conservative or reasonable in how many variants they apply for, because there could be additional cost.

So if we're sending a single application fee, for an IDN applicant who wants maybe seven variants, then that would seem to be a little bit, well, certainly in my mind goes a little bit against the grain, or one of the reasons why we haven't set a ceiling. So what we might want to think about if we're okay with, in principle, a single

application fee is some kind of gradient if an applicant applies for more than two or three or four variants, then there would be additional costs there. So that's probably something we should think about in the context of what we're talking about here.

The other thing about the unfair advantage with ASCII and translation, I'm not sure that that's, and somebody will correct me if I'm wrong here, but I don't think that's an IDN and ASCII plus translation. It has to be ASCII, and then the variants, it's generated through the roots on LGR. But someone can correct me if I'm wrong on that. And Maxim, I know that you were speaking about annual fees and not the application fee, so if you wanted to clarify that, please go ahead and do that now.

MAXIM ALZOBA:

Maxim Alzoba for the record. Yes, I was speaking about the annual fees, when it's the registry, because application fees, the same application, one application covering all variants in the packet is going to be lucrative for creating many variants, but on application in all fees level, it's going to be, I'd say, a trouble. Thanks.

DONNA AUSTIN:

Okay. Thanks, Maxim. Michael.

MICHAEL BAULAND:

Thanks. Michael for the record. I actually got two points. One is the application fee. If we say just a single application fee independent whether there are variants or not, I assume it's meant

if they are applied for at the same time, so if someone first applies for a TLD, and later in the second round, I don't know whether we have already decided whether it be in rounds and not at variant existing application. I assume there will be some additional fees, maybe not the full fee for full application, but certainly, it will not be for free, or will it? That's the first question.

DONNA AUSTIN:

If I can just respond to your first question. So I've been pretty particular here. For the purposes of this discussion, I just wanted to talk about new IDN applications, and then if we can reach agreement on that, then I'd like to discuss existing registry operators and how we treat applications from them. Because similar to you, I wasn't really sure what would be the best approach. So if you can hold that question, we'll come back to it once we've dealt with new applicants and registry operators.

MICHAEL BAULAND:

Fair enough. The second point is regarding the action fees. And here I'm looking at the kind of technical issue or technical point. It may depend on the way registries are handling variants, because there may be the way that you register a domain and you register the variant domain in the variant TLD separately that would be two transactions, and therefore they would encourage two fees with regards to ICANN, but it may also be that the registry implementation where you register one domain and get the variant labels kind of free or automatically assigned. And then the question is, is this still a single transaction, or would this mean, the

registry has to pay several transaction fees, because actually, several labels would have been activated? Thanks.

DONNA AUSTIN:

Okay. Thanks, Michael. That's an excellent point. And I must admit that my thinking on annual fee was that it would be appropriate because the intent of the registry operator is that the variants will be treated the same. So you don't really have three strings, you have three strings that are dependent on one another to make a whole, if you think of it that way. But what Michael has raised about the how you treat the registration of a string, because that is an important calculation in the fees, that's a tricky one.

And I guess the other part of my thinking was that if an IDN registry operator actually surpasses a 50,000-registration limit, then they would be subject to additional fees. And so that would, to some extent, compensate for the fact that you're treating them as one for a single fee for the annual component. Anyway, it's getting complicated already. So Zhang Zuan, go ahead.

ZHANG ZUAN:

Okay. Thanks for, Donna. This is Zuan speaking for the record. I'm trying to make myself clear. Please allow me to point out that in the applicant guidebook of [00:28:53 - inaudible] program, the application submission was apart. It was mentioned that each application is for one gTLD, and applicant may submit as many applications as desired.

However, there is no means to apply for more than one gTLD in a single application. So, in my view on this point is very important,

because this work was for the 2012 run, but for existing IDN registry operators and future IDN registry operators. This point makes sense because we talked about IDN [00:29:59 - inaudible] which includes the primary gTLD and the variant labels. So, I would agree that [00:30:11 - inaudible] in the next round and maybe they exist for future rounds if application slot is not for one gTLD but it's for one step.

If we agree on this point, please let me go further because the fees are very important issue for contracting party. We have application fees and the registry fixed fee and transaction fees. And for the application fees, I would agree with the new draft recommendation 2.24. So, this recommendation is the same with the set concept as I just mentioned, and IDN ccTLD applications may have a set. So, this will be included in one registry agreement. So, registry operators may pay just a single application fee, and for the same registry fixed fee just for one ccTLD operator.

So, let me be clear, I would agree with the draft recommendation, but I may have to mention another point that is about the transaction fee. So, as we all know, for one domain name, the registry operator and [00:32:22 - inaudible] registrar may both pay a transaction fee to ICANN. So, when it comes to variant gTLDs, maybe there are domain names registered under variant gTLDs. So, as registrars, we may have to pay a transaction fee for one domain name, and its appropriated variant domain name, I mean second level domain name.

So, that is about the money for fees or money for two domain names. So, I may have to propose that is it possible to calculate

transaction fee just in accordance with the concept of sets, I mean gTLD sets. So, as registrars, when you pay a transaction fee for one domain name for one transaction, I mean for the same domain name, the same domain name also include this primary, secondary level domain name and it's very second level domain name.

So, that's the point I would like to highlight as the registrars as well as registries when it comes to transaction fees, we all go to the IDN gTLD stats. For example, for gTLD A and its variant gTLD A1, when it comes to transaction fee, we calculate the [00:34:56 - inaudible] fees and volume together under gTLD A and with the variant gTLD A1. If this is possible, I would intend it to argue that this also applies for registrars when it comes to second level domain. I'm trying to make myself clear. Thank you.

DONNA AUSTIN:

Thanks very much, Zuan, and it's perfectly clear. Well, it was to me. So I hadn't considered that there is a fee here for registrars as well. So there's a fee that the registrars also paid to ICANN, and it's a per domain name registration, and I know that's something that Michael raised as well. So that's something that we probably need to think about, and I may lean on our registry and registrar colleagues to give some thought to that, how the calculation would work for a domain name at the second level, and then the variance.

But I think the important point that you made at the start of your intervention about-- we talk about the set a lot, and I think that's what's important here with the single application fee, we're not

talking about three separate strings, we're actually talking about a set, and we talk about the sanctity in the set and to if the set is broken, then that breaks the utility of the applied for set of strings. So I think that's probably something very important that we need to know if we decide to go down this path as part of our rationale. So we've got Maxim, Sarmad, and Edmon. So Maxim.

MAXIM ALZOBA:

Maxim Alzoba for the record. I have a question about recommendation 224. It has the structure of the sentence about the registered operator that has one register agreement covering for primary and allocatable variant labels. It's not correct in my opinion. We should change it to the contract or contracts covering the set of variants, because it's not decided yet that it should be a single registry agreement.

For example, there are no procedures to change from the usual registry agreement to the hypothetical IDN variance register agreement, and since from the legal perspective, there is no difference between a single registry agreement covering few variants or few agreements tied by, for example, specification and special rules for management of those contracts. I assume it's going to be more clear if we change the structure of the last sentence on the screen to the registry agreements or agreements covering primary and locatable variant labels. Thanks.

DONNA AUSTIN:

Okay. Thanks, Maxim. Point taken. Sarmad.

SARMAD HUSSAIN: Thank you, Donna. This is Sarmad. So I think recommendation like this, I guess would be certainly something one could consider in the context of where second level, I guess, if you're talking about second level or top level registrations, if they're very tightly bundled in a way that we've been talking about tight bundling, meaning that they group together in a way that they behave exactly the same, they're different varying domain names.

However, though, initially that was one of the ways it was perceived, but eventually the way it's evolved and technical communities realized that this is captured in the recommendations for variant TLDs as well, is that the variant TLDs, and also, I guess, second level variants, they're all technically, obviously, independent registrations and the policy were at least initially put forward by SubPro as well, or recommendations put forward by SubPro.

Also, I guess, to some extent adopt, or actually say the same that these TLDs and then these second level registrations variants are, in a way, administratively bound, they're not really technically bound, and they're not bound from a user business perspective, either.

So there's a lot of flexibility on what a registry could do, or how they could charge or use the registrations for variant TLDs. And I guess I wanted to point specifically to the recommendation 25.8 of SubPro, which talks about second level labels derived from recommendation 25.6 or 25.7. So these are variant TLDs under a single TLD, or across varying TLDs. And it sort of says that they are not required to act, behave, or even perceived as identical.

So though, the sanctity of set is certainly there, but I think that level of bundling, which was, I guess, at one point perceived for variant TLDs is, I guess, no longer applicable is even given this SubPro recommendation, which says that these are really loosely bound sets, these are not really very tightly bundled sets, so to speak, and they can be used very creatively and innovatively from a business perspective as well.

So I'm just raising that when we are talking about bundling or sets, we should realize that in this context, they're a very loose sets from a just an administrative point of view, they're not really technically or they can be pointing to different websites, and be used in very different ways, almost like different domain names. Thank you.

DONNA AUSTIN:

Thanks, Sarmad. That does create a little bit of a challenge for us, because I wasn't part of the conversations that happen in SubPro on the IDN work, but it seems to me that the discussions we've had here are a little bit different to the understanding that people in SubPro may have had, so we'll have to try to reconcile that.

So we'll give some thought to that, but I do think there's an important element for us here, and that is not to try to put too-- I know that Dennis and Maxim identified that registry operators may seem that this is unfair if IDN registry operators have some kind of a discount, I suppose, on registry fees, but I think in the context of trying to make IDNs a priority and the importance that the Board and Org have placed on it that maybe there is some room here for

us to, I'm not going to say it's not creative, but just trying to provide some fairness and approach here. So, Edmon.

EDMON CHUNG:

Thank you, Donna. Edmon speaking here personally. First of all, sorry for being late. I already mentioned that in the list, but on the topic, I think I agree very much with Zhang Zuan in how to see this as one application, one set, I think that's very important. In response to Sarmad's, I would call it, "challenge," I think you want to put it in context of the recommendations. From what I understand, this is to ensure that the registrant can do whatever they want with the variant, but for the registry and the registrar, the set is very strong, the characterization that they're not variant sets in a very strict order is probably not correct.

So for registry and registrar, that's case, the issue from what I understand is that the enforceability of then the registrant, how they use it, perhaps the registrant can use it more creatively, and that's not something that registries and registrars and ICANN should put policies around that, and I would explain or I would interpret that so called loosely coupled idea that way, but technically, in terms of the LGRs and in terms of the registries and registrars, they are actually bundled very tightly. So that, I think, is an important point. The other point about the fees, actually, from what I understand in the current base agreement, and this is also how we implement it, is that it's based on transactions.

So it's based on domain creates. So if you create domain and the variants or updates, updates are not billable transactions. So for registrars and registries, it's pretty simple. It really depends on

how your registry operates. If you charge additional for variant activations, then, of course, there are billable transactions, and they should be or have ICANN fee, but if it is created by other-- it's not a domain create, then it's not billable.

And so that's from what I understand the base agreement actually says that because I remember it clearly talking about the base agreement in Beijing on this particular point. So I think the same should apply, especially for second level, but for top level, I guess that's where Jeong Hwan spend more time on and also Donna's point on it being one fee for the [00:47:34 - inaudible].

DONNA AUSTIN: You broke up there at the end.

EDMON CHUNG: Yes, just the primary name was based on the base agreement, that's what I want to say.

DONNA AUSTIN: Okay, all right. Thank you. So look, I know this is the first time that folks have seen this, and this was kind of an idea that I threw out at the end of our call last week. I think where we are is that I think we have support for the idea that an IDN gTLD application that includes variant labels will incur a single application fee. And we may have to draw out a little bit what we mean by that, but the intent here is similar to Zuan about the set so that the application covers a set or primary gTLD and variant labels that make up a set. And on that basis, the set would incur one application fee.

So I think where probably and notwithstanding that folks have to take this idea back to their groups and discuss, but I think we're probably they're on that recommendation, but we're not quite there yet on the second one, which is about the annual registration fees. So, we may require a bit of input from certainly our registry and registrar colleagues, and what I would ask is that they take this proposed language back to their groups and hash it out and see what you come back with and what we can make as a recommendation here.

So, the language that we have in the recommendation isn't perfect. As Ariel said, it is intended to not replace 2.7, but perhaps augment 2.7. So I'm going to Hadia and Maxim, and then I want to draw a line under this conversation because we've already spent probably more time than I thought we would on it. So Hadia, and then Maxim.

HADIA ELMINIAWI:

Thank you. This is Hadia for the record. Just to make sure that I did have the correct understanding, we are talking about a single flat fee per application per set, but does that also include no separate activation fees, or we could still consider one base flat fee, but when activating a variant, then maybe a certain amount of money is paid? Thank you.

DONNA AUSTIN:

How do you I think when you say activation, do you mean once the registration-

HADIA ELMINIAWI: Delegation.

DONNA AUSTIN: Okay, all right. So no, we're not talking about an additional fee at delegation. So that would cover up the second point here, which is about once contracted, how is that registration fee applied? But it is an interesting concept to think about, I suppose, as to the point in time that an IDN is delegated. In the past, the registry operator had to go through pre-delegation testing, but I think that's pretty much been removed from the process.

And I think what we've agreed is that an IDN gTLD operator has a 12-month period to delegate all of its the primary TLD and its variants. So I think we've put a timeline on that. But the intent with the first recommendation here is that it's within ICANN's remit, I think, to decide what the application fee is for the next round of new gTLDs.

And what we're proposing is whatever application fee is set by ICANN, then an applicant that applies for an IDN gTLD with primary and variants that make up a set, they would only have to pay one application fee, not all three to cover what comprises the set. Maxim.

MAXIM ALZOBA: Maxim Alzoba for the record. Speaking about this slide and the draft document reference to in the chat, I think it should be corrected so it covers both situations. If it's decided that a single agreement should cover all variants, or a set of agreements tied by specifications should be covered. Also, I need to underline that

currently, registries have almost uniform agreeing, even the, I'd say pre 2012 round, registries, the agreements look more and more like the new gTLD agreement for registries. And if we recommend to create any new type of agreement, we partially solve issues of very few registries and create confusion because of loss of uniformity of agreements.

Also, there are no easy processes to migrate from one kind of agreement to another, it should be invented. And adding a specification, it's way easier from the operational and legal perspective. So I suggest changing the draft language so it could be applied to both situations where it's decided that a single registry agreement should be used for variant set or where the set of registry agreements with the same entity tied by specifications should be used, because currently It's written only for the first option. Thanks.

DONNA AUSTIN:

Thanks, Maxim. What you're posting there would actually cover to some extent how we would treat existing registry operators that already have an IDN TLD, but would apply for variance in the future. So that's one way we could think about the registry agreements. We haven't discussed what the application fee would be for an existing registry operator, and if they want to apply for variants at that TLD, so we'll put that aside and come back to it.

But if we can leave these recommendations as they are for the moment and ask that people go back to their groups and discuss with their groups what their thoughts are, and then we can try to

tidy this up accordingly. But I think my sense is that we're okay with the first point here. We may have some issues with the second point. But it seems that Edmon has identified that it's a transaction fee, not necessarily side of domain fee, which seemed to be-- was that Zuan was coming from, but I do acknowledge that it's not just the registry operator that has a fee here, it's the registrars as well, so we'll need to cover that off.

So we're not setting fees here, we're not talking about what the actual price or the cost would be, it's just how the fee, when it's determined, will be applied. So, good conversation, thank you for that, it is something that we're going to have to come back to. And I don't know that we'll do it during the ICANN meeting, but it is one of those topics that we will have to come back to before we can put the initial report out.

Okay, so actually we're doing the two-hour meeting, aren't we? Okay, we've still got an hour left. So Ariel, hopefully, you've got enough time to get through the rest of what we want to talk about today.

ARIEL LIANG:

Yes, we're going try. But we do have a few items, and then if we have to deprioritize on the public comment preparation question, we can defer that to Cancun, if that's preferable. So, just quickly moving on to E5 rec. 3.2 to 3.3. This is a recommendation a group already discussed a while back about the reserved names list, which includes ICANN and IANA function and those acronyms associated with those. So currently, the group recommends not to expand the reserved names list to include their variant labels, but

also no application for a variant label for a reserve name is allowed.

So that's the current recommendation. And there are some questions raised. The first one is from staff side, if Sarmad don't mind me, put him on the spot. He actually raised this question is whether an applicant can apply for a label that's visually similar to a variant label of a reserved name, whether that's a possible scenario? And if so, should the group do something about it? For example, should such labels need to be forbidden, or they can actually be allowed to exist? So that's the first question.

And then another point, it was raised by Dennis a while back, because in the rationale for recommendations 3, we said that the variant labels having reserved names shouldn't be included in the list because they're, maybe, I think almost all of them are blocked labels, and also, the reserved names, they are mostly ASCII. So when you use RZ-LGR to calculate their block barrier labels, some of them have thousands, and it's a permutation you should there. So in the rationale with besides, we don't include those variant labels because they're mostly blocked, and there're also a lot of them.

And what Dennis pointed out is that if we include that rationale that actually argues against the hybrid model, we are recommending it for the String Similarity Review, because the hybrid model includes the consideration of blocked variant labels. So we may need to revisit that part of the rationale and understand whether it is appropriate to include that point for arguing for recommendations 3.2. So, that's the introduction of this slide. I'm also happy to pull out the draft tax document that

highlight the part of the rationale that Dennis had comment on, if that's easier to look at. But I think the best is we'll discuss the first question raised by Sarmad. So I'll stop here.

DONNA AUSTIN: Thanks, Ariel. Hadia, you had your hand up. Did you put it back down?

HADIA ELMINIAWI: Yes, I just wasn't sure if it's the right time to. But I was just going to comment on what Ariel was saying. The problem of implementing the hybrid model, and comparing we're comparing with block variants that will never be applied, is a fact not only in relation to reserve names, but in relation to other names as well. And we have agreed to adopt this model, and thus, finding a mechanism to simplify implementation, in my opinion, is a necessity, not only because of the reserve names, but because of the model that we decided to adopt in relation to all variants. Thank you.

DONNA AUSTIN: Thanks, Hadia. Maxim.

MAXIM ALZOBA: Maxim Alzoba for the record. Speaking about language on the screen, I think we should clarify that it's reserved name least required by ICANN. Because for registry and even for applicant, there could be more reserved name lists, like applicant is going for

some, yes, set of variants, which prohibits foul language, for example, and they might have reserved name list which will never be removed. Yes, but it's not going to be a single reserved name list. There are multiple, and only one of those is required by ICANN. Thanks.

DONNA AUSTIN:

So Maxim, we're talking about top level here, not the second level, but I guess I take your point, and we could qualify what [01:03:27 - inaudible] we're talking about or clarify. And good idea, Justine, says we can put reserve names in glossary. So we'll make it clear what reserved names we're talking about. Edmon.

EDMON CHUNG:

Yes, so on the question of visually similar variant, I think the same kind of rules should apply, regardless of reserved names, or regular names. And I think this is a this is also a larger question that is not just IDN. In fact, when you think about it, this is also not only IDN related. I mean, visually, similar to a ASCII reserved names.

And in the last round, we have .ooo, which is actually visually similar to .000, which is a reserved name, right. So there seems to be other considerations in this as well. So I think, just for the IDN, or I think we just use whatever the previous hybrid approach to deal with the visuals similar issue. And for reserve name, I think it's a larger topic than just IDN.

DONNA AUSTIN: Okay, thanks, Edmon. Dennis, did you have any input on this? Have you had a rethink on this, or do you still have the same concern? Dennis.

DENNIS TAN TANAKA: Thank you, Donna. And yes, I was a little bit surprised, but. So yes, I put this comment in as like Ariel said, this is way back when. I think from a time standpoint, these recommendations or this language game before the hybrid model. So hence my comment that perhaps we need to apply the same rationale as we are doing with a hybrid model to reserve names. I think that was intended to try to go to-- if that makes sense.

DONNA AUSTIN: Okay, so I'm not 100% sure where that leaves us, whether we need to change the recommendations here, or whether we need some kind of implementation guidance just to address the visually similar approach, so.

DENNIS TAN TANAKA: Yes, I don't know how to answer that question. I know we'll need to go back to the document and see what's the flow. This is an explanation, so not sure whether that's just a rationale or the recommendation itself. Maybe it's just-- I don't know, I'll need to check again what's the flow, what's the recommendation rationale and implementation guidance. It's just that this part seemed off in light of our more later conversations about the hybrid model and why we're applying a hybrid model for the String Similarity Review and other alike processes.

DONNA AUSTIN: Okay, thanks, Dennis. Ariel.

ARIEL LIANG: Oh, yes, actually, I was trying to raise something just about the hybrid model itself, because maybe I should pull out the draft tag so we can look at it together to have more clarity on this. Just give me one sec, I'm going to pull out the text. So if you look at hyper model, what is being compared for the reserved names list, this bullet point, what is being compared is just the reserved name list. We didn't say the reserved names and all of their allocatable and block variant labels.

So basically, for the hybrid model, we have exception for the reserved names, so we're not including their variant labels in the comparison. So I think that's something we didn't really discussed in detail when we talk about the hybrid model, and now we're going back to the reserved names recommendation. We said, yes, we're not going to expand the reserved name list by including their burial labels, but in a hybrid model, are we still going to take into account their variant labels in a comparison, even if we're not expanding the list itself?

I think that's inconsistency in a way. So if we're giving reserve names exception in the hybrid model, we probably have to explain it why we're giving that exception by not considering their variant labels. So I think if we could address that, then this recommendation probably can still stay as is, but then the hybrid

model recommendation may have to be revised. So that's my understanding of it.

DONNA AUSTIN: Thanks, Ariel. Dennis.

DENNIS TAN TANAKA: Yes, Dennis here again. I think, again, I'm not reading through the document again, but I think we want to be in a place where I think what Edmon is suggesting. Keep it simple, reserve name, I think what we're thinking was, the reserve name is not going to be expanded, period. And then for String Similarity Review processes, we apply the hybrid model keep separate distinct recommendations to the point without going to additional rationale that, again, might be conflicting with others, just keeping ourselves in our own words. I think that's how I envision it.

DONNA AUSTIN: I think to Ariel's point, though, all the hybrid model, when you say apply the hybrid model, the hybrid model only captures the reserve names list, not any variants. So the visual similarity will only be done against the actual reserved names, but there's no way to account for the variance. So if the team is okay with that, and you don't want visual similarity to be done on the variance of the reserve names, this then as we have it, is fine.

But if the intention is that the variance of the reserved names, these should also be reviewed for visual similarity, then we need to make that explicit. I think that's what Ariel is saying. Said that

we need to qualify that or clarify that. Okay, we don't know. So I'm going to put that down as a TBD, we're going to have to come back to this. Edmon, do you want to expand? So the reserve names, I assume, or ASCII, Latin?

EDMON CHUNG:

Yes, that's why I asked the question. And I guess most of them are exempt for, I actually don't remember whether country names or ASCII names or something does include some-- okay, so two are not ASCII. So if most of them are ASCII, then, there are no allocable variants. So we apply the hybrid model, it should still work, and it doesn't really need to expand the-- and for the two that are not ASCII, then it's the variance anyway, need to be calculated, because the variance themselves cannot be applied for, and therefore, the visually similar ones, of course, needs to be considered.

That's where I take the example of .ooo, which is visually similar to .000, which is not allowed, yet, it was allowed. So, I .ooo is allowed, even if it's kind of visually similar to a reserve string in my mind, but it's not in the reserve list, but it's not allowed registration. So that might be the part where we need to leave it to that kind of implementation. Would that make sense?

DONNA AUSTIN:

Perhaps this and implementation guidance that we could make on the reserved names list that notes that it's primarily ASCII, but for the two strings that are not, I test and sample, it will include visual similarity of the variants generated from the Root Zone LTR.

Maybe we could qualify in that way in implementation guidance. Would that work, Ariel, do you think?

ARIEL LIANG: I'll think about it. And just personal opinion, I think a cleaner way is to revise the hybrid model recommendation by including the variant labels have reserved names in the comparison so we don't have a exception, the principle is consistently applied. But happy to further discussing in the leadership call today and try to firm up for the suggestion for the group to consider.

DONNA AUSTIN: Okay, all right. We'll do that.

ARIEL LIANG: Donna, I presume you want me to move on.

DONNA AUSTIN: Yes, please, Ariel. I do note there's conversation between Michael and Edmon in chat that we will take into account when we discuss with leadership team this afternoon. Thanks.

ARIEL LIANG: Okay. Thanks, everybody. So the next one is about D8, which is the [01:15:45 - inaudible] question. And under the [01:15:47 - inaudible] question, we have created new recommendations about the situation where a primary IDN gTLD is removed from the root zone, what to do with its delegated variant labels. So, as you

probably noticed, yesterday, we circulated the ICANN Org inputs about the terminology, because initially, in their input about this situation, they used the word revoked, and there was some confusion about that term.

And during the discussion, it was a suggestion that we just use undelegated to interpret revoked. But there are is some uncertainty about what is the right term to use. So that's why we asked ICANN Work team to provide some follow up on that, and then they just did. And thanks, Michael for shepherding that input. So what they said is interpreting revoked as undelegated is not the best, because it may create ambiguity, because undelegated can describe more now one stage in the lifecycle of a TLD, and revoked would be the more precise term because it's specific to removal off already undelegated gTLD from the root zone, whereas undelegated could refer to revoked, but also referred to a string that has never been undelegated.

And also, the Org input provided some examples in terms of historical use of revoked. And also, revocation is the part of the registry agreement termination process. So that's an official term. And then the bullet points on the slide provides the references when revoked was used in ccTLD and gTLD context. So that's the feedback from ICANN Org on the term. So I think in summary, they believe revoked is still the correct term to use rather than undelegated. And the leadership team has some discussion with Staff, and also taking into account the feedback from ICANN Org, what is proposed is that in this recommendation language, we just steer away from the word revoked or undelegated and just used removed from the root zone to simplify it.

So, this is the proposed new recommendation language two 2.16. It reads, "A primary IDN gTLD that is removed from the root zone, either voluntarily or involuntarily will also require the removal of its delegated variant labels from the root zone." And then second, recommendation 2.17, "A delegated variant label that is voluntarily removed from the root zone will not require the removal of the associated primary IDN gTLD or its other delegated variant labels." So just use removal or removed instead.

And the third new recommendation, recommendation 2.18, "In the event that a variant label is removed from the root zone because it has been found to be in breach of the registry agreement, the delegated primary IDN gTLD and its other delegate variant labels must also be removed from the root zone." And this is pretty clear, but when we look at this recommendation, I think Donna noticed that we may need to have implementation guidance associated with 2.18 because a breach of registry agreement doesn't always result in the removal of a string from the root zone.

It could also mean that a barrier is implemented to. So, this is a question raised by Donna, I'm happy to defer to her to elaborate. And I guess the question for the group is, "Do you think all these recommendations are sufficient and appropriate or do you think we need to add additional implementation guidance, for example, to expand out 2.18? So I will stop now for the intro.

DONNA AUSTIN:

Thanks, Ariel. So just on the last point about EBERO, so usually, and I say usually, EBERO hasn't been implemented. Very often, I think maybe I know, it's been done once, but I'm not sure that it's

been done a second time. So sometimes the intent of the EBERO is that if there are registered domains, so at the second level, for a TLD, but the registry operator for whatever reason, can no longer operate the TLD so it may be voluntarily, they've gone to ICANN and said, we don't want this TLD anymore, we're not in a position to operate it.

If it is an active TLD, ICANN may decide to put it into EBERO. So that means finding a substitute registry operator for a period of time. And also, if there's a breach to the registry agreement that ICANN through its monitoring and compliance have determined that a registry operator is no longer fit to operate the registry for whatever reason, and it is an active TLD, again, they could place it into EBERO. So I think we need to just make the point that a breach of the registry agreement doesn't always result in the removal of the other TLD from the root zone.

It may have another course of action, so it's just a flag to make sure that somebody doesn't come back and say, well, it might go into EBERO, so what does that mean? So we just need to cover it off. It looks, from the chat, that people are reasonably happy with just going with the language, which is removed from the root zone, rather than use revoked or undelegated. So I think from my reading of the list, it seems that folks are okay with that.

And Michael Karakash I just want to note that if that still doesn't make or address ICANN Org's concern and perhaps come back to us and we'll see whether there's something else we can do. But I think for simplicity, so that it's understood what we mean here, removed or removal from the root zone is the best path forward. So I think we're good on that one, Ariel.

ARIEL LIANG: Okay, sounds good. And thanks, everybody for the inputs, and then regarding the barrier point, just my personal view, maybe we can include that in the rationale to note the possibility the string may not be removed from the root zone because a breach of RA, but in the event it is removed, the application SR2.18 applies. So maybe we can just clarify for that if that works.

DONNA AUSTIN: Yes, no objection, Ariel, we'll see what fits.

ARIEL LIANG: Okay. That sounds good, and let's move on. So A3, which was a charter question we discussed a while back. And I just want to quickly summarize it. It's about some apply for string that may not be regarded as valid due to the algorithmic with checking in the application stage. But then, if the applicant still believes it is valid string, and then there was a problem with the algorithm, it can raise a challenge for review by the DNS stability panel, and then the DNS stability panel can make the final call whether this string is valid or not. So that's what A3 is about.

It's the challenge mechanism for applicants to raise the challenge about the assessment of its string being valid. So that's the main recommendation that comes out of A3. And we do have an open item in the deliberation part that we didn't really close off. So it's about a potential review of the RZ-LGR, and the implication to a label that's subject to the review.

So it says the EPB team discussed the scenario where an applicant attempts to apply for a label that is subject to an ongoing RZ-LGR review request, the EPB team agreed to the following so far, "Any ongoing processes pursuant to an RZ-LGR review request should not hold up any other new gTLD applications in a program from the same application round. A new application for a label that had been subjected to a RZ-LGR review request may be submitted only if and when such a label is validated by the updated version of the RZ-LGR."

So that's the agreements are basically RZ-LGR goes through review and the maybe a string that was regarded invalid a while back in the new version, it can become valid. But in that instance, the agreement applies to whether and when such application can be submitted. So the second paragraph in this slide says the EPB team suggests that if an applicant applies for a label that is subject to an ongoing RZ-LGR review request, the applicant should be notified at an early stage of the application process, and the application should be removed from the program.

However, this is potential recommendation may be contingent on the output for charter question A4 which I'll show you next. So basically, in summary, we may or may not need to create additional recommendations to address these agreements. That's something for the group to confirm whether you still believe we should develop recommendation language to reflect this agreement. And then just as a reminder, what A4 is about, so this is about what to do with application from an existing gTLD whose script is not yet supported by the RZ-LGR.

But when we did the research, all of the scripts of the existing gTLD is from the 2012 rounds, they're already incorporated in the latest version of RZ-LGR. So this question is mute basically. We don't need to have any recommendation to address that scenario, because it doesn't exist. So that's the conclusion of A4, although I'm not completely sure whether these open items really are contingent upon the output of A4 but we probably do need to address the scenario if a label is subject to an ongoing RZ-LGR review, what to do was application for that label. That's my introduction, and hopefully, folks are not too confused and remember what we discussed a long time ago.

DONNA AUSTIN:

So any thoughts on this one, folks? I don't see any hands, so I think what we might do, Ariel, is just identify this as something we'd like feedback from folks on the list if that's possible. So in the notes, if we can just draw this to people's attention and ask for any feedback or thoughts. [CROSSTALK] the listed points sound okay to him. So are they not sufficient? So Edmon wants to know what A4 is again. Can we get back to A4? Michael is telling Edmon that A4 is mute, so. Sarmad.

SARMAD HUSSAIN:

Yes, I created a comment on the previous A3 item, yes. So this is if an applied for TLD table whose script is supported by Root Zone LGR is determined to be invalid. I guess I'm just clarifying. Is this about challenging the calculation itself or the Root Zone LGR definition? We've been talking about those two scenarios differently, just wanted to, I guess, clarify which particular aspect

we're talking about, and then I may actually have a follow-up comment.

DONNA AUSTIN: Thanks, Sarmad. Ariel's note in chat says is challenging the algorithmic checking.

SARMAD HUSSAIN: So it's judging the tools, not the content of the Root LGR. Okay.

DONNA AUSTIN: Yes.

SARMAD HUSSAIN: Then I don't have a follow-up comment. Thank you.

DONNA AUSTIN: So the Root Zone LGR is still is still king. But I think when we spoke about this, we were concerned that perhaps the tool may have transpose the output of the Root Zone LGR incorrectly. So that's what can be challenged. Okay, let's put this to the list and see if folks have any thoughts, and then we can work out where we go from there. Let's keep rolling, Ariel. We've got 25 minutes left.

ARIEL LIANG: I think we're good. And also, I just want to note that Michael said, he thinks the bullet points are sufficient. So if it helps, we can

drop recommendation texts to reflect those bullet points, and then maybe that's easier for the group to provide feedback on if that's appropriate.

DONNA AUSTIN: Sounds good, Ariel.

ARIEL LIANG: Okay. Sounds good. And Thanks, Michael. And, oh, we're done. We need to close, although it's not a complete work, we still have some remaining things, but hopefully we can get a conclusion of these quickly. And we're right on time to talk about the initial report structure. This is just a very quick overview of what you should expect in terms of content in the initial report. It's just a table of contents for now. So section 125, they are the main body of the initial report, and then there will be some annexes. And this follows generally the templates from the GNSO for initial report.

So you will see very similar structuring of the PDPs in this report. And then just want to give a quick overview in case you believe there's something missing where we need to reorder things a bit, we'd love to hear your feedback on that. So section one is executive summary. Nothing to it really. Section two, working group approach. It's a standard section just describing how we organize our work. So in here, we probably will include how we decided to divide the work into two phases and the rationale behind that, and then also mention we have a small group dedicated to String Similarity Review topic.

So we'll include some of these points so that the community understand our approach to address the word IDNs. And then section three, glossary. That's not a standard section initial report, but it is important section for us because we do have some terminologies that we use throughout the initial report and recommendations. We do need to clarify why we're using these terminologies and when they're used, especially for some terms like IDN gTLD is using most of the recommendations, but some recommendation would just say gTLDs because that covers both ASCII and IDN strings.

So we need to clarify when certain terminology is used, there is a rationale behind that. And also, as Justine mentioned, we probably need to add some additional terms to glossary [01:35:01 - inaudible] to reserve names and those things so that, folks when they read the recommendation, they have a clearer understanding what they refer to. And then section four, that's basically the most important part of the initial report that includes all of our phase one charter questions, the proposed draft answers, and the draft recommendation's implementation guidance and the rationale.

So what's the plan is in Cancun, we will provide you a full view of all of these draft recommendations so that you know exactly what we have developed so far, and the we will propose the sequence how we're going to put that in the initial report, because as you remember, we did some reordering because some track charter questions are related to each other, but they're in different topics, so we kind of put them next to each other. And we need to do some cleanup in terms of the recommendation numbers.

Right now, it's all over the place, but don't be worried, we will need to reorder them for the initial report. So that's the main part of section four, and you will get a preview of that in Cancun about just the recommendation themselves, not the rationale. We will have a probably big table or spreadsheet to show you that. And then section five, next steps. That's the standard section. Initial report just talks about what to expect after the public comment and what the group going to do with the public comment, and then expected to timeline for publishing the final report, and we will include some standard text there, and that's a very short section.

So that's the main body, and then following that are annexes. The first Annex A, so if you recall, in the E3 draft tax, we split the content into two parts. One is the main draft recommendation tax, the other is the annex that includes more detailed deliberation information on the String Similarity Review pressure. So we believe it's probably good to put this as the first annex initial report. So folks can read more about the deliberation on the String Similarity Review, which is the most challenging part of our phase one recommendation. And then Annex B is the working group chatter that's included the many initial reports of other PDPs.

So it's just insert the chatter there. Annex C, background. So that probably will describe the IDN related work throughout the decades in ICANN and why we need to have a IDN EPDP or IDN, and we'll will provide some background information on that and repurpose some existing materials from, for example, our charter, and then the staff paper, and other documents. So it's just to provide background for folks who may not be familiar with the

work, but then, hopefully the commenters, they already have the sufficient information or understanding of IDNs before we did comment on the recommendations themselves.

And Annex D is also a standard section in the initial report, just list the names of our members and the participants and their affiliation. And there's also a metric that have been used by GNSO secretariat team to document the attendance rates where metrics of all remembers participants. And if you're interested, I can circulate the transfer policy initial report. They have a similar section about members and attendance and the metrics and tables.

So you can look at that and expect it's going to be a similar look and feel for our initial report. And Annex E is also a standard section, just talk about the early inputs process we did at the beginning of our PDP deliberation. It's basically sending a list of questions across GNSO stakeholder groups and constituencies as well as other advisory committees and supporting organization for their feedback. And we did receive some early input from ccNSO, SSAC, and I believe, Registry Stakeholder Group, I need to double check, but we have a recorded all of these in the wiki of our workspace and we will have a section just to document the input we received.

So that's a quick overview of the structure of the initial reports. If you think we missed an important section where you want to include some additional things, please let us know. And thanks for the comments about the glossary in the chat.

DONNA AUSTIN: Thanks, Ariel. So, Ariel, to have a sense of, this is a tricky question, how many pages do you think we're looking at?

ARIEL LIANG: I don't know yet. I really don't know, because we have to consolidate all of our draft text, but I don't believe it's going to be a thin report, it's going to be thick. But I will have a better idea after ICANN76. But it wouldn't be as thick as SubPro, that's a given. SubPro is like, yes, the upper limit in text.

DONNA AUSTIN: I think if it's as large as SubPro, we've gone too far. Okay, so any questions or concerns about the proposed outline?

ARIEL LIANG: And I just wanted to note, John had a comment about the background section. The intended, so we don't read the entire history of IDNs because it's probably not needed, and there's already existing body of work that talk about the history in other reports. So we'll try to repurpose some existing information, but try to summarize in a more concise manner so that we don't have to spend too much time on writing the background, but really focus on section four, which is the meat of the initial report that we need for the public to provide input. Thanks, John.

DONNA AUSTIN: Okay. [01:42:09 - inaudible].

ARIEL LIANG:

Okay, and thanks that Dennis too, for the comment. Now, we want to quickly talk about our timeline, because we're getting to the last stretch, trying to hit our target. So today is not March 7th, and then March 11th is our working sessions in ICANN76. As previously noted, we probably would do the second reading of the draft tax that was circulated this last week, and then also we'll provide you a full view of all of the face draft recommendations. So that's something probably will happen during our working sessions, and we will firm up the agenda and circulate that beforehand.

And then the week of March 12 will be ICANN76. Very little things the group can do together beyond the working session, but there are some background work we will do, especially with leadership team. So there's something going to happen there, but not directly involving the members. And then after 76, we will potentially have a meeting on the 23rd of March, but that's contingent upon everybody's availability, because we understand folks may be still traveling, and maybe it's just too much to meet right after 76.

So we will discuss with leadership whether there is a need to hold the meeting, and if not, then we can cancel it. However, there's a key target date that staff is aiming, it's March 24. That's when we want to get the drafting done for the initial report. So basically, we should have all the draft recommendation texts. Also, the other sections that I just previewed for you guys, so we'll get everything down on that day.

And in that way, the week of March 26, we kind of already circulated at least part of the initial report for the group for review.

So maybe in the meeting of March 30th, we can discuss some selected section in the initial report. So that's not related to the draft recommendations because we have been doing that along the way, and we probably don't need to continue focus on that unless there's some gaps we need to close.

But the March 30th meeting, perhaps we can look at some other sections of the initial report that may worth discussing. But as I mentioned, most of them our template basically, we don't need to have very elaborate discussion by the team. But we will decide with the leadership team what to review. And then March 31st is the day we are targeting to send the full initial report for the whole EPB team to review and approved. And the time is really getting short because we think we probably only have a one full week for the whole group to approve the entire report.

Otherwise, we wouldn't be able to meet our target date for opening the public comment. The reason is that for opening a public comment, that's not a straightforward kind of process, we have to get several ICANN teams involved including Legal, they need to review the public comment materials, and then also the tech team in ICANN, they have to physically create the page for public comment. And so we have to give them at least one week to do that.

And I will provide some more detail why they need one week, because we may need to have some kind of specific format we want folks to provide comment on, and they will need to fill out a form in terms of providing comment rather than just sending commenting open-ended manner. So if that's the approach the

group decides to take, then the public comment team, they will have need one week to create all of these things.

So basically, just to emphasize that, we probably have to aim April 7th as the date we receive final approval from the EPB team for the full report. And then in that way, we can send everything over to the ICANN teams for the processing of the public comment ticket, and then set up the public comment page, and then they will need two weeks to do that.

And then the date to actually public comment, now we're putting the date as April 24th. Although initially we're talking about April 21st, but after checking was the public comment team, they advised against it because it's a Friday. It's just not great to open public comment on Friday. So you either do it on the Thursday, or you do it on a Monday. So if we're aiming for Monday, then April 24th is the day. So that's how the timeline looks like, it's pretty tight, but I think if we work hard, we should be able to read it. And Maxim, I know that you said to one week to create, yes, it's an industry standard, so yes, that's why we have the week of April 16th for the public home and team to get everything sorted.

The complication is we'll still need another week for all the internal approval process, which take time, especially if you involve Legal, so that's a complication. And another item I want to quickly just preview with the group is about this guided submission form. So it's basically when we open public comment, we can create a form for the commenters to fill out instead of just letting them submit whatever comment they want in whatever format they want. And the reason is, if we use this guidance submission form, we can be

very specific about whether ask them to indicate support or objection to a recommendation.

And then if they have specific input for specific recommendation, they can fill that in the designated space. And then when we receive the input, it will be much more efficient to consolidate them and then categorize them, and we'll do that as a team. So overall, it will be a more efficient process. And I just want to show you the example that was done by the transfer policy phase 1a initial report. So they used this guidance submission form, so this is a one of the comments submitted by a commenter.

So they asked, "Do you provide input on behalf of another group or just behalf of yourself?" And then they have recommendation number here, so they ask commenters to choose their level of support. To this, this person has mostly no opinion. But when this person doesn't have opinion, they say recommendations should be deleted, and then they indicated the rationale for that. And also, there's an open-ended box for folks to provide any additional inputs that was not in the recommendation itself. If they think there's some additional recommendation needs to be made, they can provide that input in that open-ended box in the comment form.

And I can actually quickly show you how the guided submission form looks like in a Word document. And if our group wants to do something similar, we can definitely create that. So let me just pull this up for you to take a look quickly. So this is some guidance submission form. So we can have different sections, ask folks to provide their name, email, affiliation. And then this is what the recommendation looks like. So we'll just have a title,

preliminary recommendation one, now you can ask commenter provide their level of support, and it's a single select multiple choice option.

So these are the choices we can give folks to indicate their level of support. And then this is the open-ended section for them to provide any additional inputs if they, for example, suggest added or deletion of the recommendation, they need to provide rationale there. So we can perhaps emulate or even copy the format of this guided submission form for use for our public comments. So this is something we'll like to seek the group's input on whether you want to do something similar to this, or do you want to just have an open-ended way of getting comments? And I have seen some comments from Edmon.

And those who don't want to use against you sent it in free form, I need to double check with the public comment team whether that's allowed if you use the guidance submission form, whether they have the option not to use it, but I can get back to the group on that. But in any case, if they don't want to answer specific questions in like this, they will still have open-ended section in the submission form to provide any additional input they want to provide in a free way as they wish. So yes.

Okay. Thanks, Edmon, for the clarification. And yes, thanks, everybody for the comments. And one last thing I want to check with the group on is regarding the closing date of public comment, because that's kind of influential in a way that kind of determines what we'll do with ICANN77, which is the second meeting this year.

So in general, for public comment period, the minimum duration is 40 calendar days, and if we consider the weekend and such, option one for us is to close public comment on June 5th, that's a Monday and then that's 42 calendar days. So if we do the bare minimum, this is our close date. And if we do use the guidance submission form, I think it's possible for staff to tabulate and categorize and consolidate all the comments for the group to review for ICANN77.

It's going to be touched, but we can aim for doing that. It just requires some really quick work. But that's potential option one. And option two is we close public comment after 77. And after consulting with the public comment team, they suggested we don't close the public comment right after 77, it's not going to be received well. Literally nobody is going to have time during ICANN77 to submit public comment, or even the week right after because folks are traveling and such. So their suggestion is that if we want to close it after 77, we do on June 26.

And that will give the public 63 calendar days to provide public comment. So that means in 77, we'll have to do something else, which is not an issue because we do have other things we could do. For example, planning for phase two, and the data color action related work. And those things, we can probably work on during 77. So it doesn't mean we're just the idle. So this is something for the group to weigh in, like when you think closing public comment will be preferable.

And we do need to definitely indicate in our public comment request the closing date, so we have to make a decision ASAP. So these are the two options for you to ponder. We don't need to

make a decision today, we can further discuss that, but I just want to set and show you the dates and expectations so you will have a more informed way to make a decision. That's all for now. And back to you, Donna.

DONNA AUSTIN:

Thanks, Ariel. So I'm aware that we're got two or three minutes left. But on this question of the length of the public comment period, my preferred option as chair is the 42 calendar days. And I appreciate that might be tight for folks, but what I'd like to do is let's go with option one. And then if we get requests for extension, we will consider those. But my hope is that, because we've been developing recommendations as we go, that your respective groups should have a fair idea of where we're going to end up. So I would rather keep this to 42 calendar days, and if people want to request an extension, then we'll do that. So that's my preferred option.

But as Ariel said, looking for your feedback as well, and I think 42 calendar days, it's probably, well, Ariel says, there's other things we can do at ICANN76 or 77. My preference would be to have the draft recommendations or the input on initial report available for us to have some conversation about those comments. Ariel, can you go back to the timeline slide? Okay. So it looks like we've got support to do a meeting on the 23rd of March, which is the week after ICANN76 ends, so thank you for that. Obviously, if we don't think we're in a position to have an agenda and substance to discuss, we will cancel that.

But it's good to know that folks are okay to have a call on the 23rd, because I think we are going to be pressed for time here. The other thing I want folks to think about is, I am concerned that we're not going to have enough time to get through the initial report before we publish if we've only got two hours for a meeting. So we may have to extend that time, or we may need to find another day in the week for the group to meet just to make sure that we do a thorough review of the initial report, because I don't want anyone to be surprised by what's in the report, and the only way we can really do that is to ensure that we have ample time to review the report.

So that's a couple of things I would ask the team. So I know that Dennis has to drop, I'm sure others have to drop, so let's call it here. We've gone through a lot today, we really are getting to the end, but sometimes the last mile is the hardest one to get to. So please review the documents that Ariel has put out for review this week, and get back to us on those within the required timeframe.

And following the leadership team call today, we may have additional language on the fee issue for folks to review. But if you can also discuss that with your groups, that'll be helpful as well. And we will see you in a week or so time. Thanks, everybody. We'll talk to you in Cancun.

DEVAN REED: Thank you all so much for joining. Have a wonderful rest of your day.

[END OF TRANSCRIPTION]