
ICANN Transcription

IDNs EPDP

Thursday, 16 November 2023 at 12:00 UTC

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DEVAN REED:

Good morning, good afternoon and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 16 November 2023 at 12:00 UTC. We do have apologies today from Michael Bauland, Satish Babu and Anil Kumar Jain. All members and participants will be promoted to panelist. Observers will remain as an attendee and both have view access to chat only. Statements of interest must be 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. All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name for the transcript. As a reminder, those who take part in the ICANN multi-stakeholder process will comply with the expected standards of behavior. Thank you and over to Donna Austin, please begin.

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DONNA AUSTIN:

Hi Devan, welcome everybody to today's call. This will be our last call before we have the face-to-face meeting in KL on the 5th to the 8th of December. So we don't have an agenda set for that yet, but we will be working, leadership team will be working in the next week or so to get that sorted out and get it to everyone so that you understand what we'll be talking about.

I just wanted to make a little bit of announcement. At the end of our call last week, Justine announced that she was standing down from the group and also, as a consequence, standing down as Vice Chair. Given where we are in the process and my hope that maybe we have only six months of work left with the team, I asked Farell Folly if he would step into the role as Vice Chair for the remainder of the work. Farell was our GNSO Council liaison since the beginning of this effort. He's recently termed out of Council and stepped out of that role. And we now have Manju as our GNSO Council liaison. So absent any objection, what I'd like to do is appoint Farell as the Vice Chair to this working group to replace Justine. So I'll do a note to the Council list. I'll do a note to our mailing list. And if anyone has any concerns, they can respond on the list or they can respond to me directly. But I just felt given we only have six months left of this work, I didn't really want to disrupt the membership by taking a Vice Chair out of there. So I thought Farell would be a good Vice Chair for us, given that he has been with us since the beginning and held that GNSO Council liaison role and was part of the leadership team. Anyway, so thank you to Farell for being willing to serve as our Vice Chair. And hopefully that won't be of any concern to anybody else. So I guess that's the

big announcement for this week. I certainly was pretty sad to see Justine go, but I know that one of the challenges with these working groups is that they go for long periods of time and it's hard for people to stay committed and in one role. So again, thanks to Justine and thanks to Farell for stepping in.

Okay, so with that, we're going to continue our review of the Phase 2 text. And with that, I'm going to hand it over to Ariel.

ARIEL LIANG:

Yes. And congratulations, Farell. And also I want to quickly note we sent a security info sheet to the mailing list about Kuala Lumpur, and that's a standard practice that ICANN security team conducts for any ICANN-sponsored event. So when you get a chance, please do take a look at the info sheet. It's only one page, just for your information. So I just want to quickly note that. And I'm going to put this link in the chat. And before I begin, I'd like to ask for a raise of hand if you could do that. How many of you have read through the red line and know about the extent of change? If you do have a chance to read through this before the call, please raise your hand or put a checkmark next to your name so I will know how detailed I need to go through this document. Just a very quick polling. Just wait for a second and see whether there's anybody. I mean, there's no problem if you haven't, because I do know it's a short notice.. So I haven't seen any hand raised. And it's actually aligned with my expectation as well. So, since our call today is dedicated to go through this draft text, I'm happy to go through this live with the group. Some of the changes, as I noted in the email, are kind of overarching. So I will explain it the first time we see the change and then the next few times, probably

explanation is not necessary. So, okay. Thanks for indulging me on the polling.

So, on page one, I do want to note that we have unresolved comment here from Sarmad about the IDN table harmonization. There's some specific elements to that that we haven't completely finished discussing. So I tabled this and I haven't resolved the comment yet. We may go back to this later. But this is something that we haven't really completely finished. So I kept the comment here.

And on page two, here comes one of the first overarching update. And so if you recall, when we talked about variant label at the second level, the word activation is something that we believe is appropriate for usage, because it's already in the, I think, registry agreement. There's a denim to that for variant activation. And registration is something a bit different. And we understand this is a billable transaction. But for variants, activation is the appropriate word to use based on the team's agreement. So that's why in this sentence in the rationale, I crossed out activated for registration, because what we understand is it's not always the case that a variant is a separate registration. So that crossed out for registration here and I tried to just keep the word activated for activation in when whenever we describe second level variant domains. So that's the first overarching change. And you will see this reflected in several other places.

And the second is that process of the change same variant domain set to consistent variant domain set. And I believe the group is already aware of this and we talked about it. It's not

always the same, but at least consistent. That's for harmonization purpose.

And there's finally on page two, the last change is to replace this paragraph based on what's the Dennis suggested. It's basically to reiterate the goal of harmonization is to avoid the situation where two or more domain names that are calculated as variant domain names using one IDN table rule can be non variants using another IDN table rule under the same gTLD. It's basically to reiterate the purpose and the reason the previous paragraph was crossed out because we kind of conflate this with same entity principle, and which is not really necessary or could potentially cause confusion. So that's why we agreed to adopt Dennis's suggested language. So that's the extent of change on page two. And I want to quickly check whether there's any comment or question from the group.

And not seeing any, my presumption is everybody's okay with this change, and I can move on to the next page. The next page, there's nothing changed, which is good. Also, nothing changed on page four and five. And okay, so now we'll go to page six. So, again, you will see the first bullet points, I stick with activated and activation as the right terminology for variant domain names. So that's why registered and allocation are crossed out to be replaced with these terms. The same change applied in preliminary recommendation two. Although I do recall when we talked about, can we use allocation also, in this context, I believe, I think Dennis that it was probably okay. But then at the same time, after some other discussion we had later, it seems to be we should just stick with one term and not to create a second or different term that could cause questions. So we just change possible allocation to

possible activation. That's the change on page six. And if no question or concerns, move on. Sarmad, please go ahead.

SARMAD HUSSAIN: Yeah, so in this particular case, I think activation means that the label actually is functional, whereas allocation actually means that the label may actually be—that it's attributed to someone, but may not actually be functional. So I'm just wondering if that makes a difference here, in this the same entity principle applies to activation of future variant domains. To me, logically, those are two different things. I'm not saying the change is okay or not. I'm just sort of thing that this is intrinsically something different and I just need to just think through this a little more to see whether that difference is still okay, I guess.

DONNA AUSTIN: Thanks, Sarmad. Dennis.

DENNIS TAN: Thank you, Donna, Dennis for the record. So just building on Sarmad. So I agree. Activation, allocation generally refers to two different things. I don't want to say state things right activation the domain, the domain name is going to be usable right you assign them service and whatnot. The allocation is more fuzzy in the terms. And again, right, using Sarmad's or paraphrasing Sarmad's definition, allocation is when you designate that domain name to a registrant's[inaudible]. Right. And that might happen in different scenarios. For example, one where I think in the new utility program, there was this qualified launch program, founders

program or what have you and there are other registrations, a special purpose registration specialty, which you could allocate domains to certain registrants. And that could happen. But when we talk about normal regular activation of domain names or registration of domain names, at least in Verisign's case, and when we have variant domain names at the second level, we don't activate those, we block them. But nevertheless, we [don't neither we] allocate those to a particular registrar. The point of control for variant domain names and ensuring the same entity is at the registration, at the create, and that's where we see if a domain name comes in, we say it's available, not available for registration, because there is no allocation table in the registry. And the domain name is registered or not registered, basically. And again, I'm referring to using here registration, because that's what that is and that's in terms of value domain. There would be different objects. And so just want to reflect that back to the recommendation that what we are referring here is affirmative action by the registry. What they do when they see a request for activation of a domain name or request for registration of the main name, depending whether it's a variant or not. I don't think that registries will allocate domain names affirmatively to registrant. I think they will just do checks, meaning availability or not. And then if that registration meets the criteria of the same entity and additional checks that the registration might impose, then they will allocate and activate that domain name. I hope that makes sense. But Sarmad, you can flesh out more as to what's your concern in terms when to use the allocation designator.

SARMAD HUSSAIN: So I think thinking out a little more, allocation would probably mean that query, WHOIS or the RDAP query would return some contact for a domain versus, but it may still not resolve. If you type that domain name and try to get to a website, for example, whereas activation would mean that it would actually resolve as well. But without allocation, the RDAP query, for example, would also not give you any response as to who the owner or who the registrant for the domain name is. So those are in some ways three different states. Again, I'm not trying to respond back on to whether replacing allocation and activation is okay here, but I guess I'm just trying to say that it's not equivalent. Thank you.

DONNA AUSTIN: Thanks so much. We've got Dennis and then Ariel.

DENNIS TAN: Yeah, no, thanks a lot, Sarmad. So, yeah, two things here. I don't think we need to touch preliminary recommendation two in terms of the language as it is defined. But referring back to what Sarmad, the use case, right, about RDAP queries, who is queries. Yeah, I agree. And we, the registries, have talked about that. What are going to be the minimum things that we would need to provide our registrars and in turn registrants to understand the situation of a domain name relative to a variant domain name set, if that's the case, right? So, yeah, we are talking about changes to our EPP responses. And don't quote me here because those conversations are still early in the early conversations. But yeah, we need to modify, provide more information that we do today. Could be by an extension or something along those lines. But yes,

now that a domain name can have an extended—It's part of an extended set. And that extended set is not available for registration for anybody. Then those responses, EPP, WHOIS, RDAP, they will need to accommodate some form of signals so that the registrars may understand what is happening at the transaction level. Again, right, I agree with what Sarmad is saying, right? There's going to be some changes in how registrars and registries interact with the variant domain names if the registry supports activation of variant domain names, that is. And so, yeah, but again, right, those are still early conversations as to how we would support this.

DONNA AUSTIN:

Thanks, Dennis. Ariel?

ARIEL LIANG:

Thanks, Dennis and Sarmad. And I just want to note I agree with Dennis in terms of the recommendation language. It shouldn't change. And the reason I highlighted withheld for possible activation, that phrase basically covers the scenario that Sarmad talked about is you can get to a someplace, but there's no website associated with that. It's because it's only possible activation. It hasn't been activated yet. So I think the language still stands. And in terms of the EPP extension and those things, I think that's down to implementation. So at the policy level, we don't have to talk about that. But just to know that it could be a possible path for implementation, just for our information. So that's why I raised my hand.

DONNA AUSTIN: Thanks, Ariel. So I heard Dennis say that he's okay with the language. It's correct. It's correct for the purpose of what we're doing here. Sarmad, are you okay with that?

SARMAD HUSSAIN: I think I don't really have an objection to it. But I just want to maybe come back to it later. Maybe not say yes on the fly, if that's okay.

DONNA AUSTIN: Okay. All right. All right. So I think we're okay for now, Ariel, unless someone comes back with something else in the next week or so.

ARIEL LIANG: Okay. Sounds good. We'll move on. So on page seven, the update that you see are mostly related to the award registration. And so basically, I tried to avoid talking about registration, because we know that some existing variant domains, they are not registration per se. They're kind of attribute to the source domain name registration. So instead of saying existing registrations, I just replaced that word with existing domain names. So that's the change for a couple of places. And then the other couple of changes is, again, the universal change of replacing registered to to activated for. So hopefully that makes sense for folks. And finally, oh, sorry, you will see that also there's this mention of 1.5 million IDN registrations. So I just made this into IDNs. Well, maybe I can even say IDN domain names if that's

needed. But it seems a little redundant. So that's why I just say IDNs here.

And finally, the last change is the sentence in paragraph two requiring that all of the allocatable variant domain names from a variant domain set must be activated by the same sponsoring registrar. The way it sounds like it seems like the sponsoring registrar must have to activate all the allocatable variant domain names. But that's not the case. It's basically if the registrar wants it, and then the registry allows it, then the sponsoring registrar must activate those specific allocatable variant domain names. So I changed must to may only. And I think that captured this nuance a bit better. So that's the change on page seven. And I want to pause for a moment and see whether there's any reaction from the group. And I know Dennis is away from computer. And not seeing hands or comment. And I presume everybody's okay with this change. And I'm sure Dennis can come back to page seven later. So we'll move on.

Page eight, there's no change. And now we're at page nine. There are a couple of changes in the rationale portion. So the first one is actually something Justine suggested before she departed. And it's basically to kind of explain the sentence in the context of our example. So really nothing super substantive, but it adds clarity. And then the second change here is basically reflecting Michael's suggestion. He was saying we could add another scenario to say how a grandfathering situation is eliminated is basically one of the two domain names in our example is deleted. So as a result, only one domain name, one registrant and one sponsoring registrar remains for the set. And in that case, the grandfathering situation

is resolved and further activation is allowed. So basically, we added this scenario to kind of boost our examples in this paragraph. And I will pause for a moment, see whether there's any comment or question or concern. And not seeing any reaction. Presumption is it's okay, and I will keep going.

Okay, so here we talked about C3 during our ICANN 78 working session. That's the ROID question. The agreement from the group is not to develop any recommendation, but to develop a response to the charter question. Basically capturing that the ROID is not fit for purpose and there are some drawbacks related to that. And the agreement is to leave the implementation detail to the contracted parties and they can figure out what's the best mechanism of identifying the same registrant. So that's basically the summary of the response that I drafted here. And it's a bit long, so I just want to quickly kind of refresh folks' memory about this particular paragraph about the drawback of ROID. Some of the kind of weaknesses we identified is that it's a throwaway identifier that's not really reusable. And also, it's possible the same ROID is not assigned to the same registrant across the gTLDs managed by the registry operator. Because it's only unique per object ROID. And then the second drawback is only the registry operators for the thin registries are, sorry, for the thick registries, they may generate ROID, but it's not a requirement for thin registries. And also as a result of the GDPR implementation, the ROID may not be included in the minimum data set in accordance with the registration data policy. So for these reasons, this is not a fit for purpose kind of mechanism. And this paragraph intend to capture these discussions.

And the following paragraphs actually talked about the models that the CPH tech ops team shared with the group in ICANN 78. They had some discussion about how to enforce the same registrant. There are two models. One is registry registrant collectively enforce the same registrant. But the way has to be predetermined by the registry operator. And the second way is that registry registrant split the responsibility. So registry enforce the same registrar and registrar enforce the same registrant based on registrar's policy. So these two models were discussed, but the agreement is not to kind of impose any single model, because there are different moving parts and different parties involved. So the agreement is to concentrate on the goal of same entity as our policy recommendation, but leave details to implementation. So basically, this is the draft response for C3. And I will pause for a moment and see whether there's any comment from the group. And whether we missed anything important that should be captured in the response.

DONNA AUSTIN:

Thanks, Ariel. So I know that some people may not have had an opportunity to read through this and given the reflects the conversation that we had in Hamburg recently, it would be really good if—I appreciate people may not have had a chance to read this. But if you do have any concerns about this, please share them on the list. You know, what would be really useful is if we can wrap up this language before we get to KL. So we're not going over any of this language that we're discussing now. Okay, I think we can keep going, Ariel. Jennifer's put in chat that she agrees with the comprehensive recap. Okay.

ARIEL LIANG:

Thanks, Jennifer. And thanks, Donna. So I will move on. And but of course, you're free to look at the text again after the call and catch anything on Google Doc and we will respond to that. And then C3A is actually a conditional question to C3 is asking ifROID is recommended as a mechanism, does the group plan to put any additional requirements for implementation guidance? So we just said this question is moot because the group decided not to recommendROID as the mechanism for identifying same registrant. So short response.

And the other changes on page 12, again, it's related to the word activated, allocated. So but I believe I guess Sarmad can take a look at this again and think about it and let us know whether you think this change is still okay. And another change is about the source domain name. What we did here is to enhance the explanation of this, because what the group agreed in Hamburg is that source domain name must be registered. And also one source domain name per gTLD. And that's why we added these red lines to reflect that agreement in the first bullet point about source domain name. So that's the change on page 12. I will pause for a moment. And Sarmad, please go ahead.

SARMAD HUSSAIN:

Yeah, I think in the way I understand it is that allocated is a more base level condition and activated is a more specialized condition for a domain name. So I think the lifecycle is applicable to as soon as something's allocated, even before it is activated. And if we just say that it is only applicable to activated, it may be possibly

assumed that something which is allocated and not activated, that lifecycle won't be applicable to it. So I would probably suggest in this case allocated may still work better. Thank you.

ARIEL LIANG: Thank you, Sarmad. I saw Jennifer said she agreed with what Sarmad said. And I just want to note actually, when we talked about it, I believe if Maxim is online, Maxim can correct me. I think Maxim said something about the domain name lifecycle only starts when it's activated. But please correct me if I got it wrong. So that's why I made the change here. But Maxim, please go ahead.

MAXIM ALZOBA: Yes, the lifecycle is for the registered domain, and it starts when it is registered. Before it is just not applicable because you don't have the object for the cycle. Thanks.

DONNA AUSTIN: Sarmad.

SARMAD HUSSAIN: Yeah, I think if you're using that terminology, I, at least for me, registration is equivalent to allocation, not actually activation. Activation is one step beyond registration, where you actually not only assign the domain name to some registrant, but also make it resolvable. Thank you.

DONNA AUSTIN: Do we need to qualify with activated or allocated? Or can we just say each variant domain name is allowed to have an independent domain name lifecycle? I think what we're trying to say here is that whatever's under the source domain name, but I'm just wondering if we can drop activated or allocated. Sarmad?

SARMAD HUSSAIN: Yeah, so I'm not quite sure, I need to see the actual diagram. But if withheld for same entry entity is part of that whole process, then I think as you're saying, I think this this whole sort of property of whether it's activated or allocated can be taken out and we can just say that each variant domain name is allowed.

DONNA AUSTIN: Thanks Sarmad. Thoughts from others? Edmon. Thanks Maxim.

EDMON CHUNG: Edmon here, speaking personally. So, sorry, I missed probably this discussion earlier, but I see that when we have variant domains that have its own lifecycle, do we have any other part that bounds it in the sense that when the source or the primary name is deleted or expires, the entire variant set also is gone? Or is there a possibility where a variant lingers on beyond the source or primary?

DONNA AUSTIN: I think in discussions that we had, maybe it was in Hamburg, I think there was an agreement that if a source domain is deleted,

then the registrar and the registrant can sort out what happens to the others about whether they can remain active for want of a better word or not. So is that the question you're asking Edmon?

EDMON CHUNG:

So in that case, I think it might need to be more clear what happens there. If something like this happens, I would imagine that the domain should be deleted and then re-registered with the variant or else I'm just not, I guess not imagining the logic of why that is the case or else the concept of which the registration starts with, it's sort of a one registered domain, even if there are many variants, would kind of fall apart as we, or one applied for, I should not use the word registered. So one applied for domain implicates the entire set of variants. So when that applied for domain is deleted, then all the others should go away. If that is not clear enough, maybe we need to think about it. If there are some ways to re-register or reapply for variant domains, that should come as a separate recommendation, I guess in my mind, or else we risk a situation where there are these orphaned variants that are lingering around.

DONNA AUSTIN:

Thanks Edmon. So I think, I'm not sure I'm following you, but I think it's the same entity principle that keeps the, and I'm going to use set for want of a better word, the set together. And I think in thinking about the source domain name, we acknowledge that there may be instances where the registrant doesn't want that name anymore, but wants to hold on to the others. That doesn't mean that the source domain necessarily goes away, but it's up to

the registrant and the registrar to sort out what happens next in that situation. But Ariel's got a hand up. She's probably got a better idea than me. Is that Ariel?

ARIEL LIANG:

Yes, thanks. Thanks, Donna and thanks Edmon. And in fact, this has been talked about quite a bit in Hamburg and the group's agreement is not to make any explicit recommendation dictating one way or another regarding the deletion of the source domain name. As Donna said, there could be scenario where there's a requirement that once the source domain name is deleted, the whole set needs to go, but there could be also other cases where the registrant may choose one of the variant domains as the new source domain. But the presumption is that the registry won't allow the scenario where the change of source domain name renders other activated variant domain names blocked because that would be a compliance issue with IDN table implementation. But again, if the group decide to make recommendation on that, it could be very complicated and it seems get down to the business of registry and registrar. So the agreement is not to make explicit recommendation. But when you see the rest of the document, I think the rationale for recommendation five, we captured this discussion in a paragraph. And I saw a few hands and I also note Jennifer has her comment down there. And I will stop here.

DONNA AUSTIN:

Sarmad, go ahead.

SARMAD HUSSAIN: Right. I think I was actually going to ask a couple of questions and make a statement. First, the statement, I guess, that at any point, there really should be a primary domain name or label identified for any variant set, right? Because if the primary does not exist, the variant set does not exist. So if one is deleted, I think simultaneously another one really should be identified. We should not go into a state, perhaps where there's no primary label identified for a variant set. So I think that's not sure whether that's captured somewhere. But if not, then it may be useful to capture that. The second, which is more of a question, is that if something—

DONNA AUSTIN: Can we just [inaudible] on that thought there? So I think we acknowledge that the variant set at the second level is different from what's at the top level. So I think we had that conversation. And my memory of the conversation was that if you take away—if the source domain is deleted, I guess it doesn't really mean that the source domain has necessarily gone away. It's still there. But it may be that the registrant has decided that maybe it was using the source domain and one of the variants and they've decided that the variant of the source domain is the better option. So that's what they've decided to continue with and just dropped the source domain name. So I don't know that the, my recollection is that the source domain name at the second level doesn't have that same importance that it does at the top level. So once you've actually got a set and there's maybe the source domain and one other in operation, then it doesn't necessarily, just because you've deleted the source, it doesn't mean that the set goes away at the second

level. Could still be operational. It's just that the source isn't there. So anyway, that's kind of my recollection. So, Sarmad and then Dennis.

SARMAD HUSSAIN:

Right. And I think this goes towards the second comment I was going to make. So then I guess the question is that when we say the source domain is deleted, we are basically saying that it is actually not "deleted" but actually unactivated, but it still remains allocated. So it underlyingly remains the source domain because you need the source domain to actually define allocatable variants. Without a source domain, there are no—the sort of whole concept of allocatable and blocked domain names sort of disappears. So, in some ways, then we are saying that the source domain is unallocated, unactivated, but remains allocated, which means it's not quite actually deleted. So, deletion to me, at least means that it is now withheld. It's not allocated to anyone, which means that then some other domain variant must be given a primary or source domain status. Thank you.

DONNA AUSTIN:

We've got Dennis, Maxim, Nigel and Edmon. So, Dennis.

DENNIS TAN:

Thank you, Donna. Dennis, for the record. Yeah, I tend to agree with Sarmad's characterization. We talk about the source domain name. That's the first registration, right? The domain name registration that is presumably a choice by the registrant that goes through the registration process and that is the input to calculate,

generate the variant set. Most likely, right, the registry will use that as a key to understand what's the behavior for the variant domain name. If that object does not exist, meaning there is a not renewal and go through all the processes, redemption, what have you, and it's deleted or there is an explicit delete, that transaction most likely will cause that all of the objects related to that registered domain name, again, the source domain names, go away. And I think we've talked about that, right? The source domain name is the key to understand the behavior of the variant domain names, whether allocatable or blocked. So, you cannot change that without registry intervention. Now, in the scenario we were talking about the registrant doesn't want the source domain name anymore, again, I think the most simple solution there is that the registrant can do whatever they want with the domain names that they have, right? So, variant domain names or not, registered domain names or not. If we are talking about, for example, the I think it will work. I wish Michael was here to confirm this, but I think it would work for either of those models, the attribute or the object model. Regardless of what model it is, the registrant can decide which one they want to assign name servers or what's going to be the behavior for each one of those domain names in that set, right? They redirect one variant to another variant and whatever they want to do. So, I think we should not say that if the source domain name is deleted, because I don't want to be that misinterpreted. If that object is deleted, most likely everything is going away, because that's the key for the registry to, again, hold the set together and understand the behavior of each one of those. What happens downstream, how the registrants assign name servers, set up services on those domain names, they can

do whatever they want, right? If they don't want the first registered domain name, the source domain name, to be the primary one that they use for email address, website, what have you, that's their decision, right? But most likely that domain name will stay in the registry and will serve some function. But yeah, I wanted to do those distinctions there. Thank you.

DONNA AUSTIN: Thanks, Dennis. So, I guess what we're not arguing about, but talking about here is, again, it goes back to our terminology. So, we don't want to say delete, but deactivate might be a better word, as Jennifer's suggested. So, Maxim and then Nigel.

MAXIM ALZOBA: I think we shouldn't invent new terms, especially technical terms. So, after deletion, all we need is to ensure that the string, even if it's primary or source string, goes to allocatable. If all variants in the set went to this state, it should be deleted because it's empty at that moment of time. That's it. We don't need to invent items like, yeah, other than we can use like deletion and allocatable. It's enough in this situation. Thanks.

DONNA AUSTIN: Thanks, Maxim. I think part of the challenge here is that we're developing policy that necessitates that we do create new terminology to try to explain what we mean by the recommendation. So, that's a little bit of the challenge that we have here. Nigel and then Sarmad.

NIGEL HICKSON: Yes, thank you very much. And yeah, I mean, just to be brief, I think we're talking about the same thing in a sense in that if the domain is, if the source domain is—there's a decision to sort of completely delete it in the sense that it's no longer a domain, then the variants go as well. If the commercial or whatever those that are providing the name just decide that actually the variant sells better than the source, then therefore we won't sell names under the source, but only under the variants or subdomains under the variants because they're second level anyway. So, I don't see that as a problem.

DONNA AUSTIN: Thanks, Nigel. Sarmad?

SARMAD HUSSAIN: Right, I put a couple of things in the chat. But just to, I guess, we're talking about holding on to the same terminology. So, saying deactivated, at least the way I understand it means that it is actually now allocated, but not quite activated. But not also withheld for the same entity, it is actually assigned to someone. So, we could actually potentially use allocated in that context. Whereas, when we delete, for example, a variant, it becomes withheld for the same entity, but not actually allocated. So, those are alternative terminologies, I guess, the terminology which we could use. Thank you.

DONNA AUSTIN:

Okay, thanks, Sarmad. I'm a little bit confused about how we ended up in this discussion. We were talking about activated and allocatable in, was it recommendation six, Ariel, or was somewhere else? And then Edmon suggested that we should have an explicit recommendation on deletion of the source domain name, but we previously agreed in Hamburg not to go down that path for various reasons. And Jennifer actually called those out in the chat. So, we could read those out if that's required. But I think, and Edmon, if you want some time to think about this, but I think preliminary recommendation five, which is a registrant and its sponsoring registrar must jointly determine the source domain name for calculating the variant domain set under a given gTLD. The registrants and sponsoring registrars of the grandfathered variant domain is pursuant to this, exempt from this requirement. Right, so we've got a recommendation about who has to determine the source domain name for calculating the variants, but we're silent on what happens in the circumstance where the source is deleted. But I think, based on this conversation, perhaps what we need to say is where the source is either deactivated or allocated rather than deleted. So, I think what I'm hearing is let's stay away from the term deleted because that's what's causing a lot of the angst. Ariel?

ARIEL LIANG:

Thanks, Donna. And I just want to kind of emphasize the notion that what the group agreed is the source domain name must be registered. So, a registered domain name doesn't necessarily mean it's activated. So, it just means the group has agreed that source domain name must be determined and also must be

registered. And that's captured in the rationale of preliminary recommendation five. So, I wonder if we have these two notions already included in this recommendation. Is that enough? And then we don't have to say more beyond that. So, I just want to remind folks the registered requirement for source domain name.

DONNA AUSTIN: Sarmad?

SARMAD HUSSAIN: Yeah. Again, since we now are actually into this discussion. Question is, when we say something is registered, what do we mean by that? Does it mean allocation to a particular registrant? Or also not just allocation to a particular registrant, but entry into a zone file?

ARIEL LIANG: Yeah, zone file, that's what Maxim said. It's a billable transaction. So, it kind of relates to EPP Create. That's my understanding.

SARMAD HUSSAIN: Because, and then I guess I have a follow up question if you allow me, which is that when we're talking about activation, is it that the label which is registered, is that the one which is entered in the zone file? Or is it like an index of that variant, index of that label? I guess that's a question because when you're saying that if you're assuming or if you're inferring that registered domain name must

be actually entered in the zone file, is activation doing the same thing? Thank you.

DONNA AUSTIN:

Okay, so I'm now a little lost. So Maxim is saying that there is no index in the zone file. I think what I want to do here is it seems that people haven't had an opportunity to read through this. Or if they have, there's still concerns here. So I think what we're going to do, we're just going to flag where we still have areas to resolve, and I'm going to see if we can push this to the list to sort it out. Because I'm struggling here to follow what the points are that are being made. So I think that's the approach I'd like to take. I don't really want to reopen the discussion around whether we need a recommendation for when the source domain is deleted, because I think that's adequately covered. But I'm getting a little bit lost in the conversation that's happening here about registered domain name and the point that Sarmad's trying to make about what does registered mean. So I think I just wanted to try to get through the rest of what we're doing. I think we're just going to put a flag on that, Ariel, and we're just going to move on.

ARIEL LIANG:

Yeah, thanks, Donna. I agree, because I feel we're deviating from the actual recommendation and talking about the nuances and the glossary, because that's something we kind of plan for for the workshop. And I think we will have a chance to really hammer, like honing in the terminology we're using and try to explain it in the accurate way. So we will table that discussion, possibly for workshop, and you will see some draft glossary prepared for our

discussion. So hopefully that can satisfy folks for continuing this discussion, but we definitely want to go through the rest of this draft text before we move on to new topics. But other than what we just discussed, is everybody okay with the extent of changes on page 12? I guess we have to just wait on this activated allocated thing later, we can table this later. And I just want to kind of touch on the change on page 13 and 14 and 15, because these are all related. So the change you see is in the rationale portion of recommendation five, which is the recommendation of a source domain name must be determined. And the first paragraph, the changes, basically to clarify what we mean by a source domain name, and the suggested changes, I think mostly come from Dennis. And also we just added the emphasis that source domain name must be registered, and it's under a given gTLD. So that's the first paragraph. And the second paragraph. So basically, I think it's to explain the reason why we believe it has to be one source domain name, sorry, a source domain name under one gTLD, is because when in Hamburg, we talked about even if there are two gTLDs, they are variants for each other, it's very possible they use different IDN tables. And then different code points are allowed in different IDN tables. So one second level label that is deemed valid under one gTLD may not be deemed valid under another. And for this particular example, we included a kind of visual here. So that's why you see this writeup in this paragraph is to explain the rationale behind that. And we added the visual to the rationale as well to boost that explanation.

And following that on page 14, the next set of changes, talking about the way a source domain name may be determined. And we understand that in practice, it may very likely be the first registered

variant domain name from the set under a given gTLD. And then it's like the default way of doing that. It's very possible to be that case. However, there may be other scenario where the registrant want to purposefully choose a specific domain name as the source domain name and work it out with the registrar. So we don't want to preclude that possibility. So that's why we have this kind of paragraph to provide some thinking in terms of how it can be determined. And there may be different ways for doing that.

And finally, this paragraph, the new one is what Jennifer copy pasted, I believe in the chat, is about the whole deletion of source domain name discussion that we had in Hamburg. And we will probably table this for later to think whether the word delete is still okay to be used here, whether we have to think of a different terminology or whether this entire paragraph needs a rewrite. And I just know there's some comments in the chat. Sarmad said we're using this term in policy recommendation, it will be useful to disambiguate all these terms. Yeah, so what you said is going to be covered in a glossary because we have developed draft explanation to all these. And every time we're using the recommendation, we're purposeful with regard to what term to use. And then I think Donna agreed with me on that. And Dennis said he doesn't disagree, but also doesn't want to recreate definition if they already exist. And, yeah, so actually when we developed the glossary, I did check the ICANN glossary just for cross-referencing and try to reuse some of the existing language. And I think every term has a corresponding ICANN glossary definition. But I definitely have checked that. So I think there's some continued discussion about the terminology. But how about we just table this for the workshop and make sure we have a full

discussion about all these very special terms. So I'm going to stop rambling. And these are the changes in rationale of recommendation five on page 13, 14, and 15. I will pause for a moment and see whether there's any quick reactions to these or concerns. I'm not seeing anything. I will just move on to the next.

So the next set of changes is related to recommendation six. So recommendation six is about adhering to the same entity principle throughout the domain name lifecycle. And that's the crux of the recommendation. And the rationale, we did some update based on discussion, I believe, last week. So first the universal update I have here is to remove registration. So I don't think it's actually necessary. It doesn't really add much. It could potentially create confusion. So I just wrote that like the EPP status code indicated specific status of a domain name. That's it. Like, just don't say registration. And then also, we know that a domain name may go through certain actions, like renewal, update, transfer, those kind of things. And that cross out related to its registration. So I just cross out those. I don't think it's necessary to use that word here.

And again on page 16, just replace each allocatable variant domain name should be allowed to have its own domain name lifecycle with each activated variant domain name. And that's what I think Maxim has kind of mentioned and the team agreed, that activated is the appropriate word here. Although today seems to be a further discussion on that. So I hope the group will be able to agree on the correct term. And we will make that explanation clear in the glossary. I see Nigel has a comment, do not see a real problem in using different new words in this work if they're useful and we clearly define them. So yes, thanks, Nigel. So yeah, that's

kind of point to the importance of having the glossary. So we need to make sure we really understand what we're saying here and agree on the explanation. And then the next change here is, again, change registration to EPP status because I think that's what we talked about, is not all variant domain names have to have the same EPP status. They can have different status because they can be in different stage of the domain name lifecycle. But as long as the same entity principle is upheld, then it's okay. So I just replaced registration status with EPP status. I think that's more accurately reflecting what we discussed. And another update in this paragraph is to cross out business interest in a sentence is basically we're saying the details in lifecycle management is discretionary on part of registry registrars in accordance with their policies and practices. And I think this is a suggestion from Donna and Justine to remove the business interest part because it's not really relevant here. Even it could be the case, but we don't have to say this beyond policies and practices. But that's really kind of detailed stuff.

And the next set of change. So here this is another kind of detailed thing, is that we know some caveats that court orders or local law enforcement may make registry registrar do certain things that could create some situation that ICANN policy cannot be implemented due to these court orders. So I just added the word enforcement here. I mean, just for your consideration, whether that adds clarity or not. But we do have a paragraph down on page 17, I believe, that talk about this. And Donna said we'll try to remove the [inaudible] to the extent we can. I think it's to talk about the terminology stuff. And then the first bullet point that's basically to explain how the same entity principle working

lifecycle management and then we try to explain different stage what the implication is. And then the first stage, before we say it's registration. But again, I changed this to activation because the group agree for variant domain name, we should use the word activation. It has a specific meaning and it's already used in registry agreement. So we just use this term. And also like for the other changes in the bullet points. This is another kind of universal way of updating is, for example, before we say like the one domain name doesn't mean its variant domain name have to do certain things. So the way I updated it is to say, for example, renewal of one domain name does not necessarily mean the other activated variant domain names from the same variant domain set must be renewed as well. So kind of is updating a similar manner for all these bullet points to make it clearer. That's a kind of editorial thing I did, but happy to hear if there's concerns about the edits. And for the transfer one. If you recall, we had some extensive discussion about the word simultaneously. And at the end of the discussion, I think Alan put a comment that he thinks the word together works better than simultaneously or at the same time. So we just replace simultaneously with together in the transfer context.

For the rest of the update on page 17. Again, for each bullet point, the update is similar to the one I just explained in the renewal bullet point. You can take a look and see whether you agree with that. And then for pending deletion, that's the one we had pretty extensive discussion about. So here I try to explain the two scenarios. One is if it's a non-source variant domain name that enters the pending deletion stage, it shouldn't have an impact on the other activated variant domain names from the same variant

domain set. But then for the deletion of the source domain name, I just captured agreement that the team agreed not to prescribe any policy recommendation pertaining to that matter. So it's to reiterate the paragraph in the rationale of recommendation five. So that's what we did here for pending deletion bullet point. And I think that's all the changes I want to make sure folks have seen and I will stop here. Jennifer.

JENNIFER CHUNG:

Thanks, Ariel. Thanks, Donna. Jennifer, for the record. I just wanted to flag for the group that the registries internal IDN group had a pretty lengthy discussion this week on Tuesday about the domain names lifecycle, especially about this page. Because I think from the previous call, we had an action item to take a look at the language regarding simultaneously or together. And what we've sort of have concluded is there's quite a lot of operational concerns that still remain, especially with the registry colleagues who work on this. So we scheduled an extra call next Tuesday to discuss, along with our registrar colleagues on the IDN group about this. So I don't want to preclude any of the conclusions we might have, but it's going to be a quite lengthy discussion that we're going to have that may impact what we bring back regarding this. Thanks.

DONNA AUSTIN:

Okay, thanks, Jennifer. So just to be clear, it's about the lifecycle text that we have in here, or it's more about the simultaneous versus together?

JENNIFER CHUNG: Both of those things. Yeah.

DONNA AUSTIN: Okay, thanks for the heads up, Jennifer.

ARIEL LIANG: Thanks, Jennifer, for that note. So it sounds like we can't completely finish this before the workshop, but we can allocate some time in the workshop to go back to this text or a portion of that that remains unresolved. So, yeah, so we'll make sure we know that in the agenda, so that we have some time carved out for this. Hopefully by then, it will be ready to be discussed again. Yeah, just note that I forgot a word here.

Anyway, I will keep moving to the next page 18. So the change here is basically to reflect what the group agreed on last week. You know, in the first bullet point is basically this is about the transfer of a variant domain name. And the set needs to go together. So the changes here is to clarify these points and it's really not substantive. It's more editorial in nature. And then another point we want to mention here is the transfer need to encompass all the activated variant domain names. That's something the group agreed on as well. So that's why we changed allocated to activated in recommendation seven. But again, I know that we may have to revisit this after we kind of clarify the definition or the explanation of these words in the glossary and figure out what's the right word is. So we can put a pin on this and come back to this again later. So the other changes you see on

the page is basically reflecting the agreement from the group to remove some extra words that doesn't serve a purpose really, but could potentially cause issues. So we just removed these words here.

And then on page 19, the first paragraph, I think that will potentially be impacted by what registry stakeholder group's IDN group's discussion about together and about the also the glossary we're going to work on, activated, allocated. So we'll kind of go back to this later. And then finally, the page 19, this last paragraph, this is to reflect the discussion about court orders and what it could implicate for the transfer of variant domain names. And the update is actually after I consulted with staff experts that actually was supporting the transfer policy PDP group. And then she noted that the current transfer policy already noted there may be circumstances where the, I guess, registrar of record must deny a transfer request because of, for example, court orders were pending UDRP proceeding. And this may affect the registrar's ability to transfer all of them activated variant domain names from the set together. So basically, we don't have to say more than just mentioned the transfer policy already has this covered. And there's some footnote like point to the specific section in the transfer policy ICANN website. So that's the last paragraph. That's the extent of change here. And Maxim has his hand up.

MAXIM ALZOBA:

Could we add "or URS" after UDRP? So we refer to UDRP, which is a process where registrar being told what to do with domains.

And URS is the process where a registry is told what to do with the domains. Thanks.

ARIEL LIANG: Yeah, thanks. So we can take a look at again in the transfer policy section, I think it's 1.8.3.8. It actually talks about all these scenarios, including URS. So we can just use the same verbiage if that helps. So we just don't need to reinvent the wheel. That's all I want to say, is it's already covered there. But I know it's your comment about URS.

DONNA AUSTIN: I personally see no harm in adding URS as well, except in the event that what the language is here is trying to reflect what's in the transfer policy itself. So no objection, Maxim, but if it's not in the transfer policy language, then perhaps we'll leave it out, which seems that Dennis is saying that URS remedies don't include transfers. So it won't be in there. So I guess we're not going to include URS in that case. Okay, moving on Ariel.

ARIEL LIANG: Okay, sounds good. And thanks everybody who chimed in in the chat as well. [4D7] response. So that's about, I believe, a suspension. Yes. So we're saying we don't have to develop specific recommendation because the lifecycle recommendation of adhering to the same entity principle already covers this. And then the only update I did is to clarify some language here to say suspension of one domain name does not mean suspension of other activated variant domain names from the same variant

domain sets. So it's just to add clarity to that. And then for C4A. This is, again, the terminology update, registered, change registered to activated. We'll probably talk about this at our workshop so we can table this for now and you can look at the text after the call and see whether you think this is appropriate. And then we can come back to this.

And finally, page 21 to 22 is response to charter question D5. That's about the transaction fee for variant domain names. So what we understood from the discussion in Hamburg is that we won't develop a recommendation on that, but a response to the charter question. Basically, I'm not going to read word by word, but I just want to draw attention to the third paragraph that talked about our kind of extensive discussion about how variant domain name coming to existence. There are two ways that we understand. And one is through EPP create, the other is through EPP update command. And EPP create implies fees and EPP update doesn't because it's attributed to the source domain name. So we just understand there are currently these two models and the group agreement is not to create a recommendation to dictate either model of activation and associated fee expectation in order not to impinge on the existing rights of the registry operators in accordance with their policy and agreement was registrar. So that's basically to summarize our discussion in Hamburg and capture that agreement. So, I will stop here. That's all we have for the draft text for phase two discussion so far and I will stop for a moment and see whether there's any questions, concerns.

DONNA AUSTIN: Okay. Thanks, Ariel, for taking us through that. So before we drop off, I want to go back up the chat to something that Alan put in about C3. We could just go back to that. So Alan, if you could go ahead and just let us know what your concern is.

ALAN BARRETT: Yes, thanks Donna. My message is quite high up in the Zoom chat. It's not in the document. Under C3. There's some text which uses the word may not. Yes, yes, that's it. Yeah. So, for example, it says, "ROID may not be included in the minimum data set." People will often interpret the phrase may not as a prohibition. So if you say the registrar may not do something. I think the intention here is the document is trying to say the registrar may do this or they may do something different, but the reader could interpret the phrase may not as a prohibition. And so I just suggested in the Zoom chat, rephrasing to try to make that less prone to misinterpretation.

DONNA AUSTIN: Okay, thanks, Alan. We'll take that on board and see if we can come up with something that's more appropriate or that overcomes the concern or issue you've raised. Okay, and there's support there from Nigel, Jennifer and Dennis, so we'll clean that up. Okay, so with that, is that the end of what we were going to get through today, Ariel?

ARIEL LIANG: Yes, that's all we had to go through, but I don't think we have accomplished our goal of completely getting this done and dust it

because we need to revisit the word activated, allocated, registered after we talk about the glossary and the explanation of that, possibly in Kuala Lumpur and then see whether the update still is accurate. I think we're tabling that discussion. And then the second discussion we're tabling is about the deletion element and whether the rationale is still okay and whether the word deletion is still accurate. I think that's the two items we haven't closed off based on review of this draft text. And please correct me if I missed anything.

DONNA AUSTIN:

No, I think that's consistent with my recollection. There's still an opportunity for folks to read back through the text and if you've got any comments, to add those to the document. It would have been nice to close these out. I think it's the recommendations that are the most important. And getting agreement on that language, that's really our focus. But by the same token, the rationale has to be consistent with the recommendations. So it's an iterative process and we're getting there. I think we still made some good progress so we're still in good shape on phase two. And we've still got a bit of work to do when we get to KL.

So, with that, the leadership team will be talking, probably next week, to sort out what our agenda is going to be for the face to face meeting so that folks have a heads up and if there's any reading that you need to do before you arrive. But other than that, I think the goal is that we will meet you in KL for those that can attend. For those that can't, hopefully you're in a time zone where it's not horrible to attend remotely. If you are attending, we should have that information if you're a funded traveler. What we wouldn't

have is if somebody is coming on their own steam. So if you can just reach out to the GNSO Secretariat and let them know, that would be helpful because we've got catering and other requirements as well. So I don't know that there any other logistics or admin stuff that we need to flag at this point, Ariel.

ARIEL LIANG: Nigel has his hand up. Nigel please go ahead.

NIGEL HICKSON: Yes, no, thank you very much. Just, just very briefly. So, the intention is, as I understand it, and sorry I might have missed something, I do apologize, to work during normal hours on Wednesday, Thursday, Friday. That's it, isn't it, in session in KL. So we go up to sort of 5:00 or 6:00 on the Friday, whatever is deemed appropriate, just wanted to check.

DONNA AUSTIN: My experience with these things is people start booking flights out on the Friday afternoon. So I think we'll try to wrap it up early Friday afternoon so people can get out if they need to. But of course, if we're really stuck on something, we can try to stick around. But that's the intent.

Jennifer, on the questions about local observers. One of the challenges we have is just from a logistics perspective, I don't know how big our room is and how many we can cater for. So if anyone was intending to, who are local and intend to, or would like to attend as an observer for whether it's one day or all three, then

if they could contact the GNSO secretariat, will try to sort it out that way. And obviously, same as any of these calls, an observer can hook into the call and attend remotely. So that will still be available to folks. Ariel.

ARIEL LIANG: I think I know what Jennifer's talking about, I actually already responded to the request and CC'd our whole team, so I haven't heard back yet. Jennifer, if this person follows up with you again, you can just point this person to my message.

DONNA AUSTIN: Okay, so I think that's it for today. Ariel?

ARIEL LIANG: Nothing I can think of. And I guess just safe travels to everybody. And hopefully, if you do have questions, do reach out to staff, we will have—We don't have the full I can support like ICANN meetings in terms of meetings team or travel team or security on the ground, but we will have a six of us staff to help out on things and hopefully you can find your way to the hotel with no issues. I think most of you have been, but hopefully, it's not a problem. And I really appreciate folks who follow us remotely and will send out this draft agenda ASAP so you can plan out your day if you cannot participate in person. And thanks everybody and save travels to those who will be in KL.

DONNA AUSTIN:

Thanks, Ariel. One last thing before we all go. The final report for phase one was forwarded to the GNSO Council. The GNSO council is meeting in about seven or eight hours' time. And I'll be just walking through, at a very high level, our recommendations and maybe there'll be some discussion around one or two of those with the Council. So that's happening tomorrow in about seven hours or so. Alrighty. Okay, so, yeah, Nigel, no calls for the next two weeks for. We have to do the prep to get ready for KL so that's what we'll be doing. And of course, Thanksgiving is in the middle of that too for US folks. So happy Thanksgiving everybody.

[END OF TRANSCRIPTION]