ICANN Transcription

IDNs EPDP

Thursday, 26 January 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 26th January 2023 at 1300 UTC.

We do have apologies today from Emily Barabas, staff, Nigel Hickson, and Zuan Zhang has sent tentative apologies.

All members and participants will be promoted to panelists for today's call. Members and participants, when using the chat, please like to everyone in order for everyone to see the chat So that is captured in the recording. Observers will remain as an attendee and will have view only chat access.

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

need assistance updating your standards of interest, please email the GNSO Secretariat.

All documentation and information can be found on the IDN EPDP 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 multistakeholder 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 very much, Devan, and welcome everybody to today's call. I'd like to say Happy New Year to our Chinese colleagues who may have recently celebrated the new year. And also it's Australia Day today. So happy Australia Day to me. What that means for me is that it's been really hot because it's summer. So hasn't been terrific.

Anyway, so just a reminder that we have draft text that Ariel circulated last week. So I hope folks have started to review that. And for those of you who weren't on the call, just prior to starting, Ariel informs me that we're almost done. So we're, we're so close to done that we can take a month off. So that's good news.

So today we're going to review some of the ICANN Org input and staff assessment that we received back in November. We haven't had a chance, with the exception of the comments we received on string similarity review, we haven't had a chance to walk through

that as a group. So we will do that today. And we'll see where we go from there.

So with that, I see Hadia's hand up. Go ahead, please.

HADIA ELMINIAWI: Thank you so much, Donna. And Happy Lunar New Year and happy Australia Day. I just have an update to my statement of interest. So now I'm an ALAC member instead of ALAC participant. So I represent ALAC in this IDN EPDP. Thank you.

DONNA AUSTIN: Thanks very much for that, Hadia. And I'd say welcome. But you've been here with us all along. So we're very pleased that you're staying on and note the change in role. So thank you for your participation today. And I'm sure it will continue. So with that, I don't think I have any more updates for the team. So I'll hand over to Ariel.

ARIEL LIANG: Thanks, Donna. So today we are going to start the review of the Org inputs. But we actually already sort of started late last year when we went through the Org input on the string similarity review, the spreadsheet, I guess the data they gathered and then also last week, I believe, we already reviewed the Org input on the rejection process and also the brand TLD related discussions. So basically we already started, but today we're officially starting because there are other additional comments they provided and

this is some more systematic review of all of them to ensure that we consider these before we published the initial report.

And then also just another note that I think early this week, maybe Monday, I circulated a spreadsheet that's basically a tool to help the EPDP team to review the Org inputs side by side with the draft recommendations. And also, we have included some designation in terms of whether it requires additional discussion by the EPDP team or not. So I will provide explanation today about this. But I'm hoping folks had a chance to at least click on that spreadsheet. I put that in the chat as well. And there you can see the full content from the Org inputs in case you want to do your personal in depth review of all of these. So that's a tool for folks to use.

And in today's meeting, we prepared this slide deck to provide a more summary version of the Org input. And also, we prepared slides to go in depth into the ones we identify as require additional discussion. So that's the difference between the slide and the spreadsheet.

So as an overview, this slide shows the recommendation numbers and the corresponding charter questions where the ICANN Org provided input. And this is a subset of draft recommendations developed by the team so far, because we forwarded this draft text to Org in September 2022. And after that, the group worked on additional draft recommendations. And there were a few that Org didn't get a chance to review. So this is not all of the draft text the group has developed so far. So that's a subset.

And our expectation is that for the remaining draft text, the ICANN Org can provide input just like the rest of the community, they can

do that during the phase one initial report public comments. And it's roughly the same number of recommendations just based on a guesstimate. But quite a lot of them are related to the string similarity review, which is the, I guess, the most significant recommendation from this group so far. And the ICANN Org already provided some input when the group was having ongoing discussions. So that input has already been taken into account when the draft recommendation is being developed. So I guess it's a good thing.

So just to recap, this is roughly half of the draft recommendations the group has developed so far that Org provided input, and then the remaining half will be probably tackled during public comment, because so we haven't budgeted any time for the Org to provide another round of input before public comment, we just don't have the time for that.

So that's the situation. And also, you will note that in this bullet list, there are some recommendations that are highlighted in red. These are the ones we believe will benefit from further discussions by the EPDP team because they're more substantive, rather than editorial comments. Some of the questions Org posed require some deliberation by the group. And this may result in a revision of the draft recommendation or we may need to develop additional ones. So that's why we highlighted these, just to flag these for your review.

And you'll notice that for example, rec 2.4, that's bolded, but it's highlighted in green, is because we just reviewed it last week when we discussed the evaluation criteria for brand TLDs' variant applications. So that's a related input for that and then also the

Org provided input for objection processes and string similarity review that I just mentioned, even we, at the time, didn't have draft texts ready yet, but they did provide input to facilitate our deliberation on those topics. And when we were wrapping up the discussions earlier this month, we already reviewed the Org input provided for these topics.

So, so that's a quick overview. And as I noted earlier, in the spreadsheet, we have a column that posed the question, does this comment from Org require EPDP team's discussion? And we put some preliminary assessment as yes or no. So that's the focus today, is to go through these. And if the EPDP team also agree with the leadership team and staff's assessment that a lot of these comments do not need additional discussion, then staff can go ahead and revise or refine the recommendation in redline based on the Org input. And then we can take it back to the team to review the redline by incorporating the comments from Org. So that's what yes means here. And then for the ones that were marked no—I'm sorry, I think I got it wrong. The [ones that have no] means no additional discussion, so we can go ahead and work on the redlines. But the ones that are marked as yes, then, for the subsequent meetings—and also maybe including today's meeting—we can already review those comments in depth one by one. And based on the slide, it's really not that many, but we don't know how much discussion it'll generate. Maybe a lot, maybe not know much. But our prediction is that we should be able to finish this by the end of next month so that we can start finalizing those draft recommendations for the initial report.

So that's a quick overview of the Org input. And then now we're going to go through the comments that we designated as now, that may not require discussion by the EPDP team. And this table is highly summarized comments for the Org input. Due to the space limit, we can't put the comments from Org word by word here, and the spreadsheet was created exactly for that purpose. If you want to read the complete text, please refer to the spreadsheet. And also, I want to note that the Org provided some general comments, actually, I think seven of them that apply to more than one recommendation in our draft documents, it's kind of generally applicable.

So when you go through the spreadsheet, you will notice some duplications, because we try to make sure that those comments are captured in the relevant recommendations. Even we do have the first section that notes these are general comments. But we also try to reflect it in the individual recommendation to make sure all these already identified by the Org, we capture them and make sure the recommendation text is revised accordingly so we don't miss anything. So that's why there are duplications. But I hope it's not a big problem or issue when you go through the spreadsheet.

So this table is a summarized version, I will try to capture all of the inputs that are not super substantive, they're mostly editorial. And then we also in the column on the left, we indicate the recommendation number that's relevant to these inputs. And this may not be a full list, because Org identified some but there may be others that's also applicable too. So when staff goes through the documents again and apply redline, we will make sure to

check across board and apply to other relevant recommendations that not identified by Org but still relevant to those inputs.

So the first one—maybe before goes through the detail, any questions or comments or any suggestions you want to raise at this point? Dennis.

DENNIS TAN: Thank you. Just a clarifying question. At this point, you're not looking for feedback for any specific item. We'll do that later. Is that right?

ARIEL LIANG: So yeah, thanks, Dennis, for raising this. So I think the goal is to seek the agreement from the team whether the comment on slide five basically do not require further discussion by the team. And if you agree with staff and leadership assessment that these are low hanging fruit and we can already redline the documents according to this input, then it will be very helpful. So if we could get team's preliminary agreements on this call for these comments, we can go ahead and work through the document. And if you want to have further discussion for certain comments, we can perhaps switch to the spreadsheet and look at the comments in detail and then add them to the batch of the comment that require further discussion. So I think that's the input we're seeking today. Hopefully, that's clear.

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DENNIS TAN: That's clear. So if I may, just from a personal standpoint, I went through these items on the list. I think I agree with all of those except for one. It's not that I disagree. It's that the observation— and maybe when we go through reviewing and doing the edits to the text, we are very careful and deliberate as to how we use specifically these two terms, which Org highlighted, which is IDN gTLD versus gTLD. I say this because let's not just pick one or the other throughout the document. I think in certain parts of our documents, it's going to be we're going to be talking specifically to IDN gTLDs, so labels that have a non ASCII character. But all those things throughout the text may apply to all gTLD labels, regardless of whether it's an ASCII or IDN label. So just let's just be careful how we use—I mean, it is perfectly correct to use both in terms of what's the context in the recommendation or implementation guidance or what have you. Right. So that was my only observation on that note.

ARIEL LIANG: Yes, thank you very much, Dennis. And that's our understanding as well. But I see Donna has her hand up.

DONNA AUSTIN: Just an observation, I suppose. Dennis, in reaction to your statement. The input from Org isn't inconsistent with conversations that we've had among this group about being specific about the language that we use or terminology that will use throughout the document. And personally, I still get a little bit confused, because we interchange terminology when we're developing text. And that has evolved over time, so I understand why that's happened.

But I guess just an ask from the group as a whole is that when we go to start reviewing the initial report, that we all be cognizant of the language or the terminology that we're using throughout the document and ensure it is consistent, or ensure that we're actually using the right term for the context as you just said, Dennis. I think it's a really good point to make and it's something that we all need to be aware of and looking for as we draft the initial report and before it goes out for public comment, because this is really confusing stuff, as we know, and it can be quite complex. So the clearer we can be in the language that we're using to ensure that the reader understands what we mean, the better it will be for everyone. So the point well taken, Dennis, that IDN gTLD isn't always going to be the default, sometimes we may just mean gTLD. So we need to be very mindful of the context that we use in the terms. Edmon.

EDMON CHUNG: Speaking personally for this particular intervention. Yeah, just observing the recommendation [1.4, 1.5, 2.1.5, 2.6,] so on, I don't remember exactly what those recommendations are, I have to admit, but the suggestion from changing to activate to apply, I guess, we had extensive discussion about this. And the idea was, if I recall the discussion correctly, the use of activation is to avoid the confusion of application as a new gTLD application, because we have somewhat decided that we are talking about one application for IDN gTLD and variants will be kind of activated. If that is the concerning issue, then then I think I'm curious where that came from. And perhaps if there is a concern about if activation is [assured] to be activated, then maybe activation

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request or even activation application would distinguish between just using application because application means a full kind of new gTLD application and I think it's important to distinguish between the two. So curious where that came from.

DONNA AUSTIN: Thanks, Edmon. So I think Ariel, and maybe Sarmad can answer that. But again, similar to my earlier comment, and Dennis's point, while these are recommendations or suggestions from ICANN Org, we do need to consider them in—it won't just be a global search and replace, we do need to go back and review it and ensure that we meant what we said. So if we use the word activate, we meant to that in a certain context, or perhaps if it is appropriate to change it to apply.

So my thinking on this is that it's not going to be a case of a global find a replace, it's on a case by case basis, we will review the language and ensure that it states what we meant. And if it doesn't, then we will have a look at ICANN's recommendation and change it to apply or applying for if that was the intended purpose. So Ariel, and then I see Sarmad's hand has gone down. But if you want to follow up, Sarmad, please go ahead.

ARIEL LIANG: Thanks, Donna, and thanks, Edmon. And exactly as what Donna said, this is a highly summarized comment from ICANN Org. And it's also not going to be accepted just by default, we have to go through the exact recommendation language and see whether the

comment is applicable or not. But I think I want to raise two points about the origin of changing activation to application.

So the first point is that if you recall in Kuala Lumpur, we went through this flow of a new gTLD program to evaluate whether there's any possibility to have a standalone round for variant applications from existing gTLD registry operators. And after we went through that flow, what the group observed is that almost every single step for the evaluation apply to a variant application, and it won't be a shortcut for a quick activation of the variant label.

So based on our understanding, the group already developed a draft recommendation, the draft text is actually circulated to the group for review right now about the application for variants has to be submitted in the next round for existing registry operators, and there won't be a standalone process. So I think with that understanding, the group is starting to realize even for variants, you have to apply. It's not just a quick activation. That's the first point.

And then the second point, from Org's input, their suggestion of them changing activation to application is because activate applies to the step when a string is already delegated after successful application, evaluation and contracting steps. So application may be more appropriate in the context of the recommendations we have drafted, pre-delegation, pre-evaluation is the actual step of applying for variant. But of course, we can revisit that and understand whether we can use a different term to distinguish variants from just a new gTLD in general. But I think that's the intent from Org's inputs to change to application from activation, because activation is kind of post evaluation

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contracting steps, it's almost apply to delegation, per se. So that's why they have this suggestion.

DONNA AUSTIN: Sarmad, go ahead.

SARMAD HUSSAIN: Thank you. So Ariel covered most of I guess what I was going to say, just one small addition to that, that activation, in a technical sense, actually, is then applicable not just to the variants, but also to other gTLDs as well. So it's because it's actually used in terms in a technical context, I think it may actually cause confusion. So maybe application can be used, or if application is not appropriate, maybe the group can look into some other alternate wording as well. Thank you.

DONNA AUSTIN: Thanks, Sarmad. And the other thing that we need to keep in mind is that as the EPDP team, we discussed some time ago about the need for a glossary and consistency in use of the language. So as we develop the glossary, we also need to be mindful about context and what the use of the term is intended to mean.

So let's not get too hung up on the ICANN input, I think we understand what the intent of it is. And as I said, on a case by case basis, we'll take a look at it and see whether the language needs adjusting or not. Edmon.

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EDMON CHUNG: Yeah, I put my hand up to say, almost similar to what you just said, I guess, in the context, and I understand where the motivation is coming from. So we should definitely build a glossary and also find appropriate terminology for this to make sure we don't confuse those matters.

DONNA AUSTIN: Thanks, Edmond. So let's keep going, Ariel.

ARIEL LIANG: Sounds good. And thanks, everybody, for the comments. And I also note that Dennis has to put a comment in the chat. It's related to the terminology comment from Org, the IDN gTLD versus gTLD. And his suggestion is that if we have to use one term consistently, then probably we should use the gTLD to be more inclusive. But we can look at the specific recommendation and try to understand exactly whether the comment is applicable or not and what the correct term is. And Donna, see you still have your hand up.

DONNA AUSTIN: Yes, sorry, Ariel, and just in reaction to Dennis's comment. So, I think as we work through the initial report, it will be pretty important that we differentiate between the IDN gTLD or a gTLD. I think my strong preference is that we need to identify IDN gTLD when we're talking about the application, or the applicant, so I wouldn't personally be in favor of just adopting the term gTLD. I think there will be times where we need to differentiate. So we will do that as we need to. Okay, sorry, Ariel.

ARIEL LIANG: No worries. And I see Edmon has a comment of that. IDN is a super set that includes ASCII domains, according to IETF RFCs. Okay, so I think just for the completeness of the review of these comments, I will go through this table, one by one. And I appreciate folks like Dennis and Alan probably already went through this quickly and have their view already. But for the rest of the folks, I'll just go through them to explain the comment in order to make sure we get the agreement from the group or not regarding redlining the documents.

So the first comment is related to charter question A4. To be honest, I don't remember exactly what that charter question is about. But we do have a reference RZ LGR version 4 in the text of the answer to the charter question. So as many of you are aware, last year, the version 5 has been published. So the reference to version 4 is kind of out of date, outdated, basically. So the Org comment is that we update the reference to RZ LGR version 4 to version 5 or later developed version when applicable. So I guess before the publication of our initial report, final report, we need to check what the latest version will be but I believe is still going to be version 5 for 2023. So that's the first comment, and I think it's pretty straightforward. I'm seeing some comment from Donna. We may not need to go through the entire table. So maybe I'll stop here and see.

DONNA AUSTIN: Yeah. Sorry, Ariel. think we've had a reasonable discussion about these points. And I think we understand the intent here. So I don't

know that we need to go through these one by one. I think we've already had the substantive conversation around it.

ARIEL LIANG: It's fair. And maybe I should just give folks a moment to scan through these comments one last time and then see whether anybody has specific questions, so that we can address them. And then if there's no objection from this team, then we will go ahead and reflect these comments in the draft document as redline. So maybe I'll just stop for a minute and give folks a moment to scan through these comments. And raise your hands if you have any comment or input or suggestions for this batch. And I see Satish has his hand up.

SATISH BABU: Thanks, Ariel. I have a minor point. A4 refers to hardcoding root zone LGR 5, whereas 1.7 talks about the latest version. Is there a potential conflict there? Because are we hard coding a particular version of root zone LGR? Or are we just seeing the latest? Thanks.

ARIEL LIANG: Thank you, Satish. I see Sarmad has his hand up, but I believe it's not a hard coding that version 5. I think we have to go back to the draft answer to the charter question. I think the specific version number was mentioned there for a specific reason, is because I think we're talking about a question whether any existing TLD that do not comply with RZ LGR, they need to be grandfathered or something. I think that's what the question is.

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And then after we checked through the version 4, which was the latest at that moment, there was no inconsistency between existing TLD and RZ LGR. So that's why it was referenced there. But I don't think there's the intent to hard code a specific version. But basically version 5 was mentioned in A4 because of the context. But then recommendation 1.7, I think the more appropriate terminology is the latest rather than a specific version. But I see Sarmad has his hand up.

SARMAD HUSSAIN: Thank you. just a more general comment that I think when we are referring to root zone LGR, version 4 or version 5, there is added text in the recommendations, which says or later versions as they come. So the specific version is actually just pointing to the latest version which is available, suggesting that as new versions come, they will become equally applicable, and the earlier ones won't be applicable. So I think just that number 4 was used, because at that time, 5th version wasn't published. But since then, 5th has been published. Thank you.

ARIEL LIANG: Thanks, Sarmad, for that additional input. And I will pause for a moment and see whether there's any additional questions for this table. And I'm not seeing more comments in the chat or hands raised. So our take is that the EPDP team doesn't have objection for staff to go ahead and apply redline according to these comments, but of course, we'll review the comments against the recommendation one by one to make sure it's appropriate to apply the comments. And if not, we will also provide some rationale

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when we go through these inputs. So when the EPDP team has a chance to review, you should be able to see the origin of the redline. And then if the redline wasn't applied, why we didn't apply that. So that's our goal, to do that. But we'll see how to execute that in the draft document without confusing everybody.

And yes, the redline will enable everyone here to see any changes. Okay, so sounds good. I'm taking silence as the signal to move on, so I'll move on to the next few slides. So the next few ones are the ones that we identified as comments from Org that require additional discussion by the EPDP team. And I didn't do the summary route, because I believe it's more beneficial for the group to see the full text from ICANN Org. And also, we have some Sarmad, Pitinan and Michael on the call, and I will welcome them to help chime in if there's confusion regarding the input, and maybe they could provide additional context or bring the question back to the Org team so we can circulate the response. So that's just my quick comment here.

So the first input that requires additional discussion—and I'm thinking, Donna, I don't know what your view is, do you think we should go through all of these comments that require additional discussion first, or should we just jump right in and do it one by one? I wonder what your view is.

DONNA AUSTIN: I think it makes sense to do it one by one.

ARIEL LIANG:	Okay, that's my thought as well. So the first one is related to charter question A5. And just to refresh everybody's memory, it's about whether there should be a ceiling value or mechanism to ensure the number of delegated top-level variant labels remain small. And that's due to the concern of permutation involving variants.

And our main draft recommendation is not to have the ceiling value, because RZ LGR already kind of dictates what variant label can be allocatable, what must be blocked. And then there's also other factors like market factor and economy factor that may limit the number of variants applicants wish to apply for. So that's why the main recommendation from the group is no ceiling value.

But at the same time, we have another recommendation, which is 1.5. It says the best practice guidelines be developed for the management of a gTLD and its variant labels by registries and registrars with a view to ensuring a consistent user experience. So that's 1.5.

And I think some of you probably remember, we had a kind of extensive discussion about consistent user experience, but it's not in the context of Rec 1.5, it's another recommendation. And actually, Org has some input for that one too. So that's a quick kind of reference. But that's the recommendation the Org has input.

So the inputs here. So there are several parts. The first part is that Org noted that in the rationale for 1.5, we have the sentence, the EPDP team agree that the IRT would be responsible for developing the preliminary best practice guidelines. So what the

Org wants to say here is that the IRT is tasked with reviewing implementation plans, but the ownership of the policy implementation still resides within ICANN Org. So this recommendation seems to imply that ICANN Org is handing over responsibility to IRT, which is different, goes against the IRT guideline.

And the suggestion is that we can note in the rationale that the preliminary best practice guidelines would be developed during implementation. And ICANN Org would also like to note that the team should make clear whether best practice guidelines should be updated over time, and how ICANN Org is responsible for conducting periodic checks and managing the updates.

So I think the first comment has two parts. One part is that our rationale was that IRT has the responsibility, but it's not really accurate. It's really ICANN Org's responsibility, but IRT is tasked with reviewing the implementation plan. So that's inaccuracy there. And then the second point is more a question for the group to address, is how do we envision the best practice guideline be updated over time and whether ICANN Org is responsible for conducting the checks and managing the updates. So that's the first part of this comment. Maybe we can—I can stop here and see whether there's any immediate inputs, reactions from the group, because the other comments are kind of different.

DONNA AUSTIN: Thanks, Ariel. So I guess in some sense, this is a technical comment. And there's a question here, I suppose, of with the best practice guidelines, is this something that we would be

comfortable for ICANN Org to undertake or facilitate as part of the IRT? Because they are, strictly speaking, responsible for the implementation of policy.

So I guess that's the first question. And then the follow-up is how the best practice guidelines should be updated. So Dennis Tan, or anyone that was involved in the development of the IDN guidelines, it might be interesting to hear from you about whether you have any views on this, given that the IDN guidelines are guidelines. And it's now subject to a conversation about how to update them, Edmon, go ahead.

EDMON CHUNG: You kind of spoke to what I wanted to raise. I think this is a very good point raised by staff. And it's worth thinking about whether—since we're going to talk about the IDN implementation guidelines and how the update process would be in this charter of this EPDP, maybe want to call as best practice guidelines, or maybe we should change in terms of implementation guidelines, and incorporate the first version to be kind of developed by the IRT which I think makes sense.

But then developed as in confirmed by the IRT. I mean, I think the staff's observation that it we—kind of the IRT is to guide the implementation along is quite correct. And then if we can include this portion in the IDN implementation guidelines, then in future when there are needs to update it, then we can use the process that this EPDP would develop, to actually update those guidelines. So I think that's actually a good suggestion, Donna, you pointed to, not just that we are going to talk about it, but maybe this is one

of those things that maybe should be incorporated into future IDN implementation guidelines.

DONNA AUSTIN: Thanks. Any thoughts from others on this one? Dennis, go ahead.

DENNIS TAN: Yeah, talking about the IDN guidelines and how they came to be, first version, incorporated to the registry agreements, they morphed from being just guidelines to really obligations upon registry operators.

So it will be interesting, what do we envision here. I think what Edmon is suggesting, that IRT or some subgroup from the IRT develops a draft and that goes through a community-driven process to incorporate it as our working document or living document, because best practices might change over time, as the experience from registries or registrars evolve and then maybe other practices are superior in a way that they deprecate the old ones.

I don't have a an answer, just an observation. I think from our experience, we should be careful as to how we develop guidelines and what the expectations are in the future, if that's going to be part of the registry agreement or future registry operators managing variants, and how those—if they are referred to in the registry agreements, or are they subject to compliance action enforcement from ICANN Org?

If that's the case, then we need to think about in terms of how we're treating the IDN guidelines now, to have a more robust update process so that all stakeholders are involved. So, yeah, I know I'm jumping around different thoughts here. But I think we need more time to think through what do we want from these guidelines, what do we envision them to be in the future. Is it just going to be left as guidelines and not obligations? So I think that is this tension that I'm trying to figure out as we're going through this conversation.

DONNA AUSTIN: Thanks, Dennis. And I think it's an important distinction that IDN guidelines have become obligations of registry operators. So that adds a different level of complexity to the development of any best practice guidelines for the management of IDNs and variant labels.

The other thing that strikes me, too, is, at what point in time do we think it would be a good time to develop the best practice guidelines? So is it something that we think can be done ahead of the next application process? Or is it something that can't really be done until registry operators actually have that benefit of experience in managing their IDNs and the variants as well? That's perhaps a question of timing in that regard.

The other thing I just wanted to flag too is that with my former Registry Stakeholder Group chair hat on, the Registry Stakeholder Group has developed guidelines more recently about practices that gTLD operators might want to want to undertake as it relates to DNS abuse, or as it relates to other TLD operations.

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So I think there's a timing question here that we want to think about. So when we had this recommendation, what was our thinking? Was that these best practice guidelines be available before the application process is made available, or is it something that we think might be more appropriate to be developed sometime after? Sarmad, go ahead.

SARMAD HUSSAIN: Thank you, Donna. I think one of the motivations behind the comments, not just this one, but perhaps other ones as well, is that this recommendation is a bit unclear on its scope, and therefore it becomes slightly harder for the staff to implement.

So I think if this group or if not this group, then perhaps eventually IRT, if the scope of this work can be tightened in a way that it's clear what is expected, of course, I guess staff can then try to work to convert that into something which can be implemented. Currently, it's reasonably broad the way it's worded. And that's also I think something the working group could look at. Thank you.

DONNA AUSTIN: Thanks, Sarmad. When you say it's broad, is that in relation to ensuring a consistent user experiences?

SARMAD HUSSAIN: Exactly. It could be a whole variety of things. So for example, in the comments as well, a few couple of things noted. We haven't gotten to those comments yet. But I think helping with scoping this

work would be really great for us to eventually implement it. Thank you.

DONNA AUSTIN: Okay, thanks, Sarmad. Ariel, and then Hadia.

ARIEL LIANG: Thanks, Donna. Based on Sarmad's comment, I'm wondering whether it will be beneficial if I just go through the rest of the comments from Org, because that's tied to the scope question. But if Hadia has any comment or question she wants to raise based on the first part of the input, I'm happy to defer to Hadia.

HADIA ELMINIAWI: Thank you, Ariel. So responding to Donna, I think when we developed this recommendation, we had in mind developing guidelines based on experience. And maybe not right away. But looking at the charter question where it says, should there be a ceiling value or other mechanism to ensure that the number of delegated top level variant labels remain small, it kind of suggests that we need to have an answer before the upcoming round.

Then going back to the role of ICANN Org, again, the recommendation only mentions registries and registrars. And it does make sense of course, as Ariel said, that implementation ownership does belong to ICANN Org, and thus, ICANN Org a way or another would have a role in developing those best practices.

So I am kind of confused now. I don't know really what we're looking for. So if we're looking to develop guidelines before the next round, then maybe a study, a cooperation between ICANN Org, registries and registrars would be necessary. Thank you.

DONNA AUSTIN: Thanks, Hadia. I'm actually wondering how recommendation 1.5 ended up on the chart question A5, and this is one of the problems we have when we've done this work so long ago, and then then it comes up again. And we were trying to think what the conversation was at the time and how we got to where we are and what do we really mean. So I understand, Hadia, that it is hard to remember all those bits of the conversation that we had way back then. Ariel.

ARIEL LIANG: Thanks, Hadia. Thanks, Donna. I am hoping I can mention the rest of the Org comments now so that folks get a complete picture about the Org input for this recommendation and. That probably can help our deliberation for these inputs. If I may, I will just go through the rest of them very quickly.

So the second part of the comment is exactly what Sarmad has mentioned. Also, Donna, you understood, is the broad reference to consistent user experience, because it's a rather general term and also because variant TLDs never existed before and you we don't really know exactly what that means in terms of consistent user experience.

And the Org question is, how does the group envision, in terms of the guideline for a consistent user experience going to look like? Does that mean we need some kind of study to understand what consistent user experience means? So that's the first part. And then the second part is, if it is indeed some kind of study that's envisioned to understand what consistent user experience means, does that mean we need to incorporate elements like universal acceptance, that type of topics in the study, and then to make it more focused and narrow? Because if we try to narrow the scope of the study, then probably we should really focus on what consistent user experience means for registries and registrars, then that will help clarify the scope of the work. So that's the second part for this.

And then the last part is a suggestion. But of course, it's up to the group to decide, is to change recommendation to implementation guidance, because the phrasing of the recommendation seems to provide guidance rather than set a mandatory requirement. But I don't think it's the group's intention to make this optional. It is still the expectation to have guidelines developed. But it's more about the scope and mechanism that's a little bit vague at this point. But it's still an expectation to have the guidelines. Up to the group to decide whether you want to change this category to implementation guidance instead. So that's the full comment for this recommendation.

And also, I just want to quickly respond to Donna's question about the origin of recommendation 1.5, why it's placed under charter question A5. So A5 is asking about whether there should be a ceiling value to limits delegated variant TLDs. And the group

recommendation is no, we shouldn't set a ceiling value, there shouldn't be an upper limit. But at the same time, SSAC had a concern about not limiting the number of delegated TLDs. Because there may be permutation issues, and there's maybe management issues, because currently, there is no common approach by registries and registrars for managing variant TLDs. So that's why the EPDP team thought developing a best practice guideline can somewhat complement our recommendation of not setting upper limit so that registries, registrars and other stakeholders can work together in accordance with the guideline to make sure variant TLDs are managed in a way that does not create harm or have adverse effects on the DNS. I think that's the origin of this recommendation, why it's placed under A5.

DONNA AUSTIN: Thanks, Ariel, that makes sense. And I appreciate the reminder. I wonder with that context, whether what we really want to achieve from the best practice guidelines is about ensuring a consistent user experience or it's something different.

So I know we've had concerns about what we mean by a consistent user experience anyway, so maybe there's another way to phrase this recommendation. But we'd still have to overcome some of the challenges about how the best practice guidelines would be developed, by who, when, how it would be revised.

So unless folks have any more some input on this, I think what we'll do is put this one to the list. And after folks have had a chance to go back and talk to their respective groups and see

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whether you've got some thoughts about how we could respond to ICANN's input and make the recommendation ...

Maybe this comes back to a question we try to address as we go through these developing the recommendations about how it can really be implemented. So maybe that's the question, is now that we've got this input from Org, what is it that we really want to do here? And is there another way that we can phrase this recommendation or another way that we could do this? So I think, unless I see hands from anyone, I think this is one that we're going to have to take to the list and see what folks think. Yeah, I think it is going to take a little bit of time to sort through this. Okay, let's keep moving, Ariel.

ARIEL LIANG: Okay, thanks, Donna. And I guess we can't make a decision for this one in the call. But we still have time to go back to this. So hopefully, folks can provide your input via mailing list. So the next input is regarding recommendation 1.12 under A9. So charter question A9 is related to the labels state discussion that we had. So it's asking whether we should have label states for variant labels at the top level. And then there is a set of for suggestions from the staff paper, what label states may be appropriate.

And our recommendation is to basically follow the staff paper. And then we said that a given variant label may have one of the following label states delegated, allocated without same entity blocked or rejected.

And then, if the same terminology is used for certain label states and new gTLD application statuses, their respective definition has to be consistent. And I think this point relates to delegated, in particular, because there's already a delegated state for new gTLD application, even from the 2012 round. There's already this terminology. So for the variant label, if it's called delegated, it should mean the same, just as a regular gTLD. So I think that's what why there's the second sentence in recommendation 1.12.

So the Org input states the following. Is the EPDP team in agreement with ICANN Org's assumption that recommendation on 1.12 implies that ICANN Org would maintain at least some of these variant labels mentioned, excluding those that are blocked?

So I think it's just asking, do we envision in the backend system or whatever system the Org is using, we have to maintain the label states of the variant labels and note their status according to the label states in the recommendation?

So that's an assumption/question, I guess, from Org team. But it's interesting it asked whether we should also exclude the blocked variants label state record in the system. But I don't know, we'll probably want to clarify that question.

And then the second part of the question is, if there is an expectation that Org needs to maintain these labels states in the system, then there needs to be a practical mechanism to record the variant label states over time. And also there's a related recommendation 1.13 that talks about labor state transition. So there would be implication to that.

So I think it's a statement here. But I think the main question here is, is there an expectation for ICANN Org to maintain the label states in whatever system the ICANN Org is using? But I'm happy to defer to Sarmad if he has additional comments for this one.

SARMAD HUSSAIN: Thank you, Ariel. Just some bit to add to this, that, of course, I think what is probably being suggested is that or implied from this is that those records will be maintained. And they may change over time. So those changes will also be maintained. And I guess a question related to it is, would all this information be publicly available so that people can actually see particular set of labels and their disposition values at a certain time?

Also, the reason it suggests that excluding blocked, because blocked labels, there could be a larger list. So one way of doing it is that the other states are explicit and the blocked are—if it's not explicit, then it's blocked.

But in any case, those are some of the practical considerations. I think one of the things which may—so this is more of like how it's—is this a reasonable assumption that that's what it is implying, that we need to implement on our end? Thank you.

DONNA AUSTIN: Sarmad, can you explain the system that ICANN uses to maintain the label states?

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SARMAD HUSSAIN: Currently, there is no system, right? Because it's just gTLDs and IANA has the record of the gTLDs which are delegated. But in this case, if there is a gTLD which is delegated in the root zone, then it implies then there will be actually other labels, variants of that label, which will be in these special states. So there probably would need to be a mechanism to capture that. And I guess a question related to that is, how public should that be? So if I want to go and see, given this label, what are its allocatable labels or what are its withheld labels or so on, is there an interface which is expected for that purpose? Or that's all in the back? Thank you.

DONNA AUSTIN: Thanks, Sarmad. Maxim.

MAXIM ALZOBA: On one hand, if such labels are going to be created, it's a good opportunity to take input from IANA, from PTI itself, because if we create something which didn't exist, it's nice to have things implemented in one step to avoid a situation where only items requested by IDN EPDP are implemented. And for some reason, for example, something needed to IANA itself, like retired label or something else, who knows, is forgotten.

And on the other hand, we might have something like, blocked for I don't know, reasons, including profanity language, [who knows.] So I think this list should be accessible to ICANN staff who needs these for the processing of applications in future or maybe analyzing some results, etc. To registries, of course to IANA, and maybe to backends. I don't know. I'm not sure that it has to be

public, but it depends on the contents. If the contents are just technical words, etc., no foul language, I don't see the reason why IANA needs to hide it in the future. Thanks.

DONNA AUSTIN: Thanks, Maxim. Sarmad.

SARMAD HUSSAIN: The reason, as I shared earlier, we're suggesting that block list may not be maintained is because it's going to be very long. So just becomes unwieldy to make it explicit. But of course, if that's needed, it could potentially be done. So that's one thing. And I actually had another comment. Let me see if I can remember that. But let me come back into the queue, I actually wanted to say something else, but I've just forgotten that. Sorry.

DONNA AUSTIN: Thank you. Okay. So this question is about whether we agree with ICANN's assumption that ICANN Org would maintain at least some of these variant label states mentioned. Sarmad seems to be suggesting, should they be public? Or there may be other questions. So I guess, do we agree that that's what's intended here? And if it is, then perhaps in implementation guidance, we need to make that explicit, that it's our expectation that ICANN Org will maintain a list with the relevant label states for gTLD. Dennis.

DENNIS TAN: I think there is value in having this information publicly available. As you know, the next round, possibly, we're working towards that goal to allow the applications and successful delegation of variant TLDs. The more information is there out there about raise awareness about variant TLDs being activated, delegated and used, the better for everybody.

And also as subsequent rounds, that will inform potential applicants as to what they have to take into consideration when variant comes around, they get more knowledgeable about the contentions, objections processes and whatnot. So that having that information publicly available is valuable.

I mean, the means of it and how frequently is updated or not, or how easy are not, is accessible, that's something for implementation. Or I don't know whether us or somebody else needs to discuss how the user experience or the user interface— that's what I meant—would be. That's a different question. But value of having that information available, I think, yes, it's a positive step. Thank you.

DONNA AUSTIN: Thanks, Dennis. Edmon.

EDMON CHUNG: I think this is a good question. And it relates to one of the questions that I raised a little while back, and I don't know whether it's incorporated into any part of the schedule of our work yet, which is sort of the IANA WHOIS as well and also if in the future when we talk about second-level registration, the WHOIS data for

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the second level to show or at least have a way for people to identify which IDN variant TLDs are related to a particular TLD. And that record might need to show also—may not be as detailed as this, but could be the status of that string vis-à-vis the primary TLD, if you will. So obviously there should be a list that's maintained by Org some way. But this also relates to how this information is conveyed to the public as well.

DONNA AUSTIN: On the second level part of that that you raise, it is still in the parking lot. So it hasn't been forgotten. So I guess just to flag that we haven't forgotten that. It's still in the parking lot. So I think what we need to do here is just confirm for ICANN Org that what they think this implies is correct. So maybe that's something we need to do in implementation guidance, that the expectation is that ICANN will maintain a list that will do blah-blah, and it will be available to the public. So maybe that's the way we handle this. Maxim, go ahead.

MAXIM ALZOBA: I think in the database itself, not necessarily in the public part, there also should be a record of when the label changes its state, or when the state was applied, and the reason. It might be just a reference to some decision. Because without it, it's going to be just a pile of garbage. Because you will have lots of labels, without records, what type what, how things were added by whose decision, etc. Just thinking about things.

DONNA AUSTIN:　　　　Thanks, Maxim. Okay, so I think we can move on from this one, Ariel.

ARIEL LIANG:　　　　Thanks, everyone. So I'm just checking through the comments and also listening to the input. And I think what we could do is, perhaps include implementation guidance attached to this recommendation, noting the expectation for ICANN Org to maintain the label state in a practical mechanism as it sees fit. But I don't know whether there's an expectation to dictate must be public or not, maybe it's something that ICANN Org has to see what's the practical way to do it. And that's my understanding, but I'd like to hear confirmation from the group. If that's the correct understanding, we can draft the implementation guidance, and was the rationale attached to that and incorporate that Org input that way.

DONNA AUSTIN:　　　　And thanks, Ariel. I think what we are hearing is there's strong preference for it being—well, there's a preference for it being made public, but perhaps that's something we can leave to the IRT. But I think we've got enough to at least put in there initially that it should be public. So let's keep going.

ARIEL LIANG:　　　　Okay, I will note that and just quickly note that if we do want it to be public, probably need to provide some reasons and see ways we see why it will benefit to have public data, so that it seems more complete for the rationale. That's my note.

DONNA AUSTIN: Okay, thank you.

ARIEL LIANG: So moving on to A10, recommendation 1.13, that's related to 1.12, it's about the labels state transition. And in our recommendation, we have noted these few transitions. And if you recall, we actually have a chart to depicts the path from one label state to another. So, basically what we have identified is the label can transit from blocked to withheld same entity, from withheld same entity to blocked, from rejected to withheld same entity, from withheld same entity to allocated, from allocated to withheld same entity, from allocated to delegated, and from delegated to allocated.

So, this is a list we have. So what ICANN Org's input for recommendation 1.13—oh, sorry, I think I've noted the recommendation wrong here. It's 1.13, not 12. So 1.12, the comment applies to 1.12, is about recording the label states in the system at that question. So we already addressed that. And then for the second part of the inputs, for every change to the lifecycle of a primary label, does anything need to happen specifically for variants? That's the general question. Recommendation 1.13 discusses changes in variant label states.

However, if a primary gTLD is revoked, will the variants still need to be tracked and/or status maintained, or will they be removed along with the primary label? Can EPDP team provide additional guidance? For example, if we're trying to track a primary label, and all of its various labels, the variant set, and if there's no

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primary label contracted or in the root zone, it seems that there's no set or label set to maintain, because there's no longer a TLD. So that's an input and I guess it's a question. And I will appreciate Sarmad and others from the Org team can chime in about this.

I think the main question is that if the primary label is gone, in whatever way the current system allows, for example, retired, or the RA is terminated, if the primary label no longer exists in the root zone, does ICANN still need to track the label state of the variant labels associated with the primary label?

And I think that's what the question is about. But, of course, there's this term revoked here. Maybe we need some clarification of that. Is that something post delegation? And then the primary label is removed after delegation. Is that what the scope is regarding revoked, or does it encompass something broader than that? So I will appreciate others to chime in, and I already saw a couple of hands raised.

DONNA AUSTIN: Sarmad, just before we go to you, I think it would be helpful to understand what ICANN Org means by the primary gTLD is revoked. And the other question for the group is I wonder whether there's an assumption here that the primary has to be delegated before the variant labels, or—so my thinking on this one is it's a little bit confusing, because we have agreed that there'll be one contract for the primary and the variant labels.

We've also agreed that we don't care what sequence that the TLDs are delegated in. So there's an assumption here that if the

primary is revoked—I don't know what that means—that everything else falls by the wayside. But there may be instances where the primary actually hasn't been delegated yet. So what's the consequence of that as well?

So Sarmad, if you could kind of give us a little bit of insight into what revoked means and what the assumptions were for ICANN Org when they developed this.

SARMAD HUSSAIN: Thank you, Donna. I'll just maybe add a few more details here. So, I think the understanding is that there will be main string which will be applied for or it already exists in the case of existing gTLDs. And then in the context of that string, which we can call primary or some other name, there will obviously be variant TLDs, which will be calculated using the root zone LGR.

And then the root zone, there will be actually a contract which the gTLD contracts already exist, which already identify the string and then the variants eventually, as has been suggested by this group, will be added on to that contract. But the contract will be obviously driven by the main string. Perhaps that was also going to be the mechanism for new gTLDs as well, I guess that's something the group will and IRT will also think about.

But in any case, there is this assumption that there is a primary or whatever other name we may want to call it, which is driving the subsequent calculation of variant and then eventually contracting and so on.

But once the variants are calculated, the primary as well as the other strings become part of the set. And as a variant can change states as is listed here, primary can potentially also change states. So, for example, a primary can go from delegated to allocated and possibly from allocated to withheld same entity. First question is, does this equally apply, these change of states equally apply to primary label as well? And if it does apply to primary label, does it have any implication on the variant labels if the primary label is no longer delegated or allocated, but is for example withheld? So, those are some of the things which are being requested for clarification. Thank you.

DONNA AUSTIN: Thanks, Sarmad. Maxim.

MAXIM ALZOBA: First of all, it's not obvious that the primary thing is driving the contract. All TLDs in the set are equal because of being variants of each other. And not necessarily killing the primary label, for example, for reason of retirement of the language support by the country, should kill all other variants.

It needs reelection procedure, where one of the existing variants from the set is elected to be the next primary. That's it. And I remind you that the contract with ICANN is going to be of some legal body with ICANN and about the list of TLDs which are variants of each other. It's not about the primary and something else. So the answer depends on the question, how many TLDs are left in the set of the variants? Because if it's the last one, most

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probably there is no set anymore. Because when you eradicate the last member of the set, it's an empty set. Thanks.

DONNA AUSTIN: Thanks, Maxim. Sarmad.

SARMAD HUSSAIN: Yeah, just I just wanted to add—I made a comment in the chat as well, that the primary, even though eventually variant labels do form a set which could be flat, but primary label does actually have a special status, because it determines what the variant labels are. And if you change a string from one to another and recalculate the variant labels, we will not get the same set of variant labels with the same disposition values. So primary is special and different from others because it's a source of variant label calculation and its disposition values. Thank you.

DONNA AUSTIN: Thanks, Sarmad. I understand that but I'm struggling to understand what the ask is here. So do we need to change recommendation 1.2 to pick up on the fact that we need to include the primary plus the variant labels in the set that has been applied for or the allocatable set? I'm just not sure I understand what the ask is. Edmon.

EDMON CHUNG: Yeah, thank you, Donna. So I agree with Sarmad, and I think I somewhat disagree with Maxim, I think the primary label was quite

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important. And that defines the application. Also, but I guess, in response to Sarmad and staff, what should regulate would be—I mean, unless someone voluntarily deactivates the primary label, then I think that needs to be probably clarified that that's not acceptable. I think we can start with the provision that that is not acceptable. If he wants to deactivate the primary, then they should withdraw the entire application or TLD.

The other possibility is if there is an update in the root zone LGR—and I think the other provision or recommendation that it has to be grandfathered then kicks in. So it won't be a situation whereby a change in root zone LGR would not grandfather an activated primary IDN TLD. So, I think that that might clarify the issue.

DONNA AUSTIN: Thanks, Edmon. It's certainly a complicated issue. And I'm sorry, maybe I should know this, but I guess we're not talking about the application phase here. We're actually talking about when the application has been through the evaluation and we are in contracting. So I guess what part of the process that we're talking about? Maxim and then Hadia.

MAXIM ALZOBA: Yes, I wanted to underline the difference between applications and contract, because there is no bridge before between the application phase and contract phase, almost. When application phases finished, something allocated, that's it. And you cannot predict future changes.

For example, Kazakhstan decided to change its alphabet to be Latin to be used on Latin script, and it wasn't known a few years ago. And removal of TLD from IANA with customers, it's not something easy like panel of LGR said, oh yeah, we think it should be removed.

It should be something based on factually-based approach. And also, if whatever we do is aimed at erosion of customer being dissatisfied, I remind you that removal of TLDs from IANA is quite disappointing for customers. So, if at this stage, we understand that there is a special role of primary and the removal of primary effectively kills the whole set of TLDs, I suggest we review the idea of a single agreement for all TLDs in the variant set. Because if removal of primary happens for natural reasons, such as removal of support of country of some particular language set, it doesn't necessarily need to lead to disaster because removal of TLDs with customers from IANA, it is a disaster, it's not something natural. Thanks.

DONNA AUSTIN: Thanks, Maxim. And as Edmon noted, we do have the grandfathering recommendation, if there is a change to the root zone LGR calculations, that that shouldn't interfere with an existing TLD. So, I think it would be helpful to get clarification from ICANN what they mean by revoked because I think that's important to this question.

But I think there's another part of this too, is how do we treat the set that's been applied for? So I'm assuming, but I can't remember, that a variant label may go through the following

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transition. So are with talking about the variant label that's been applied for and been through the evaluation process, or is it—anyway, that's what I'm unclear about right now. Justine, go ahead.

JUSTINE CHEW: Thanks, Donna. I don't disagree with the request to get more clarity from ICANN Org. But the way I read it is we're not discussing why a primary gTLD may be revoked. So that's not the question, issue here. The question I think they're asking is what happens to the tracking of the variant set if a primary gTLD is revoked for whatever reason. So we're not discussing or debating the merits of the revocation. We are trying to get at what is the consequence if that happens. Thanks.

DONNA AUSTIN: I don't disagree with you, Justine, but again, terminology is important here. So revoked is something that I'm unclear what it means. Revoked by who? So I understand we're trying to deal with, the consequence. But I really want to know what revoked means. Sarmad?

SARMAD HUSSAIN: Yeah, I think perhaps one way to look at it is that the primary gTLD is undelegated. And it could be for multiple reasons. I guess I'm also not clear. But is it, for example, possible if the gTLD registry, for example, would want to undelegate a particular label—I'm not sure that's possible. But eventually, I think what is

perhaps being suggested here is that gTLD is no longer delegated in the root zone.

DONNA AUSTIN: Thanks Sarmad. Do you have thoughts about how this question—does this question take into account our recommendation, which I don't think would have been available at the time that this input was developed, but the fact that sequencing could actually mean that the variants are delegated before the primary?

SARMAD HUSSAIN: Yeah, this is where I think the allocation versus delegation also comes into the discussion, at least what I think, because in the example which you're suggesting, the delegation may actually happen at a later stage, but the primary still has actually been allocated. So there's a very—it's clarity that there is actually a registry behind that particular string, even if that particular string is not, quote unquote, activated or functional, but it's allocated to a registry, and it will eventually get delegated.

The challenge comes that a primary string, it's no longer allocated, it actually from delegated or allocated state goes back eventually to the withheld same entity state where it is actually not allocated to any particular registry.

And then, for example, the variant set, how that's determined, how it will change states becomes slightly—goes into a gray area. Will there be a memory of what the primary string was, even if it is not allocated to anyone anymore? I guess that's, for example, a question. Thank you.

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DONNA AUSTIN: Thanks, Sarmad. Okay, so I think this falls into the category of we need to put this to the list and see if folks have thoughts on it, given the discussion we've had. Maxim, very quickly, we're starting to run out of time, and I want to move on.

MAXIM ALZOBA: I think we need more clarity about the suggested, yes, scenarios. Because we need to understand if the suggested the scenario at all fits the purpose of the IDN EPDP. Thanks.

DONNA AUSTIN: Thanks, Maxim. Okay, so let's keep moving. I think we'll follow up on the leadership call tomorrow on this one, and then we'll put something to list to see if we can understand what it is we need to do to respond to ICANN Org's question. So go ahead, please, Ariel.

ARIEL LIANG: Okay, sounds good. Let's move on to B1, rec 2.1. And I think it's probably the last one we can at least provide a quick overview of the comment, but I don't know how much time we have for discussion.

So question B1 is should the same entity principle at the top level be extended to existing gTLDs? So if you recall, SubPro has the recommendation already requiring same entity for top level for future new gTLDs. And for recommendation 2.1, this group has

also confirmed that recommendation extends to existing gTLDs. So basically, it means any allocatable variant label of existing gTLD can only be allocated to the registry operator of the existing gTLD, or withheld for possible allocation only into that registry operator.

So that's the recommendation. And what ICANN Org has here, in general, it's more of the observation/implementation concern based on my personal reading, because even it's a straightforward recommendation implementation wise, it may be more complicated than what any of us have expected when the recommendation was developed.

So what it says is, this recommendation as well as the following two recommendations we're going to talk about, they're all about the same entity principle at the top level, would require implementation steps that includes change to the registry agreement, and some elements that are incorporated by reference, such as registry transition process.

So, basically, if we do implement this recommendation, it will require a change to the registry agreement. And what ICANN Org wants to raise is that there will be operational impact of this because updating the agreement for existing registry operator on the base agreement is a process subject to the global amendment process defined in section 7.6 and section 7.7 in the registry agreement.

The process is limited in frequency and must be accepted by the registry operator on the base agreement per the applicable thresholds. Currently, there are no existing rules, processes or

procedures for allowing individual registry operators to move between base versions of the registry agreements. So as the scenario has never occurred.

ICANN Org also notes that not all existing registries are on the same registry agreement, I guess, not on the same version of the registry agreement, which the EPDP team may want to consider when drafting the outputs. An updated base registry agreement for future rounds will be developed during implementation of the outputs of the SubPro recommendations.

And depending on the final recommendations from this EPDP, it is perceivable in some circumstances that the current base agreement from 2017 may be insufficient in form and substance to address variant handling at the top level, and may necessitate that the registry operator adopt a more current version. Accordingly, a process would need to be developed as only one base agreement currently exists.

So that's a comment from ICANN Org, and I think it's mainly to communicate there may be complexity in implementing this recommendation. And I think it's up to the group to digest this comment and consider whether anything needs to be changed, understanding the complexity of this, or if you believe yes, we know there's complexity, but we have to go with this policy recommendation, then there may be no change needed. So that's my personal reading. But I see already Maxim and Edmon have their hand up.

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DONNA AUSTIN: Go ahead, Maxim.

MAXIM ALZOBA: I have two items. First, it's quite a bad idea to establish the principle that the variants idea of the same entity should be applied to existing TLDs. Because if we do so, all members of this group are going to be potentially liable. For example, if ICANN deprives some registry from the contract based on this decision. [And I'm sure that entities going for—and I'm not going to be part of that, first of all.]

The second, the idea of the single registry agreement for all variants looks even worse, given these questions. Because if you are going to migrate from the current registry agreement to agreement with addendum where you list all the variants, and even say which one of those is a primary is simpler from legal and operational perspective and doesn't require [inaudible] changes, and also will not require changes to the registry agreement, because it's an addendum. Thus, I think the idea of having the single registry agreement for all variant is a bad idea. Thanks.

DONNA AUSTIN: Thanks, Maxim. So the single registry agreement for future IDN gTLD operators is something that we have as a policy recommendation, I believe, so I think that's something we're going forward with. But I do acknowledge that what ICANN Org has raised here is something we need to think about and work out what we want to do about it. Edmon, go ahead.

EDMON CHUNG: Yeah, thank you, Donna. I think this can be addressed with like an implementation guideline. Agreeing with Maxim, this should come in the form of addendum and not affect the base agreement. I note what the ICANN staff has responded and saying, but if we implement it as addendum or even, let's say, a Spec 14, mean Spec 13 is created for brand TLDs, we can imagine a Spec 14 For IDN TLDs, especially IDN TLDs with variants and that would not affect the base agreement. So I think yeah, it's a good question. But perhaps we can not change the recommendation but provide a little bit of implementation guidance saying this could be handled as follows, potentially, and leave it to implantation.

DONNA AUSTIN: Thanks, Edmon. Seems like a pretty sensible solution for existing IDN gTLD registry operators that if they do apply for variants in a future round, that the variant just be added as an addendum to the registry agreement that they're on. So I think that's a pretty clean solution. And it looks like there's support for the idea, certainly from Michael and Dennis. So I think it's something we should develop some language around and then leave the mechanics to the IRT. Maxim.

MAXIM ALZOBA: Short question. Recommendation to have a single agreement for the whole variant set, whose recommendation is it? Is it recommendation of this IDN EPDP? Or is it new or SubPro PDP?

DONNA AUSTIN: It's this PDP.

MAXIM ALZOBA: As I understand, we haven't issued final decision and thus we are not—

DONNA AUSTIN: That is correct. It is a draft recommendation that will go into the initial report. But I will note that it is a recommendation that hasn't had any objection from anyone to date, notwithstanding your comments that you just made. So point well taken. It's a draft recommendation at this point of this group. Okay. Ariel.

ARIEL LIANG: All right. Yep. We have about two minutes left. And I wonder whether we should keep going or have a break.

DONNA AUSTIN: I think let's have a break. We've gone the full two hours. So we will just tee this up for next week.

ARIEL LIANG: Okay, sounds good. And we're almost done with the Org input, at least more than half done, I think. So we're doing very well. Although we still have parked items we haven't finished that need to have continued discussion on the mailing list.

EN

DONNA AUSTIN: Understood. Okay, Ariel, can you just remind folks what's the expectation with the text that we put out for comment last week? So they've still got another week on that. Is that correct?

ARIEL LIANG: Yes, I believe. So. And I need to check the deadline for that. But I believe next week is the deadline. We asked the group to provide some input. But I guess do let us know if any extension is needed. And I don't know, Donna, maybe I can provide a quick heads up.

In the week of February 9, that Thursday, we would possibly cannot do the meeting because of ICANN Org internal meeting. So it's possible we have to cancel. So that means next week will be another meeting to go through the Org input, and then the week after, there is a possibility. ICANN Org staff may not be able to support. Just a quick heads up on that.

DONNA AUSTIN: Okay, thanks, Ariel. Understood. And I think our plan was not to go ahead with that meeting on the week of the 9th. But it would be great if we could get feedback from folks on that text that we put out that Ariel sent to the list last week. Edmon, then Anil, and then we'll have to wrap up because we're at time.

EDMON CHUNG: Yeah. So very quickly and speaking as Board liaison now to this group. A couple meetings before, I mentioned the part that for the report, we would like to have the group add a section to address

some of the divergence between the GNSO EPDP and the ccNSO PDP on this this issue.

So I can quickly note that we have identified like five areas at this particular point. The reviewing of strings and scripts not supported by root zone LGR, the disposition of variant TLD labels, the scope of the string similarity review, that's the hybrid model, and so on, and the delegation of variant TLD labels, how the number and the delegatable approach from the CCPDP, and the impact of changes in the root zone LGR on delegated TLDs and the grandfather thing that we just mentioned.

So informally, I'll note this, but working through with my Board colleagues to work through with the IDN and UA working group to have a more formal list to send that to this group. So just one update on this.

DONNA AUSTIN: Thanks very much, Edmon. Edmon, you don't have a timing on when we can expect to have that.

EDMON CHUNG: We're working with Sarmad and the team and also my Board colleagues. And we note the time criticalness of this and also the interrelationship with the SubPro. So we are working as fast as we can.

DONNA AUSTIN: Okay, thanks, Edmon. Anil.

EN

ANIL JAIN: Thank you, Donna. Maybe for repetition, I just want to invite the EPDP group, all members to the coming Tuesday meeting of IDN ccTLD where we are going to undertake a stress test exercise. Thank you.

DONNA AUSTIN: Anil, what's the stress test going to be about?

ANIL JAIN: This is a full working group. And we are going to discuss the situations when the basic parameters of delegation changed. And in that situation, in case somebody else applied a new situation where dedication is possible, how it is going to happen. So I was told by Bart that the information is already given to the EPDP group and it is informed through Ariel also. In case more clarification is required, I'll request Bart to send detail about the possible stress test.

DONNA AUSTIN: Thanks very much, Anil. And this invitation goes back to the conversation that our group had with the ccPDP. I think it was the end of January, I really can't remember now. So anyone that can attend, that will be great, because I think just the stress test exercise could be something that we need to look out for some of our recommendations. I'm sorry that we've gone over, but we will see you back here at the same time next week. Thanks, everybody. Bye.

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

[END OF TRANSCRIPTION]