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ICANN Transcription

IDNs EPDP

Thursday, 28 September 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 28 September 2023 at 1200 UTC. We do have apologies today from Satish, but I saw him join.

All members and participants will be promoted to panelists. Observers will remain as attendee and will have view access to chat only. 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 with your Statements of Interest, please email the GNSO secretariat.

All documentation and information can be found in the IDNs 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

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multistakeholder process are to comply with the Expected Standards of Behavior.

Thank you, and back over to Donna Austin. Please begin.

DONNA AUSTIN: Thank you, everybody. And welcome, everybody, to today's call. I just noticed in chat that Justine is wishing ICANN a happy 25th birthday. So happy 25th birthday to ICANN. I'm sorry we don't have something that we can celebrate with, although I do have my tea here, so that will have to do.

I don't have anything, really, by way of chair updates. So when we left the call last week, I encouraged the Registries and ALAC to have a further think about 3.5 and 3.6 so that we can have some discussion today and see what we can come up with so I can inform folks there has been some revised text and, I guess, counter text that's been exchanged between the two groups.

So to bring the rest of us up to speed, what I'd like to do, if it's okay with Dennis and Satish, is ask Dennis to introduce his proposed language to resolve the—what's the word I'm looking for—the impasse that I guess we're at on 3.5. And then I'll ask Satish if he can introduce ALAC's response. And then I guess we'll see if we can have a conversation around the two and hopefully come up with some kind of conclusions that will allow us to move forward.

Just a reminder. The timeline that Ariel provided us for last week, we are hoping to resolve this today if at all possible. So please bear with us as we try to get through this last piece of our Phase 1 work. And, please, I also encourage others to join this conversation

because what we're trying to get to here is consensus. If we can't, then we need to come up with a plan B.

So with that, Dennis, are you—Ariel, sorry. Before I go to Dennis. Ariel, is there anything else you wanted to add to that?

ARIEL LIANG: No. I think you have covered it, Donna. Thank you.

DONNA AUSTIN: Thanks, Ariel. So with that, I think if it's okay, I'll hand it to Dennis. And I think we have Dennis's language available to share. So, Dennis, are you okay to walk us through this and explain your thinking behind the revised language and also highlight for us with new language is?

DENNIS TAN: Sure, Donna. Thank you. This is Dennis, Registries, for the record. An exchange might be a little bit more what actually happened. So we drafted these, tried to get some input from our stakeholder group. And so we received some feedback as of yesterday, and that's when I sent the email in response to Ariel's reminder about the action item.

[I think] Satish and others noted they received, but it might be still acting premature. There's little time for them to react. So I just want to put it out there. This is fresh out of the press, if you will. So happy to have this conversation today.

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So that out of the way, again, I think by way of just brief background, we were trying to balance—or in lieu, I think, is the better way to phrase this. In lieu of setting a arbitrary ceiling number of allocatable variants that could be allocated, we want to make sure that the applicant or registry operator that wants to apply for additional variant labels is really mindful and do so in consideration of the operational complexities that variant domain names introduce with some same entity requirement, and so on and so forth.

We wanted to move away from the user confusion aspect of it because it's difficult to measure. And so since that introduces subjectivity to the evaluation process, we don't think that's the best way to—it's not the best thing to put it into the process. Right? Subjective evaluation criteria results which leads to unpredictable results, and maybe not consistent as somebody would expect.

And so the way we think about this is, okay, so let's make sure or at least attempt to raise awareness from the applicant that this is not a regular gTLD label. Right? Asking for a variant label introduces certain other obligations, and it will introduce some operational, technical complexities that they will need to implement or make sure things happen in the case they have to outsource those services. Right?

So in doing so, let's anchor that piece to something that can be measured, which is the technical evolution process. So we started that that way. And that way, you ask the registry operator or the applicant [inaudible] of the additional steps and complexities that variants will introduce and explain how these organizations, these registry operators taking the steps to address those operational complexities.

And in 3.6 that we can see later today, the intention is to marry the two. Right? Marry their responses here such that they are consistent with the technical evaluation that's going to happen somewhere in the application process.

So that's kind of the overview or the thinking around this revised language. And I'll just go through it. There's a little bit of cleaning of the language, wordsmithing. But basically 3.5.1 through 3 mirrors the original language.

First, we're asking for the meaning or intended meaning when there is a non-dictionary word of the applied-for labels citing and including the sources as to where they get those meanings so that there is a objective way to assess where is that coming from.

Secondly, explanation how the primary variant labels are considered the same. I think it pretty much mirrors what we had before. Explain the benefits and the user communities who will benefit from this introduction of the applied-for variant labels. So those are basically the same things that we had before.

And then we put 3.5.4 and 3.5.5 here again to request confirmation from the applicant that they understand the operational and management complexities of variant domain names. And, in 5, be more descript as to the steps that the registry operator will take to minimize the operational management complexity of variant domain names. And again, the intention is to marry these responses with the technical evaluation in which you can objectively measure that understanding.

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I want to pause here to hear reactions. And, Nigel, I think you wanted to come back to 3.5.4, so if you have any questions, please.

NIGEL HICKSON: Sorry. I do apologize. I was on mute and couldn't get off it. This might be out of context, but I just wondered about 3.5.4 because the applicant has already, as I understand it, would have applied for a normal—they're applying for variants, but they would have already applied for a domain name.

So I just wonder how, you know, asking them if they understand the complexities that the domain names introduce seems a bit odd because in applying for them, they would have to go through the process of understanding them. Or am I missing something here? I mean, I can understand giving descriptions of how it benefits people in that, but asking them if they understand it seems quite an odd concept.

DENNIS TAN: Right. Thank you, Nigel. Yeah, 3.5.4 and 3.5.5 is really going tandem, one with the other. 3.5.4, where we're looking, is an affirmation from the applicant. Right? They do understand and they have a plan, so that kind of goes hand in hand. 3.5.4, you will look for an affirmation of that responsibility, of that understanding. And in 3.5.5, they really need to detail how they plan to do that. So that's kind of the thinking of it.

We can collapse the two in one. That will be okay just for keeping it simple and detailed. We just thought, you know, keeping those apart. But they really go hand in hand.

DONNA AUSTIN: Thanks, Dennis. As the chair, I'm not going to make an intervention here. I want to leave this until we see the ALAC response, I suppose.

Dennis, have you changed 3.5 itself—so the introductory paragraph?

DENNIS TAN: The introduction paragraph?

[DONNA AUSTIN]:   [inaudible].

DENNIS TAN: Yes. 3.5?. Yes. I think I did some wordsmithing. I can't remember exactly where.

DONNA AUSTIN: Okay.

DENNIS TAN: I think simplifying because I felt that the other language was repetitive. The 3.5 really is about variant labels, not the primary. Right? We were assuming somewhere in the application process there is a place where you're asking for the primary. But 3.5 really is into the variant labels being applied for whether it's additional

ones or in tandem with the primary gTLD label. So it's more of a simplification in my view.

DONNA AUSTIN: Okay. Thank you. So do you want to move to 3.6? Do we want to move to 3.6, or do you think it makes sense to have a look at that ALAC response to 3.5? I kind of think these two are married.

DENNIS TAN: Yeah, absolutely.

DONNA AUSTIN: Yeah? Okay. Yeah, if you can introduce your 3.6. And then I think we'll give ALAC the floor. Thanks, Dennis.

DENNIS TAN: Thank you, Donna. Yeah. So as I was saying, 3.6, to go into more detail, the intention is the applicant needs to provide reasonable information, especially between the first three line items. So then 3.5.4 and 3.5.5, the intention here is to, again, the responses that the applicant gives in these answers have to be consistent with the technical evaluation when the process tests for how the applicant or the registry operator or the back end would or will enforce the same entity requirements that at some point I think we are going to be discussing. Right?

Right now we don't know what those technical requirements are going to be, but I anticipate we're going to come up with some ways to measure that. So I think that's the gist of 3.6.

DONNA AUSTIN: Thanks, Dennis. In terms of the technical questions, I think we have a recommendation, which is 3.7, about understanding the technical operations. I think it's 3.7. I could be wrong.

Okay. So any comment on this one from any anyone? Okay. I don't see any hands. Thanks, Dennis.

So, Ariel, do we have the ALAC responses available?

ARIEL LIANG: I'm not aware. I checked through my Outlook. I didn't see any proposed text. So, yeah, I don't have any.

JUSTINE CHEW: We sent some, Ariel.

ARIEL LIANG: Oh.

[DONNA AUSTIN]:   [inaudible].

JUSTINE CHEW: By email.

ARIEL LIANG: Okay. I think I missed it. So I'm going to just put that in the—I don't have it on the slides, but I have the email. Okay. Sorry.

DONNA AUSTIN: [You were asleep].

ARIEL LIANG: Yes. It was sent when I was sleeping. Okay. I'm going to post that.

DONNA AUSTIN: Okay. I'm not sure that Satish is able to speak at the moment. Kevin says he's on the phone but in listen-only mode. Is there somebody else from ALAC that can take us through this? I'm thinking it might be Justine.

JUSTINE CHEW: Yeah, I guess it might be me.

DONNA AUSTIN: Hadia has her hand up.

JUSTINE CHEW: Yeah. Well, let me start, and Hadia can jump in if she wants. I suppose, since I was the one who crafted the email anyway, based on input from my colleagues.

So apologies that this came in late because we only saw the text from Dennis late as well. So we had very, very little time to actually

get together and discuss it. In fact, we had to do it online, really, by bits and bobs.

But anyway, this is where we stand at the moment. So I'm kind of channeling Satish, I guess, in a way. With 3.5 we don't have a major issue with the top half of the proposed text from Dennis. The only concern that we had was in regards to 3.5.4 and 3.5.5.

3.5.4. The numbers are getting to me. The query and the concern we had is similar to what Nigel spoke of earlier, which we think it's kind of redundant because it's kind of asking a yes or no question. And that kind of answer can actually be discerned from 3.5.5 which, in our case, we think it's a better question to ask for 3.5.5 instead of asking for a yes and no answer in 3.5.4.

So we are happy to adopt [inaudible] 3.5.5 with a little bit of amendment and just discard 3.5.4. So as you see in the blue text, we struck out 3.5.4 and 3.5.5, and we proposed a new version of 3.5.4, which is "A description of the steps that the applicant will take to minimize the operational and management complexities of ..." and this is where it differs from what Dennis had before.

Well, we used "applicant" instead of "registry operator" [inaudible] because we understand that it's that applicant that we're talking to. So "A description of the steps that the applicant will take to minimize the operational and management complexities of variant gTLDs"— that's the addition—"and variant domain names"—which is what Dennis had. And then additional would be "that impact registrars, resellers, and registrants."

And the reason for this is we really want to see if the applicant has got something in mind that will impact downstream. So it's not just the registry doing things that will be only impactful at the registry level. But we want to see whether the applicant has thought about what they can do to impact downstream, touching on the registrar operations, reseller, as well as registrants. So that's why we included the amendments as we have.

So I will stop there. And if you want me to take questions, I'm happy to take questions. Or if you want me to go on with 3.6, I can do that as well.

DONNA AUSTIN: Hadia go ahead.

HADIA ELMINIAWI: Thank you. This is Hadia for the record. So as Justine mentioned, we only saw the text late, so we couldn't really discuss as a group. However, what Justine sent on the mailing list is what we have agreed on.

Just a second thought on 3.5.4, which we have decided to strike. It would be beneficial to keep it, though, if in some way or another, this is reflected in the contracts between the registrars/resellers and registrants. So actually 3.5.4, acknowledging the complexity of management and dealing with it, if it's somehow reflected in the contracts—maybe here it refers only to registries, it doesn't include registrars and resellers; yeah, it's the applicant, so it's the registry— the registry understands.

So if such a confirmation is reflected somehow in the contracts, then we are happy to keep it. Thank you.

DONNA AUSTIN: Thanks, Hadia. So there's a possibility of keeping the original 3.5.4 depending on what others think. So maybe before we go to 3.6— and, Dennis, I appreciate this is the first time you've seen this—I'm just wondering if you have any initial reaction to what's been suggested here. Justine, go ahead.

JUSTINE CHEW: Yeah, thanks. If you don't mind, I'd like to ask Dennis if he could answer the comment that Hadia raised in terms of 3.5.4 about the contracts.

DENNIS TAN: Sorry. I will apologize. If I can hear that question again?

JUSTINE CHEW: Hadia, please?

HADIA ELMINIAWI: Hi. So I was saying "the confirmation" because 3.5.4 says "A confirmation that the applicant understands the operational and management complexity that variant domain names introduce." I'm

saying if this is somehow reflected in the contracts, then definitely we're happy with it. Thank you.

DENNIS TAN: Thank you, Hadia, for clarifying the question. So, yeah, I don't think we are there yet. And not sure whether that would be something for implementation to happen. But, yeah.

I mean, for that matter even new registry operators applying for a single gTLD, I don't think they are asked to put that kind of statement in the contract. It just, by way of what are the obligations in terms of operational obligations, technical requirements. And that's the way that ICANN Compliance can measure whether they comply or not comply with the technical and service-level agreements and what have you.

DONNA AUSTIN: Thanks, Dennis. And I don't know if there's anyone from ICANN Org on the call that can address the contract issue, but I'm a little bit like Dennis. I'm not sure that anything that's a requirement in the application would automatically become a requirement in the Registry Agreement. So I don't think that would be the case.

Maximum, go ahead.

MAXIM ALZOBA: Do you hear me?

DONNA AUSTIN: Yes, Maxim. Go ahead.

MAXIM ALZOBA: The thing is, the registrar, resellers, and the registrants and registries have to oblige to contracts and policies. That's it. In my opinion, the question about steps to minimize operational complexities is too broad. And since nobody did it, it's, I'd say, quite—yeah, it's more philosophical than actual. Because from the operational point of view, you improve operational complexities step by step. Whatever plan you have in the beginning, it will evolve and change.

So a description of how the future registry is going to operate in the future in all iterations, it's [unimaginably] complex itself, and I don't think it adds anything to [evaluation] because what we need is to ensure that registries and registrars and all the chains to the end user comply with whatever we expect, we invent, and ICANN community invents as policies and whatever is implemented via contracts.

So I'm not sure what we reach with this description because an answer like, "Yes, we are going to minimize it at some reasonable cost," is going to be, yeah, a qualifying answer. But do we need it? Thanks.

DONNA AUSTIN: Thanks, Maxim. I think for the purpose of having the applicant explain that they understand what they're getting themselves in for and have an understanding of how they're going to manage it, I think that is a reasonable question to ask in the application process.

I take your point that what might happen once the TLD gets going might be different to that, but I think for the purposes of the application itself and providing some level of comfort, I suppose, to the evaluators that the applicant knows what it is they're getting and what they're applying for and the challenges that might arise, I think, is a reasonable thing to ask. So I think the question here is still valid.

Dennis, do you have any—or even Jennifer or even Maxim being from Registries—do you have any other concerns? Taking away the confirmation part, is that problematic for you? Or are you okay with the idea that rolling it up into a description is fine?

DENNIS TAN: Thank you, Donna. The inclusion of resellers is not ideal, but at the same time, not having strong feelings about it. It triggers in my mind: do we actually talk about resellers in all of our policies and contracts? That would be my first got-to checkpoint, if you will. I could be wrong, but typically we don't talk about resellers. We know they exist, but they are not, in a way, they're not credited by ICANN. So there are different ways registrars expand their distribution channel, so I'm not sure how that plays out in ICANN policy land, if you will.

So that's my only [inaudible]. I think it's a good way forward, the revision here.

DONNA AUSTIN: Thanks, Dennis. And to add to that, I think it's the registrar that has the relationship with the reseller. So if you keep the registrars in, I

think you're implicitly including the reseller. So perhaps just keeping "the registrars" and striking "resellers" might be a good way forward.

But, Hadia and then Justine.

HADIA ELMINIAWI: Thank you. I would just like to note that regular registrar/reseller registrant agreements do include clauses that say that the registrant would sort of adhere to all domain name policies. So regular contracts do have some sort of acknowledgment from registrants to adhere to those policies that we go on developing.

I agree also with your suggestion to keep "registrars" and strike "resellers" if this would—this is, of course, initial personal reaction. Definitely, we have not discussed this as a group. But if the issue is that we regularly do not refer to resellers, it's only the registrars, that would make sense again as well. Thank you.

DONNA AUSTIN: Thanks, Hadia. Justine.

JUSTINE CHEW: Thanks. Just on top of what Hadia has said, I kind of heard Dennis agreeing to our proposed text. I'm not sure whether I heard correctly or not. But in which case, please note that it says "that impact registrars, resellers, and/or registrants." So if the applicant ends up not putting something in that touches on registrants, then that's their choice. They may not fare as well as others that might be creative

in terms of how they want to manage the complexities. I don't know. That's up to the panel to evaluate that kind of responses.

But the important thing, as I said here, is that we want to know if the applicant has thought about whether any steps that they are planning to take would impact downstream registrars, resellers, and all registrants. And I am of the position that I would like to keep "resellers" because some registrars, you know, it's not a mutually exclusive relationship. So some parties may be a combination of two or more. But some parties are only registries, only registrars, and only resellers. So it's better to just have them in the text. And bear in mind that it's qualified by "and" or "or." Thanks.

DONNA AUSTIN: Thanks, Justine. So, Dennis, I thought I heard your hesitation around resellers, so I don't know whether this is a strong hesitation or whether you can live with resellers being included or not. But I think I'm also hearing a potentially different opinion from Justine and Hadia about whether it's a hard keep or not with resellers for ALAC. So [can we] ...

DENNIS TAN: Donna, if I may? So the inclusion of resellers, again, it's not ideal, but not strongly opposed to it. I think we'll have more time to look at the impact of including resellers in the language in policy again. Right? Are we're breaking from tradition as to how we deal with or characterize the relationship between registrars and resellers, again, in making policy and how we include that type of role in our policy recommendation? But for now, yeah, I think we're good.

DONNA AUSTIN: Okay. All right. So we'll leave that as is. And Dennis and Registries, I appreciate that this is the first time you're seeing the language, so there's a possibility that the Registries Stakeholder Group may have a different view. If we can reach some agreement today, which will be fantastic, then I will leave time available for this to be discussed within the stakeholder groups as well.

All right. So I think we're okay with striking out Dennis's original 3.5.4 and 3.5.5 and going ahead with ALAC's revised 3.5.4 with the caveat that there's still a need to discuss among stakeholder groups. So we'll leave that as it is, and we'll move on to 3.6.

So, Justine or Hadia or whoever, can you take us through 3.6, please?

JUSTINE CHEW: Okay. I can take a stab at it. So this one is a little bit trickier because we don't agree with the text that Dennis has proposed. And he spoke earlier about the technical capability evaluation or technical evaluation. And the reason why we disagree, and I think Donna alluded to this, is that in terms of technical evaluation or technical capability evaluation, that, we see, falls under Recommendation 3.7. And then we have the Implementation Guidance 3.8 and 3.9 which follows from 3.7.

So 3.5 here, or 3.6 is Implementation Guidance for 3.5. So if we look at 3.5, it's not so much about the technical capability, per se. For us, the technical capability is more the back-end side of things. But 3.5 is more the front end, what the applicant wants to do with

the TLD and how it's going to benefit the communities and the users, so to speak, and then how do you manage that relationship and minimize complexity downstream that way in the front end.

So if we take it like that, then technicalities don't really come into play, per se, here. So which is why we don't think the proposed text fits in the nature of 3.5, and we would prefer to revert back to elements of what we had before. And you will see this in the blue text in 3.6 on screen.

So we are going back to "evaluation of the information submitted." We used "information" because Dennis used the word "information." So we are trying to accommodate that. But it's more about the evaluation of the answers that are being supplied by the applicant for the questions under 3.5.

So putting aside technicalities and putting aside the same entity rule that was also mentioned in Dennis's context of 3.6. And our reply to that is that the same entity rule doesn't prevent risk of confusion at all. It might mitigate, but it doesn't prevent. Right?

So back to our proposition about 3.6 dealing with the evaluation of information submitted under 3.5, then we will be looking at things like the composition of the panel. We suggest that the panel must include evaluators with some relevant language expertise because we're talking about [non-meaning] words and the benefits in the communities; how are they supposed to benefit communities? So it's a language director thing.

And in 3.6.2, we went back to applying criteria, and we have kept the standard as a general standard of reasonableness. And we

have suggested now that the criteria must be established during implementation so that it would add to transparency and predictability as far as possible.

And then 3.6.3 is something that we had seen earlier, which is that consistent with Recommendation 27.2 of the SubPro PDP, "evaluation scores on the question should be limited to just a pass/fail scale." Now, 27.2 has already been adopted by the Board, so that is going to happen. And we can see that application being useful here, so that's why we proposed to keep it.

And then 3.6.4. This is something that was left unconcluded from last week, I believe, although I missed half the call last week. Sorry. But we have now suggested that the applicant must pass each of the questions. The word "element" is—we can use a different word, but what I'm trying to get at as the applicant must pass each of 3.5.1, 3.5.2, 3.5.3, and the mandatory 3.5.4 in order to proceed to the next stage of the application process.

And then we have made it very clear in 3.6.5 now that the result for one applied variant label wouldn't impact the result for any other variant label in the application set, including the primary gTLD. So we need to say that if the primary gTLD passes, then they can proceed. If one variant passes all four, then that can proceed. If one variant doesn't pass all four, then that would be withheld and can no longer proceed to the next stage.

So again, any additions from my colleagues or questions for us? Thank you.

DONNA AUSTIN:	Thanks, Justine. Any additional comments for Hadia or [inaudible] from ALAC? Okay. Dennis or Jennifer, any thoughts on what's being proposed here? This is pretty similar to what we had, I think, that's been enumerated.

Dennis, go ahead. |
DENNIS TAN:	Thank you, Donna. Dennis from the Registries. Yes, I wasn't aware and didn't check 3.7 and 3.8. So thank you for the clarification. The revised 3.6, yep, looks good to me. Thank you.
DONNA AUSTIN:	Sorry, Dennis. I'm talking about 3.6 here, the Implementation Guidance. So the text that is on the screen in blue. You had proposed something that was different, but this is more consistent with what we had last week, I think.
DENNIS TAN:	Yes. Thank you. Sorry, I may have misspoke. Yeah. We have on the screen in blue, 3.6, the revised ALAC looks fine to me.
DONNA AUSTIN:	Okay. All right. I'll just take my chair hat off for a second, and I don't know what other one to put on because I don't have one. I must admit that I am still a little bit concerned about 3.6 here because I'm not sure how it's going to be implemented because ...

And I think the way to fill that gap is to enhance our rationale, but I think there's a little bit of a challenge here that the Implementation Guidance might be difficult to follow. But then again, if it's only guidance, then does that really matter?

Okay. So I'll put my chair hat back on. Thank you, everybody. If this is where we can land as agreed text for Recommendation 3.5 and 3.6, I thank you for that. But again, I want to give at least a week for the respective groups to take this back and just get clearance from their stakeholder groups.

But for now, I think we'll say that for the purposes of moving forward, this has been agreed unless we hear anything to the contrary by next week. And I will ask the question during the call next week just to give that opportunity. But if not, it looks like we're in good shape. So thank you, both teams, for giving this a little bit more consideration and coming up with a path.

All righty. So with that, I think, Ariel, we can move to 4.4 and see if we can sign off on that as well.

ARIEL LIANG: All right, sounds good. Just pulling up the slides. Okay. So 4.4, we went through what was revised based on the proposal from leadership team, and the current slide you're seeing is the part that wasn't changed. And then the part that was changed is 4.4.3 on this slide. And this mainly deals with: when confusing similarity is found between a applied-for gTLD string and a requested ccTLD string, what happens next?

And basically, there is quite a bit of sub-items under 4.4.3, and it's a copy and paste from the 2012 Round AGB [and with] some amendments by incorporating the mention of variant labels. And I think there was not much reaction from the team last week when we talked about it. Definitely no objection we have heard.

Mainly, I think, some comment is about the necessity of repeating everything. But I think we talked about the rationale is—you know, there will be a new AGB, and we should spell out what we exactly mean for the process of resolving such conflict rather than mentioning the 2012 Round one which will be outdated by then. So I think that's the comment we heard, and then we tried to address that. So that's a major part of the update.

And another update here is 4.4.4, and it talks about what if an applied-for gTLD string is found confusingly similar to another applied-for string that was applied for in a previous round but still hasn't been delegated? What happens in that case? So this is basically talking about the newly applied-for one has to be on hold until there's a resolution of the application submitted in a previous round. So that's the gist of 4.4.4.

And also, just another note is that we did consult this part with our GDS colleagues, specifically Sarmad and Pitinan, and also welcome them to chime in just to get their input whether this seems to be implementable. And I think the comment receives is "seems to be fine." But no serious issues with this proposed language.

But I will stop here just to see whether there's any additional comment, input, or question from the team.

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DONNA AUSTIN: Thanks, Ariel. So any concerns? Questions? Any agreement to what Ariel has proposed? Michael said it looks good to him. And this language has been, I think, available for a week or two now. Nitin is okay with it. Dennis is good. Okay. Nigil's okay. All right. So I think we're good on 4.4, Ariel. Yay.

ARIEL LIANG: Yeah, great. Thanks, everybody, for the input. And I just want to note one thing. We'll make sure to check with our ccNSO counterparts on 4.4.3 just to get a sanity check from their perspective. I don't know for certain whether they have addressed that in the ccPDP4 Initial Report about such conflicts. But if they also don't have any further concern or anything, or question, then we're good to go.

And at the same time, we do need to update the rationale language for 4.4 very quickly. So we'll follow up on that after the call.

And, Donna, the next agenda item is basically to go through some selected sections of the Final Report. Would you like me to start the discussion of that?

DONNA AUSTIN: [inaudible].

ARIEL LIANG: Okay. I'm going to pull up the other document. Oops, that is not the right one. Okay. So I'm also going to put the link in the chat.

Actually, I'm going to do this first. [inaudible] is to show everybody the Table of Contents first.

And so just to give everybody a quick overview of the structure of the Final Report, it's basically the same as our initial report. And there are some additions that will include and mainly is the Consensus Designation Annex, and the Minority Statement Annex. We're hoping this Minority Statement Annex will not be needed. So these are the only two additional things, and then the rest follow the structure of the Initial Report.

And we're only going to talk about, basically, Executive Summary, Glossary, and the difference between the EPDP recommendation with the ccPDP4 recommendations. And I believe that was our approach last time when we went through the Initial Report. However, the rest of the Final Report sections will be made available to the whole group, so if you want to look at, for example, the team approach and background, you will see it as well. And all the updates [we done] there are made in redline so you can see.

But we think the rest of the sections may not need broader input or discussion from the group because they're mostly administrative or procedural-oriented. So that's why we're not proposing a broader, on-call review of these sections.

So I guess we can go to the first one. It's the Executive Summary. So I just want to quickly ask the group for input for something because that wasn't discussed with the whole leadership team. Definitely not with Donna because it just come up this morning, I think, at 5-something AM, my time.

So there is one question. When we refer to the recommendations and Implementation Guidance of this group, we generally use the word "recommendations" with a lowercase R. And we're just wondering whether there's any problem with that because that's how we did it for the Initial Report. But sometimes, at least for the Board deliberation, I think, they do make a distinction between recommendations and Implementation Guidance. And if we only broadly refer to "recommendation," it may cause some confusion when it's on the play for the Board for discussion.

So we're just wondering whether the group would like to use, for example, "outputs" just like SubPro did as the general terminology. Or you are still okay was the "recommendation" with the lower R? So that's a quick question for the group to consider. And we can also discuss with the leadership team after the call based on your feedback.

And I saw Justine has her hand up.

DONNA AUSTIN: Thanks, Ariel. Justine.

JUSTINE CHEW: Yeah. So I probably have to claim credit for bringing that up. A thought just occurred to me. In terms of "outputs," I think that term was first used by Council in relation to the SubPro recommendations. And I think they wanted to make a distinction because not all the recommendations were adopted by Council. So I don't know whether that makes a difference in this situation, but I'm open to suggestions.

EN

DONNA AUSTIN: Thanks, Justine. So I think in the first paragraph, I don't know why we'd change it from "recommendations" given that that's how we've consistently described what it is that the team is expected to do. So I don't see any reason to change it there. It may be that when we're describing what we have, we could change it to "outputs."

But my initial reaction here is that for the first paragraph, I don't know why we'd change it, because that's the way we've had it. So, yeah, I don't know. Personally, I need some time to think about it. I don't think it's a deal-breaker one way or the other.

Thanks. [Okay]. Do you want to continue, Ariel?

ARIEL LIANG: Yeah. Sounds good. So we'll just table this. And for the rest of the Executive Summary, we made the revision using the redlines, and most of them are editorial in the sense that we try to clarify language or make it more succinct. So that's what you see in the first redline there.

And also, this paragraph here regarding why coordination [was just a priority] wasn't possible, it's because that IRT didn't start working until May. So this is basically our way to refine the language a bit and make the paragraph to the point in a quicker manner so nothing [very substandard] there.

And the same here regarding the redline that you see is basically remove the mention of "IDNs" because that's our general approach for Final Report is to make this future-proof.

And then adding some additional information about: the Final Report's main focus is on Phase 1 stuff on top-level. And then we added the expected completion of Phase 2 work in the second bullet point. It's just to add some additional info and clarifying the language.

And those redlines here talks about ccPDP4 comparison. And just to give folks a preview of this, we identify five topics covered by both groups where differences exist. So that's why we slightly revised this paragraph.

And then here in the second section of Executive Summary, we have done a little bit more revision here. This is basically an overview of all of our recommendations and then some elements we want to highlight. We include them here in this section.

So I'm going to summarize this. I'm not going to read word by word. This first paragraph that has a lot of revision is basically talking about our terminology update—the reason why "IDN" has been removed for almost all of the recommendations.

But we did highlight, you know, there are two recommendations we still keep the word "IDN" because there are exceptions for the existing IDN gTLDs delegated from the 2012 Round. It's very specific, so that's why we have a couple of exceptions. But the rest, "IDN" has been removed. So that's one of the highlights that we want folks to know up front.

And then the second highlight is the paragraph I'm noting here. It basically talks about the nonconservative recommendations 3.11, 3.12, and 8.1 regarding not setting the ceiling value for the variant

label that can be delegated, and also not changing the threshold number of 4 variant labels for the base application fee.

So here, we try to say that the group agrees not to change those recommendations, recognizing there are concerns raised through public comments. But the group's agreement is to enhance other recommendations regarding the evaluation of variant application which is what we just discussed—the 3.5, 3.6, as well as 3.9. And the approach is to strike a balance that will encourage the introduction of variant gTLDs but also promoting the security/stability of the DNS. So that's another highlight we want folks to see up front because these are some more, I guess, controversial recommendations.

And another, this paragraph right under it is to ask readers to read the Glossary before they go through the recommendations. And that was one of the Org Public Comments to note that to readers and make sure they'd done their homework of understanding the glossary before they dive into the details of recommendations.

Sorry. Actually, I just noticed I actually put this as a [lowercase] "i".

And the last new paragraph in this section is basically to ask folks to check the consensus call designation. And the hope is we will get full consensus for all of the recommendations. And then if we do, we would include that information here. If we don't, we'd still need to summarize the details in a way, and then point them to the Annex for additional information.

So that's the new content in this section. And for conclusions and next steps, we have basically—this is boilerplate content. It

basically says the Final Report will be submitted to the GNSO Council for consideration. And if Council adopts it, it will be forwarded to the ICANN Board for consideration and potential actions. And then we will continue the Phase 2 deliberation according to our project plan. So that's 1.3.

And 1.4 is a quick overview of other sections of this report, and it's not much change based on what we had in the Initial Report. And then we'll just include that. Now, we have included the Public Comment review sections in our report. So that's the only thing that's added here.

So I will stop here and see whether there's any questions or comment from group. And, of course, we'll keep the redline there for a while and folks will have a chance to see. And you can check this offline and provide your input on the document if you desire to do that.

DONNA AUSTIN: Thanks, Ariel. So I think the Executive Summary is pretty straightforward and a good summary of how we've changed things a little bit as a result of public comment, and explain how we got to where we are. But as always, I think it will be helpful if folks can have a read and pick up the typos and anything else that looks glaringly obvious that we've missed. So that will be helpful.

Do we have anything else for today, Ariel?

ARIEL LIANG: Yes. So we'll go to the next part. We just want to highlight [inaudible] the Glossary section. And I'm going to put the link in the chat. So kind of similar to the Executive Summary, we've made updates using redline. And there's not a lot of updates, but I do want to highlight what part we changed.

So the "2012 Round" term in our Additional Notes on Usage, we basically said that this is mentioned when referring to existing IDN gTLDs delegated as a result of the 2012 Round. But because we stopped using the phrase "existing IDN gTLDs" in the recommendation language, we kind of deleted this sentence here. So this is something that's often referred to in the rationale but not actually in the body of the recommendation. So that's one update here for our 2012 Round.

And I'll go to another update here. So the second more substantive update is about conservatism. In the usage section, we made some additional notes. So just to summarize, we are trying to say that the EPDP Team abide by this principle when developing the overall approach for the introduction of variant gTLDs at the top-level, but it's not true that every single recommendation is perceived as conservative. And we specified the ones public commenters raise concerns against, which is 3.11, 3.12, and 8.1. So they're not conservative based on some public commenters' reviews.

But the [over] approach is conservative. That's why some other recommendations on the evaluation elements of the variant labels are enhanced, and they tried to strike the balance between promoting variant gTLDs and preserving the stability/security goal of the DNS.

So that's a reiteration of this from the Executive Summary, and then we tried to highlight this again in the Glossary. So that's another update.

And for the IRT part, we just tried to make this a little more succinct and delete something already repeated in the Executive Summary just to say the collaboration or coordination was impossible with IRT because they started kind of late.

And another update here for IDNs. Here, we basically highlight the fact that in the Initial Report, "IDN" was mentioned a lot because we understand based on the current RZ-LGR calculation, only IDNs will have allocatable variant labels, not the ASCII strings.

But after the Public Comment Review, the group recognized that the mention of "IDN" could be limiting, and we tried to future-proof so that this word is removed from the vast majority of the recommendations. So this is another place to highlight this change, and the new paragraph was added accordingly.

And finally, there's another new added part. Actually, we had it before. It's "Reserved Name." And if you guys remember, one of the public comment input from ICANN Org is to add "New gTLD Program" in front of it just to make a distinction between that reserved name with the registry reserved names. So that's why we put that there and then also moved this up in the Glossary list based on alphabetical order. That's why you see the change here.

And I'm just quickly going through and see whether there was any additional. So that's the major change to the Glossary list, and you can definitely take a look at this redline after the call.

So I'll just stop and see whether there's any quick comments or questions from the group.

DONNA AUSTIN: I don't see anything, Ariel, so I think you can keep going.

ARIEL LIANG: Okay, sounds good. All right. Finally, this is the last section we want folks to know and highlight them here for your quick input, if any. So this is about the IDN group's and the ccPDP4 group's recommendation—their differences. And the introduction part, we made a update to know that this analysis was done again because ccPDP4 just published its Initial Report for public comment. And they have updated their recommendation based on the last time we saw it. So that's why we have to do this analysis again.

And then this paragraph here kind of gives a preview. Basically, we know that one of the differences that was identified previously no longer exists because ccPDP4 aligned their recommendation with ours, and the footnote basically points to: what is the recommendation? It's about the grandfathering clause. So our grandfathering is kind of absolute. And for them, they aligned to that approach as well. So that's just to preview that.

Oh, I'm sorry. I'd forgot to put the link in the chat. Thanks, Dennis.

But we did note that there are two additional topics that ccPDP4 developed recommendations on, and now we actually have five topics total that have differences. So that's another quick preview here in this paragraph.

And then in the actual analysis, we updated the current content. So for the first difference, it's about the disposition value. One update is we updated the reference of these terms the ccPDP4 Initial Report. That was published, so we're using the actual sections and the name of the references to point readers to that report.

And for the Summary of Difference, we checked against what ccPDP4 has written with regard to why they have this delegatable disposition value. So we used their rationale and verbiage in their report. So that's another update here to align with the wording they used. But no substantive change.

I just noticed Justine has this editorial thing. I accepted it.

So that's the first area of difference. And the second area of difference is still the same. It's limiting the number of delegated variant labels. So even though some may perceive this [as a] different approach, but for ccPDP4, only the strings that's a meaningful representation of countries and territory names can be delegated.

So that's a natural limitation. It's not like they actually set a arbitrary number. So there's no change to the rationale of the difference, but just the Summary of Difference. We updated slightly based on how ccPDP4 worded the difference. So that's another editorial change here.

And then the third difference was about grandfathering. So it no longer exists. That's why we've crossed out the whole section.

And then for the String Similarity Review difference. Also, the ccPDP4 Initial Report didn't change much, I think, the last time we

checked the content. And the new paragraph you see here is basically, ccPDP4, they say if the panel decides to include non-requested, allocatable variant label and/or blocked variant label, then the panel has to specify which are the additional ones to include in the comparison and the rationale for such inclusion.

So we just added that to be comprehensive, but the general Summary of Difference and Analysis remains unchanged.

And now we're going to the new topics, I guess. In the ccPDP4 Initial Report, they included this in some kind of a new recommendation. So one is about the single character TLD application.

So previously, they didn't really have a recommendation, and now they do, which is 4.1. They say "Minimum Number of non-ASCII characters." That's their section title.

Basically, they say single character TLD, they do not recommend any kind of delegation of that, and they would defer consideration of this until there is an implementation of the ccPDP4 recommendations. So they don't recommend any delegation of single character TLD until further work is done so. So I think that's the gist of their recommendation.

And the Summary of Difference basically says for IDNs EPDP, we agreed that single character gTLDs in the Han script should be allowed, but ccPDP4 does not allow single character gTLDs at this moment. So that's the main difference.

And then for Analysis, I think our understanding is this difference is considered acceptable, and it also reflects one of the primary

differences between a ccTLD and a gTLD because for ccTLD it has to be a representation of country/territory name, but gTLD does not have such a limitation.

And also, for the EPDP teams, the recommendation, we basically reaffirmed what SubPro has said about that subject-matter. SubPro is the first one that allowed for single counter TLDs, so we're just affirming that and also provide some specification. It's about the Han script because they're the ideographic script. So we didn't really do anything surprising there. So that's why the understanding is this difference should be acceptable.

Finally, this is the fifth difference here, which is about the delegation timeframe of approved variant label. So what we said in those matters, 8.4, is that it must follow the general timeframe for delegation including ability to apply for extension. And that has to align with what's written in the AGB.

And then for ccPDP4, they said "Delegation of variant(s) must be in accordance with current policies, procedures, and practices for delegation of ccTLDs." So I think a lot of the experts know, here, is that ccTLD, they don't have the same kind of time-bound requirement as gTLDs. A ccTLD string can remain in the allocated status for a long time without the eventual delegation.

So basically, ccPDP4 is saying this applies to variants, too. Whatever applies to the general ccTLD string applies to variants. And they don't have the deadline for delegation, or they don't need to have any differences in terms of that practice.

So that's another fundamental difference between ccTLD and gTLD operation and management. So that's why the difference here is acceptable as well.

So that's an overview of the differences. And we crossed out this sentence in 5.3 because this is the part we said, previously, ccPDP4 didn't develop recommendation of single character TLD in the delegation timeframe. But now they have, so we crossed out this mention here. But the rest of the content under 5.3 should still be okay.

And I am just catching up on the leadership chatter [inaudible]. There's a question from Jeff's team whether we have gotten any official response for the [DJK] generation panel on the single character TLD issue. We haven't yet, but my understanding is that they are supposed to meet [inaudible].

Pitinan, please correct me if I'm wrong. And I saw Pitinan has her hand up.

PITINAN KOOARMORNPATANA: Yep. Thank you, Ariel. Just to give some update on this. So they still haven't finalized, but they're going in the direction that they believe that there is no additional rules needed because the Root Zone LGR forehand script should already address the security concern. Which, this is in the direction, but they still need to sign off of on the three GPs. So they're still discussing.

We plan to have the GP chairs to share some updates during the IDN session at ICANN78, and we'll keep posted if they finally reached the conclusion. Thank you.

ARIEL LIANG: Thanks [inaudible], Pitinan. And, Donna, this is all for the three selected sections for the group to pay attention to, and I will give the floor back to you.

DONNA AUSTIN: Thanks very much, Ariel. So I know that was a lot to get through, but I think it's helpful for Ariel just to highlight some of the areas that have changed since we did the Initial Report, and provide context as to why that change occurred. So we really welcome if folks have time to work their way through the report as it stands because, as we said, we're pretty keen to wrap this up and get it off to Council.

So we're looking for, please, pick up the typos if there are any. That will be appreciated. But also, if you have any real concerns about what we've included in the final report, it would be good to know what that is so that we can discuss it.

So I think that's all we had planned for today. Isn't it, Ariel? We thought we might be spending a bit more time on 3.5.

ARIEL LIANG: Yeah. That's all we have planned. And I will also follow up with the team and send out the links of these sections so that folks can take a look after the call. And if the leadership is okay, I'm also happy to send out the Table of Contents Google Doc which is linked to other sections of the report. But it's not an urgency right now, but I'm happy to share that ahead of time as well.

DONNA AUSTIN: Okay. Thanks, Ariel. I don't think there's any harm in sending it as well. So I think for completeness, just send it out.

All righty. So I think that's it for today. So thank you, everybody, for sticking with it. And in terms of what was preliminarily agreed on 3.5.4 and 3.6, we'll capture that and send it to the list with the understanding that we'll come back to it next week just to confirm that everyone's okay with it.

And if during the week the respective groups identify concerns, could you please make that known on the list so that we're in a reasonable shape to talk about it when we come back next Thursday? But, of course, my hope is that everything will be tickety-boo, and we won't have to worry about it.

All righty. So thanks, everybody. We will see you here next week. Thanks, Devan. You can end the recording.

[END OF TRANSCRIPTION]