ICANN Transcription

IDNs EPDP

Monday, 03 April 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 Monday, 3 April 2023 at 13:00 UTC.

We do have apologies from Nigel Hickson, and Edmon Chung will be joining late.

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

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your statements of interest, please email the GNSO secretariat.

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All documentation and information will be found on the IDNs EPDP wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking for the transcript.

As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you, and back over to our Chair, Donna Austin. Please begin.

DONNA AUSTIN:
Thank you, Devan, and welcome everybody to today's call. I'm hoping that today's call is the last of our substantive discussions before we pull together the final report. You might have seen there's a little bit of back and forth on the email list, so Justine and I have been reviewing some of the text and language over the weekend, and particularly as it relates to A3 and D1B. So we might need a little bit more time than we allocated.

So understanding that this is really our final opportunity for substantive discussion, if we need to go over the two hours today, I hope that folks can stay on so we can try to wrap this up. So with that, I think we'll just get started. But I think one of the important things that we will need to discuss today relates to the application fees, and in particular, whether the intent is that an existing— whether an existing registry operator that already has an IDN gTLD delegated and then wants to apply for variants in a future round, whether the base application fee applies.

We've had some discussion with the leadership team in the last 20 minutes and we're in different places on that at the moment. So that's one of the things that I hope we can close out today. And also with A3, I think it is, there's been a semi-substantive rewording of recommendation 1.3, I think it is. I don't think we've changed the meaning, but I think we've made the meaning much clearer. And when I say we, I really mean Justine, because she's the one that did the rewrite. So that's something that we need to look at today and make sure everybody's comfortable with.

So with that, I will hand it over to Ariel, and we will see where we can get to today. Thanks, Ariel.

ARIEL LIANG: Thanks, Donna. I probably will hand it over to Justine when we look at A3, because that's her rewrites for both the charter question response and also one of the recommendations. So Justine, do you feel ready to talk about the rewrite? And basically we're looking at the text on the screen. That's your draft text.

JUSTINE CHEW: I can certainly try, Ariel. So how do I approach this? Okay. So when we reviewed the—and this is pertaining to the agreed bullets. Okay. So it's not the recommendations per se, but of course, the agreed bullets are supposed to lead to the recommendations and the implementation guidance that follows. So what happened was, I believe that when we first discussed this question A3, we had a number of bullets, agreed bullets written down. And then as discussion progressed, and we came to

actually drafting the recommendation text and the implementation guidance text, I think there was more clarity at that point in time. So when we went back, or at least when I went back and read the agreed bullets for A3, I sort of thought that they became out of sync with the recommendation text and the implementation guidance text. So this rewrite is basically an attempt to synchronize the agreed bullets with the eventual recommendation text and implementation guidance.

As Donna says, I don't think the intention has changed from when we first discussed it. I think we just tried to be more clear in what we intended to say. And basically that firstly, if we look at the revised first bullet, only applications for strings in the script that is supported by RZLGR, and—sorry, I was looking at the first bullet, which was deleted.

So anyway, we know that only strings that meet the mandatory string requirements will be accepted by the application system. On top of that, we said that basically, if the primary is valid, and any variant that is applied for is valid and allocatable, then there's no issues about accepting them through the application submission.

The question then becomes if a variant is blocked or a primary is invalid, but the applicant believes that that is an error due to the technical implementation of the RZLGR being incorrect, then we should still accept it, but mark it as subject to disqualification, right? And that then goes to the DNS stability review, where the demarcation of whether it's invalid or blocked is reviewed. And if the DNS stability review results in the string being invalid or blocked, then the application is disqualified and cannot proceed further.

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But we also agreed that the applicant will have the opportunity to challenge that result of the DNS stability review, and that challenge will be by way of the limited challenge mechanism that SubPro has recommended. So that is essentially what the first two bullet now says. And then the challenge mechanism and the grounds for the challenge is in the three sub-bullets, which you see on screen now.

Right, and so there's a little bit of tidying up. It is actually the DNS stability review and the DNS stability panel. So we'll try not to confuse the two together. I think that's pretty much it, unless someone has questions.

DONNA AUSTIN: I don't see any hands, Justine, so I guess we move to the recommendation.

JUSTINE CHEW: Okay, cool. So the recommendation 1.2, I have the alternate text, which is in the second paragraph you see in purple. Right, so basically it is a verbalization of the earlier bullets that I talked about. So we know that only strings that conform to mandatory string requirements will be accepted, so can be submitted. And then as before, where the initial algorithm check deems that a particular primary string is invalid or a variant is invalid or blocked, then the such application can still be accepted, but the applicant will be warned of its potential disqualification.

And then again, the DNS stability panel, which does the DNS stability review, will then confirm whether it is the case that the

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string is invalid or blocked. And if the panel says yes, it's invalid and blocked, then the application is disqualified. But the applicant will have the opportunity to challenge the result of the DNS stability review and oversee the disqualification. And the grounds for the applicant's challenge is limited to the belief that the string is valid and allocatable per the RZ-LGR and that the disqualification was due to an incorrect assessment of the technical implementation of the RZ-LGR.

So I think, at least in my mind, that is consistent with what we have in the first two bullets, or actually all the bullets under the agreed bullet section. I think that's it, unless people have questions.

DONNA AUSTIN: Thanks, Justine. So I personally had a lot of difficulty understanding the original recommendation that we had. I found it really hard to unpack, and I personally found Justine's alternate language much easier to follow. I don't think the meaning has changed at all, but hopefully it is clearer for the reader, so it's easier to understand. So I know it's hard to read on the fly like this, but hopefully this is okay with folks.

JUSTINE CHEW: I think Satish has his hand up.

DONNA AUSTIN: Satish, go ahead.

SATISH BABU: Thanks, Donna. So I think the reformulation reads better, but I still note that it is a fairly big paragraph, and I'm wondering what will happen if in the public comment process somebody would like to respond to one part of this. So I was wondering if there's any way to... I mean, all our recommendations are one para, but I mean, formatting-wise that looks okay, but when you have large paras, then the ability to respond to or provide a comment to a part of it...

I mean, first of all, the ability to understand the whole thing. It can be improved if you can make it into three or four steps. Secondly, that also helps with the public comment, but this is just a thought. Thanks.

DONNA AUSTIN: Thanks, Satish. So I think the way that we've set up the public comment process might actually work in our favor on this one, because it's, do you agree with the recommendation, the intent of it? Do you agree with the recommendation as written? If you don't, then can you suggest a revised language? I guess we could have another one in there. Is the recommendation clear in its meaning? And then if not, explain why. That could be another way to address your concern. But that's just my kind of thinking on the fly. Ariel?

ARIEL LIANG: Thanks, Satish. So for each charter question, we have two open-ended fields for the commenter to write in response to the charter question. Even we ask them, are you suggesting edits to the

wording? What is it? This is our question, but whatever way they respond, we don't have a hard criteria. Only they respond to exactly how the question is asked, the answer can be accepted. They can use that field to write whatever, really. There's no limitation there.

And then I just want to kind of give groups an understanding. The thing is, we already have 60 plus recommendations, and each recommendation has three questions. And then we also have multiple open-ended fields. And just to add another, it's going to get the form so long that folks are going to get overwhelmed. Because we have received that kind of feedback before, when we issue a big report, there are so many questions in the form, and then there's a lot of complaints. So I just want to caution that. And I'm personally not in favor of adding another question, because we already have open-ended fields for commenters to respond. Even if they don't respond exactly the way the question is asked, it's still allowed. So hopefully, that will address your concern, Satish.

DONNA AUSTIN:　　　　Okay, thanks, Ariel. And Ariel, just remind me, so I think there's still the draft of the initial report will stay open for the team for about another week. Is that right, Ariel? After we've been through this stuff today?

ARIEL LIANG:　　　　Yes. So we really have to send to ICANN Org to start processing all the requests no later than next Wednesday. That's the timeline they have given us. So we could, as soon as we have cleaned up

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everything, my hope is we can get all the materials forward to the group for review tomorrow. And then you will have a week to provide any last-minute comment.

DONNA AUSTIN: Okay. All right. Thanks, Ariel. Okay, so in the absence of any other hands, I'm going to assume that the revised language that Justine has provided is acceptable, notwithstanding the comment from Satish. It is one of our longer recommendations, and that's probably why I struggled with it. But I think the way that Justine has reframed it works. So it's easier to follow. So hopefully that's okay.

Alrighty. So that's okay for recommendation. And I noticed, so Ariel, just with the recommendation numbers, all that will be cleaned up as well. So I think Ariel mentioned this, that the flow of the report is really going to be based on the process flow for the new gTLD program. And Ariel is going to renumber the recommendations accordingly. But I just noticed that the guidance number on recommendation 1.2 was 1.3. So I just want to make sure we've got the correct number in there.

ARIEL LIANG: Yes, we have a tracker. So if you remember, this is the proposed sequence. And then I'm tracking all the new numbers against their old numbers. So when we clean up the text, I will triple check, make sure all the new numbers are consistent. So the group will have a chance to review too.

DONNA AUSTIN: Okay, great. Thanks, Ariel. Okay, let's keep going. All right. So do you want to lead us in, Ariel?

ARIEL LIANG: Okay, I guess I can try. But I think there's some different understandings among, at least from leadership side and staff side—and I know Michael had sent some document this morning. I'm sorry, I haven't got a chance to do a detailed review yet. And I think the main questions for the group is regarding the varied level of fees that is being applied.

So I think we have several scenarios we want to confirm. So the first scenario is existing gTLD registry operator applying for variant labels. And if that doesn't exceed the threshold number, and then it's applied in the immediate next round, that is waived, the base application fee is waived. So that's the first scenario.

And the second scenario is the existing registry operator applying for variant labels, not in the immediate next round, but in a round that's one of the subsequent rounds in the future. How does that fee look like? So I think from staff's understanding, it will charge additional fee, but maybe not necessarily a base application fee. And I think the confusion stems from the rewrite for recommendation 2.30. It's the second paragraph here. So basically, this sentence here, we wrote this base application fee, but after some thinking through, at least from my end, I thought it should be just additional fee as assessed by ICANN based on cost recovery principle. So that's the second scenario.

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And then the third scenario is for future applicant. And I think the agreement from the group is that if a future applicant applies for a primary label plus up to certain number of allocatable variant label in application rounds, then the same base application fee applies as any other applicant. So I think that's agreement from the group.

And then the fourth scenario is if such future applicant applies for variant labels, regardless how many that's being applied for, if the applications are submitted in more than one round, how does that fee look like? And I think what Michael suggested is that even if the total number of variant labels does not exceed the threshold number, additional fee may apply because processing the application in more than one round is more labor intensive and will warrant additional fees. But we are not specifying exactly how much that would be. It's based on ICANN's assessment.

But I think that's the part that was a different understanding at least from leadership side. That's why the proposed text was removed and the second point was intended to address that point. So I think that's the four scenarios we have in mind. And then it requires some further clarification from the group. I'm just going to lay it out first. And I know it's a lot and maybe we need to break it down to discuss case by case.

DONNA AUSTIN: Thanks, Ariel. So what I would like to get an understanding from the group on is a couple of principles. So Michael, if I can hold your hand—if I can just ask you to hold your hand for a second. So is it the intent that—and this only relates to an application for variant labels in a future round. So the assumption is that the

primary gTLD and some number of variant labels have been applied for and there is a registry agreement in place and either delegation has occurred with some or all of those labels in the set. If the registry operator wants to apply for a variant or variants of that primary string in a future round, is it the intent that they would have to pay the same base application fee? So that's the first question that I'd like the group to provide clarity on. So is it the intent that the same base application fee would apply in that situation? So thoughts on that, Michael?

MICHAEL BAULAND: Yes, thanks. This is exactly one of the two questions I put in my email where I said that I think that if you are just adding variants to your existing TLDs, you should not be forced to pay the full application fee like someone has to pay that applies for a whole new gTLD. But it also shouldn't be free. So I think that there should be, I called it in my example, variant addition base fee, which is the fee to cover the additional cost to validate some new variants. But this is most likely a lower cost than the full validation because the applicant has already been verified to be able to run a TLD. Thanks.

DONNA AUSTIN: Thanks, Michael. Maxim?

MAXIM ALZOBA: First, I think we might have missed this, but in the last round, many applicants actually were consulting companies, some of which do not exist anymore. And payments were done by those

companies sometimes. And I'm not sure how to tie the current registry operator, who also might have changed as a legal body, maybe sold or something else, with what was paid by the first applicant legal body.

But I think we need to take into account that in addition to among all the checks, there will be a need for a technical check, which doesn't exist now. I mean, how variant strings work, how they're synchronized, etc. And thus, I think it's more about cost compensation. Because I'm not sure we do know how much security and stability panel will spend on this, I mean, in terms of time or maybe something else. And the testing provider, whatever it is. Thanks.

DONNA AUSTIN: Thanks, Maxim. I mean, I think it's the case that we don't know whether the evaluation costs for, as Michael identified, just a variant is going to be any less than a somebody applying for an ASCII TLD. So in the words of SSAC, a TLD is a TLD, it doesn't matter whether it's a variant or a primary or an ASCII. So that's one of the things we don't know.

Maybe I'll ask this question a different way. When we had this conversation last week, and other conversations we've had around the application fee, what was people's understanding of the fee or the application fee that would be applied to somebody that is applying for a variant in a future round? I know we had a lot of conversation about the up to the allocatable, that X number. And assuming that the X number wasn't the—that all of the variants that could be applied for in one round wasn't applied for in

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that round, but in future rounds, that X number could be achieved. And then there's a loading on top of that.

I know we had that conversation, but I don't believe we had that conversation around the base application fee. And I think certainly my understanding, probably implicit in the conversation, we did not have. So, I'm really trying to get to the bottom of this, because it's important to help us move on here. So, Michael?

MICHAEL BAULAND: Yes, thanks. I'm wondering whether it may make sense to pull up the PDF, which I sent around, because I put an example, put several examples there, and some suggestions. I think with the examples, it will be much easier to understand what this is about and what possibilities we have there. So, if you're fine with that, we could take a look and I could quickly go through the suggestion.

DONNA AUSTIN: Yes, thanks. So, you're fine with me quickly going through that? Okay, no objections. So, I think that's a yes. So, at first, we have some definitions for free variants. I think we agreed to that and whatever that number is, is out of scope here. Then we obviously have a base application fee, which we also agreed on to include up to X variants. And then we said that if you have more than X variants, we have some, I called it variant surplus fee. So, for every X variant above the initial X variants, this fee is charged again. And this is always calculated per round and not based on the total variants that TLD has, because the total variant that TLD

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has is irrelevant for the cost if the cost is based on a cost recovery basis.

And the third fee is the variant addition base fee, which we just talked about. This is probably lower than the base application fee, but again, this is not asked to decide what that fee is and whether it's actually lower. This is up to ICANN to decide. So, if we could now turn to the second page, I have some examples. And with the color coding, I hope it's easy to understand.

Just for the example, I said that X is 4 because it makes it easier to read if we have a real number here. But of course, this also works for any other number, which we still have to determine. So, example one is someone applies for a TLD, no variant. That's an easy case. They just pay the base application fee. Then in the future round, they apply for three variants, and then they just have to pay the variant application base fee. If in another round, they apply for five more variants, they would have to pay the variant application base fee because they again add variants to their TLD. But in addition, because this is one more variant than the X number is for free, they also have to pay once the variant supplemental fee.

And example two is similar. Just someone already wants a TLD with six variants, they have to pay the base application fee, and once the variant supplementary fee because six is more than four. And if they, in the next round, apply for two more variants, they again have to pay the variant application base fee, even though the two would still fit in the eight variants, which they could have applied for in the first round. But I don't think we should have adding variants with no cost associated because if you distribute

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this over several rounds, there's always additional work involved. And therefore, on a cost recovery basis, you have to pay for that work.

And the last example is just if you apply for nine variants, for example, you pay the base TLD plus nine variants, you pay the base application fee plus twice the variant supplemental fee because the base application fee just includes four. The next variant supplemental fee is again four and plus nine over those limit. And if they then apply for five variants in another round, they just pay the variant application base fee because they add variants. And because they add more than four variants, they are again required to add once the variant supplemental fee.

So this is the suggestion. And maybe we can talk about this by looking at these variants. Thanks.

DONNA AUSTIN: Okay, thanks, Michael. So I appreciate Michael putting that together. But the question that I really want to get to a conclusion on is, and this is really a principle question so that we can develop the policy, is whether the base application fee should apply to an existing registry operator applying for additional variants in the future round. And what Maxim brought up is that there could be additional evaluation costs associated with just a variant, we don't know what they are. So there's a few unknowns. I think our intent was to encourage applicants to apply for the variants that they need at the same time as the primary. So this is a policy decision.

I don't disagree with what Michael has laid out. And we can pursue that approach if folks agree that the base application fee should not be applied for future applicants that are just applying for variants. So Alan is supportive of Michael's approach. Zuan, "To keep things simple, base application fee should apply to both existing and future registry operators for applying variants across rounds only if the variant number is under or equal to the threshold variant." And I see two hands up. So, Hadia, and then Justine.

HADIA ELMINIAWI: Thank you. So, I just wanted to ask about the variant surplus fee. So, it says for every X variants above the initial X variants, let's say this is a Y, for every Y variant above the initial, so that to distinguish between new variants and to distinguish between additional variants and initial variants. So, for every Y variants above the initial X variants, this fee is charged. The X is always calculated per round. This X, you mean every—the Y that we called Y, which is the variants exceeding the X variants, is always calculated per round, not the total per TLD. So, is this going to change from one route to another?

DONNA AUSTIN: No, Hadia. I think, yeah, even based on the conversations that we had last week, I think the X value is going to be constant and it's going to be tied to the whatever the primary is. So, I think in our minds, the X, the value of X is really only relevant for Arabic scripts because we understand the others already have a ceiling on them.

HADIA ELMINIAWI: Okay, thank you.

JUSTINE CHEW: Again, I'm not trying to influence anything. I think it's up to the members to work out what they think is best. But I just wanted to highlight something that we landed on before, which is the fact that we all agreed that there wouldn't be a separate application process for variants. And therefore any application for variants would still have to go through a round and it would still have to go through all the processes. So, in that respect it kind of implies that the base application fee would be applicable and it wouldn't be necessarily a discount on that. But again, as I said, I'm not influencing anything. I just came from that basis that we agreed that there wouldn't be a separate special kind of application process for just variants. So, in that context, I think that's why we kind of thought that the base application fee would apply every time someone submits an application, regardless of whether it's just for variants or not. Thank you.

DONNA AUSTIN: Thanks, Justine. So Michael, to your point that you don't need to do something like the financial check for the application or similar things, the reality is that we don't know how long it's going to be between rounds. And I doubt that we'll ever be in a situation where it's more than 10 years again, but even if it's four or five years, I suspect that that financial check will need to happen because things may have changed.

The other thing that's possible too is that there may actually be some challenges with the registry operator and the way that they're managing the TLD and the variants. So there could be some complicating factors. So these are the things that we need to keep in mind, is that the things that we don't know. I kind of think that for simplicity, to Zuan's point, it would be easier and easier to implement if we did assume that the base application fee applied for future TLD applicants.

And Satish, I appreciate that this probably is something that you need to go back to your communities and consult with, but the challenge we have is that we are facing a deadline of next week when we have to get the final report to the ICANN Org so that they can publish it for public comment. So that's why I'm trying to push ahead on this today.

So even if folks can talk about their recollections of the conversations we've had previously and where from your perspective you think we landed on the issue about whether applications in future rounds for variants and how we would apply that base application fee or whether you agree that we were silent on it would be helpful. Michael?

MICHAEL BAULAND: Yes, thanks. I'm just wondering, for a new application, you have all those several steps that you have to go through. I think Ariel showed a very long graphic about this a while ago. Is this the same if you want to add variants? Do we have to go through all those steps? If that's the case, then I agree that both fees should be the same, but if there are some, several, a few steps that are

not required anymore because you are just adding variants to an already existing contract, then I think the fee should also be lower and this would also encourage people later to add variants. Thanks.

DONNA AUSTIN: Thanks, Michael. So what we could agree on is if we think—maybe the language is that a discounted base application fee would be applicable for future variant registry operators. So, Michael, to your point that you wouldn't need additional evaluation for things like the financials. I mean, you can make the same argument for a registry operator that applies for an ASCII TLD in one round and then wants a different stream in the next round. They're still going to have to go through the evaluation process, even though they are a known entity to ICANN. If they want a new gTLD, this is a process that they have to go through.

The other thing, the other assumption that I had, certainly, although it hasn't happened, it's not going to happen for next round, is that over time the application fee is going to come down, the base application fee, because once the setup costs are met, then you would think that the application fee is going to come down.

So, maybe the middle ground here is that we can have a recommendation that in the event that a variant is applied for in a future round, then a discounted application fee will apply and we could put a percentage or something on that, or we can leave that to the discretion of ICANN. So, a discounted application fee, as determined by ICANN, could be one way that we could move

forward on this, rather than trying to complicate things by having some kind of calculation of three sets of fees.

So, Michael, I don't think it's much different to your [VAB] fee. It's just that we'd refer to it as a discounted base application fee. Go ahead, Zuan.

ZUAN ZHANG: Hi, thanks, Donna. So, this is almost our last meeting, discussing the application fee. So, for my understanding, when I read the current draft language of Recommendation 2.30, when I read the first paragraph and second paragraph, my understanding is that the base application fee is not applicable across the round. And that's my observation or understanding.

So, to make things clear and simple, I would prefer to targeting to the TLD, which means when we talk about base application fee, we just target the TLD without mentioning a different round. We just set up a threshold variant number. Currently, we call it X. So, to make things simple, we just have to take care of the threshold number of the variant. So, for a policy issue, I think the variant stuff will not materially change even after a very long time between different rounds.

So, when we define the policy here, and we may try to focus on the TLD and the threshold number, when we talk about the policy from this direction, I think, I would assume that the things would be much easier. So, I hope I'm clear in this point. Thanks.

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DONNA AUSTIN:	Thanks, Zuan. So, I'm not 100% sure that I've understood what you said, but I think what you're saying is that we've—and this is around our conversation about up to X number of variants can be applied for without an additional fee, that depending on the X number, that the base application fee—well, the fee associated with an application up to that threshold of variants, it's kind of the one-off application fee. So, if somebody didn't reach that threshold in one round, if they submitted an application in a future round that would bring them up to that threshold, then there wouldn't be any additional fee. I think, I'm not sure if I understood correctly what you were saying.
ZUAN ZHANG:	Yes, I think your understanding is correct for me. So, yes, as a policy team, we focus on the threshold number. Yeah, even an IDN gTLD registry operator only applies for maybe one or two variants in the next immediate round, but doesn't reach the threshold number, they have to pay the base application fee. Since they didn't reach the threshold variant number, they can choose to apply for one or another one or two variant gTLD. Only if the threshold number is not reached, the base application fee still applies. Yeah, I think you are correct. Thanks.
DONNA AUSTIN:	Okay, thanks very much, Zuan. Personally, I think that's a pretty neat way of looking at this. And with one caveat. The other problem we have here is we don't know what X is at the moment. And we don't know if we will know what X is until the foreseeable future. But I think that could be a neat and simple way of looking

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at it. So if in a future round, a registry operator applies for variants and it exceeds the X number, then they would have to pay the base application fee. So I just need to catch up on chat here.

Okay, so we're almost an hour in. So does Zuan's suggestion resonate with others? So Justine saying we have two or three approaches mentioned. Which do we choose? So I think option one is a discounted base application fee for future variant applications. And that discounted application fee would be determined by ICANN. And option two would be Zuan's approach where the future registry operator basically gets a free ride from the application fee until such time as they exceed the X allocatable variant labels. And once they exceed the X number of variant labels, then the base application fee will apply. And then the third option is what Michael laid out for us, which I think is almost somewhere in between the two. Michael?

MICHAEL BAULAND: Yes, thanks. A problem with the second option is that we allow registries to drop variants free of charge, I think. So if X is four, registry could apply for the TLD, pay the base fee, next round, add one variant, no cost associated, next round, add one again, no cost, then drop one, then add one, drop one, add one. That could cause quite a lot of work on ICANN's side without the registry ever having to pay anything. It's probably not very likely, but still, it's a scenario, right? Thanks.

DONNA AUSTIN: Thanks, Michael. I don't understand what you mean by drop one.

MICHAEL BAULAND: I think registries are allowed to retire a variant, aren't they? And if they retire a variant, they have one variant less. And so next time they can apply for free again, up to X, and then they can drop again a variant and then can apply for a variant for free. I say it's not likely, but it's theoretically possible.

DONNA AUSTIN: Folks might have to help me out here, but I don't think we actually have a recommendation about retiring a variant, but I'm happy to stand corrected on that. Hadia, go ahead.

HADIA ELMINIAWI: Yes, thank you. So just to Michael's point, we don't have a specific recommendation about retirement, but we did say that we did discuss the consequences of the retirement of the primary versus the retirement of the variant. And we concluded that the retirement of primary will lead to the cancellation of the whole set, while the retirement of the variant is possible and would not lead to the retirement of the whole set. So what Michael is actually mentioning now, I think what we landed on could lead to this.

And to me, I think there is no problem with that. If you're binded by an X number of variants, then if you retire one, you could add one at no cost. But then comes the element that Michael just introduced, that this would require extra operational work on ICANN's side that is not accounted for. Maybe that's another discussion, but yet I do understand it, as Michael said, that if you retire one, you could add one for free. Thank you.

DONNA AUSTIN: Thanks, Hadia, and thanks, Michael. I think that in my mind, whether the registry operator has chosen to retire a variant—and I'm still not sure what context that happens—that shouldn't impact the up to X allocatable variant labels. So the restriction would be, regardless of how many you retire, you only get a free ride for up to X. So I'm not sure it would have the implication that Michael is concerned about. Maxim?

MAXIM ALZOBA: First of all, I'd like to underline that any changes to the root zone, any changes to the registry, it actually costs money in terms of work hours of engineers, of lawyers, of managers who do procedures, etc. with ICANN of compliance. And the removal of the variant, then waiting for 10 years, and then adding the same variant or similar variant, seems so, I'd say, not lucrative in terms of money versus time lost and effort. So I'm not sure what we're fighting for here.

It's not a simple thing like you send an email and that's it. No, you have to pass through lots of hoops, both technical and legal each time. Thanks.

DONNA AUSTIN: Thanks, Maxim. And I think in my mind, at least, the X value would be around, if this is my guess, around six. I don't think we're talking around 12 or 20 or anything of that nature. But of course, we don't know. But what we do know is it really only is to accommodate Arabic. Jennifer?

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JENNIFER CHUNG: Thanks, Donna. Jennifer Chung, I think my question kind of has been answered by Justine in the chat, but I just wanted to get some clarification. The number X refers to that number that we're looking at the applications per round, not really X as in a number that is tied to the TLD for the lifetime or whatever is managed. So I think what Maxim mentioned does make a lot of sense if we're looking at a cost recovery basis. It's not like you drop one, you get one for free. That's not really the intent of keeping such a number. And I just wanted to get clarification that it is, the applications, not really X as a number of variants maintained through the life cycle of the TLD. Thanks.

DONNA AUSTIN: Thanks, Jennifer. I think in my mind, it's the application process. It's not really post that. So it's applying for up to X. Thanks. Thank you. Alan?

ALAN BARRETT: Thanks. So I don't really have a view on what the rules should be. But I have a view on how complicated this is getting. I think that a lot of the detail could be left to implementation. So I would suggest that this group should maybe try to keep the recommendations simple and talk about cost recovery, talk about an exception for the 2012 round, and talk about an application with a base plus up to X variants being all included for the same fee and really don't go into too much more detail than that.

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DONNA AUSTIN: I 100% agree, Alan, but unfortunately, in my mind, we have to have the messy conversation so that we can get to the simple recommendation, which is why my original question was a pretty basic one about whether application for a variant in a future round should attract a base application fee. So my personal view in this is that I like the simplicity of Zuan's suggestion. The other possibility I think that folks seem to support was the notion of a discounted base application fee to be determined by ICANN. And as I said, I think Michael's is somewhere between the two. So I don't know that we're necessarily inconsistent with what Michael was proposing. Justine?

SATISH BABU: I was going to be a, what's the word, maybe a little nasty and just say, can we put up the options and see which one is the most popular for the purposes of including it into the initial report? If other people have other options, they can put it in the public comment. Thank you.

DONNA AUSTIN: Thanks, Justine. So are you suggesting that we—Devan, can we do a poll with this Zoom application?

DEVAN REED: Yeah, let me see. Is this just a simple yes, no?

DONNA AUSTIN: Ariel?

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ARIEL LIANG: We're only 47 minutes to the time. We still have a lot to cover. And I think what we heard so far is, other than Zuan, all the other people are agreeing that the base application fee applies to application that includes the primary label and up to certain number of variant label. And then any additional scenario will incur additional fees. And then the discounted base application fee applies when a future registry operator applying just for the variant label in a future round.

So I think that's what we heard in terms of the agreement. And then Zuan is on a different page because he believed the threshold number applies no matter how many rounds are used to apply for variant labels. So that's the only outlier we have heard so far. So I'm just wondering whether doing a poll is really necessary and maybe we can capture that in our deliberation for that recommendation and then just make sure commenters see that as an option. And if they agree with Zuan's option, they can support it in their comments. I'm just very cognizant that we still have quite a lot to cover and we're spending most of the time discussing this recommendation.

DONNA AUSTIN: So thanks, Ariel, and with all due respect, I was actually supportive of Zuan's suggestion, so I don't think it was just Zuan on his own. But I take your point that we do need to get to a resolution on this. Okay, I wish we had a bit more time and I wish we'd understood where we were last week. But chair's prerogative, what I'm going to go with here is that we are going to

draft a recommendation that says along the lines of a discounted base application fee for a variant applied for in a future round, and that the discounted fee will be determined by ICANN based on the cost recovery model. Any objection to that? Dennis, no objection. And Justine's saying that we'll make sure that the draft recommendation is specifically called out for comment in the public comment process. And to be honest, I think fees are going to get a fair—we're going to get a lot of comments on these anyway, particularly the waiver for 2012 registry operators. So I'm not concerned that we're not going to get people focused on this.

Alrighty, okay, that's where we will move forward with. Okay, Ariel, so where are we?

ARIEL LIANG: Thanks, everybody. This is a difficult conversation, but I appreciate everybody's patience. And we didn't get to talk about the rationale, but I guess staff will update the rationale based on the discussion today. And then with the leadership team, we will talk about that and confirm the wording before circulation with the group.

And another item we'd like to quickly check with the group was item D8. It's actually about the removal of a label from the root zone as a consequence of a registry operator's breach of the registry agreement. We updated recommendation 2.19 just to make it clear that any label that is removed from the root zone due to a breach of the contract, the associated variant label set must also be removed. That's to address [Dennis'] input, just to make it

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applicable for every label in that set. So I just wanted to confirm whether the group is okay with the current wording on the screen.

SARMAD HUSSAIN: So this applies to any label or just variant labels? It just says in event that a label is removed from the root zone. So I'm assuming it applies to any label in the variant set, including the primary.

ARIEL LIANG: Thanks, Sarmad. Yes, it's any delegated label from that variant label set. So it can be the primary or a variant label. We left it general here.

SARMAD HUSSAIN: Thank you. So maybe it may be useful to see if that can be made clearer, but just if not, then this is okay as well. Thanks.

DONNA AUSTIN: Okay. I think we're good.

ARIEL LIANG: Okay. Sounds good. And lastly, it's B4, recommendation 2.13. It's a comment of Donna and we attempt to address. So the recommendation reads applicants for a primary IDN gTLD string and its applied for allocatable variant labels that pass evaluation must be subject to the terms and conditions of the 2012 round in respect of the timing for delegation, including the ability to apply for extension of the time for delegation. So Donna had a little

concern when we mentioned 2012. It seems that delegation is only within that time frame. It could create misunderstanding. So our suggestion is to replace the 2012 round with in the 2012 applicant guidebook in respect to the time frame for delegation. And we hope that make this recommendation language a bit clearer.

DONNA AUSTIN: So Ariel, I still have the same problem. So what I'm concerned about is that we may be tying IDN gTLD applicants to terms and conditions from 2012 that may not apply in the future. So maybe it's the terms and conditions of the registry agreement, but I'm just concerned that with the implementation of SubPro, that this may change. And actually, it could actually change through a change to the registry agreement process. So I'm not sure that it overcomes my concern, but if others don't share the same concern, then if SubPro can confirm the same, then maybe we just—do we need 2012 applicant guidebook or can we just refer to applicant guidebook?

ARIEL LIANG: In the rationale, we already confirmed that SubPro supports maintaining the delegation time frame set out in the 2012 applicant guidebook. And we reference the specific recommendation in the SubPro final report. So that's confirmed, but we can, of course, use Justine's suggestion to say the terms and conditions as affirmed by SubPro PDP in respect to the timeline and delegation, if that alleviates your concern.

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DONNA AUSTIN: Yeah, I think that would be better because the reality is that there will soon be a 2025 applicant guidebook.

ARIEL LIANG: All right, sounds good. And I think supporting the comments as well. And shall we move on? I think that's all the draft text. And of course, we still need to do some major cleaning up for the related recommendations. But we'll get back to the group on that. And Donna, are you okay to move on to the glossary now?

DONNA AUSTIN: Yes. And we will do our best to get the revised language on fees back to the group by Wednesday.

ARIEL LIANG: Yeah, my aim is to get it out ASAP. But subject to discussion with the leadership team. And now we're moving on to the glossary. And Donna, I'd like to get your suggestion how to do this because we can't read word by word for every entry because it's 15 pages and we have 34 terms that's being defined. And maybe we can just look at the ones with comments and redlines, if folks are okay with this approach.

DONNA AUSTIN: So, can I just ask a question of the group? Who has actually had an opportunity to review the glossary? So, Dennis hasn't. Sarmad?

SARMAD HUSSAIN: Yes. So, I went through the whole of glossary and I have made suggestions for everybody to consider. Thank you.

DONNA AUSTIN: Yeah. Satish has been through it. Michael hasn't been through it. Hadia has briefly skimmed it. Okay. So, maybe Ariel, if you can pull out the comments where you think there's a substantive disagreement or concern. And then if I can encourage folks to read the glossary, because it is very messy at the moment. So, we would really appreciate folks taking the time to review it. And even if you can confirm on the list that the glossary is okay, that would be really helpful. So, just try to, I know it's an almost impossible, but if you could try to pull out the most contentious parts.

ARIEL LIANG: Yeah, it's a difficult task. Because what I consider contentious may not be contentious and what I don't may be contentious. So, I would just try to go through the redlines as quickly as I can. And then once I think it's probably fine, I won't mention it.

DONNA AUSTIN: I know Sarmad is probably the last one to review. And I know he's got considerable comments. And given Sarmad's expertise in this area, maybe Sarmad, if you could highlight two or three that were major concerns to you.

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SARMAD HUSSAIN: Sure. I think towards the end, I think the main one is the definition of IDN. So I think what one of the things which I'm referring to is that we probably just, if you look at my comment, the RFC 5890 actually takes the ASCII labels and says that ASCII labels are divided into two parts, one which start with X and hyphen hyphen and the other ones which don't, and so on.

So, I think trying to redefine IDNs is slightly difficult. We went through this exercise for IDN implementation guidelines as well. And I think the conclusion was that we probably just referred back to the IDNA 2008 standard and said that IDNs are defined as per the protocol rather than trying to redefine them. That's something I'm discussing here. Thank you.

DONNA AUSTIN: Okay. So, Sarmad, in your mind, is there a distinction between an IDN gTLD and just a what the RFC identifies as an IDN? Because we also need to be mindful that the glossary is relevant to how we have used the term in our discussions. So it may be that there may be a difference in meaning. But I also take your point for something like IDN, it seems that we should maintain consistency with however it's categorized in, explained in other documents.

SARMAD HUSSAIN: Right. In that sense, I think we could at least start with the baseline definition of IDNs and then specialize that to say that those which are maybe applied for for top-level domains—and we can add something on top of it. But I think the way it's tried—we

shouldn't try to technically redefine IDNs. I think that will get us into trouble. Thanks.

DONNA AUSTIN: Okay. I agree. Okay. Ariel, your hand is up.

ARIEL LIANG: Yes. So, the definition I grabbed is actually from ICANN's website. It's the glossary for IDNs. And if there's a problem there, then I'm not sure—it's actually on ICANN website glossary of IDNs. So, it's almost word by word excerpt. And I just want to give the context here.

DONNA AUSTIN: Yep. That's fair, Ariel. So, Sarmad, it seems it's not only this glossary that you need to have a look at, but perhaps what's on ICANN website.

SARMAD HUSSAIN: Sure. We'll look at that as well. Thank you.

DONNA AUSTIN: Yeah. All right. So, we'll try to rationalize that. Hadia?

HADIA ELMINIAWI: Thank you. I just wanted to ask Sarmad, reading the definitions, maybe it's not exactly like the definition that you think it needs to be. But what do you think is different in this definition that would

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create inconsistency between the two? I think the main problem, if you add words, that if you read this definition and the other definition, you get different understandings. But to me, I don't see this. Or do you? Thank you.

SARMAD HUSSAIN: Right. I think one of the main challenges here is that it's not clarifying the difference between A-label and U-label representation, where the A-label representation is actually [NSB] string. And it's only the U-label, which actually becomes more specialized. So, I think it just needs to be clarified at that level.

DONNA AUSTIN: Okay. Thanks, Sarmad. Ariel, go ahead.

ARIEL LIANG: I should have mentioned the glossary is written with the target audience in mind, because we're not trying to be overly technical. And the way I wrote it is try to use as much layman language as possible to make it comprehensible just by average reader. And also, when we explain the definition, we try to tie to the context of the phase one initial report and understanding of the EPDP team based on existing study. We're not trying to explain everything using the exact technical language, because that could be very hard to comprehend for public comment purpose. So, I should have mentioned that at the beginning. And that's why we are not going to the detail. We can, of course, link to relevant resources for folks to read further if that helps.

DONNA AUSTIN: Thanks, Ariel. And it is a balance, because we need to make sure that whatever we say isn't inconsistent with the technical meaning as well. Because while there will be people reading this and coming to this conversation that are relatively new to it and perhaps with a policy bent, there will be others that that have been around this for a long time, and are technical. So these are the things that they will take issue with. So we do need to be mindful of that and be careful of it. Okay, so Sarmad, was there anything else in that really—

SARMAD HUSSAIN: One more was delegated. I think that also has a technical versus more probably process definition. And I suggested that we may want to check our final wording with IANA as well. Because in the technical document, it talks about adding resource records in the zone file, and those kind of details, whereas this is talking more generically, which seem more in line with allocation rather than delegation. Just trying to draw that difference. But again, leaving that to the group to discuss. Thank you.

DONNA AUSTIN: Okay, thanks. Okay. Ariel, was there anything in particular that you want to flag or seek clarification on? I know, Justine and I went a little bit nuts on this as well.

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ARIEL LIANG: Yeah. So I'll actually quickly respond to Sarmad's definition of delegated. We have seen the technical definition in the staff paper about delegated, we decided consciously not to include that because it's overly technical. And then we found it's overly technical too for the glossary purpose. But we can always provide a footnote to include that technical definition if it helps, because the way we write it is with target audience in mind. That's why we decided to go with this definition.

And then in terms of other items, I think maybe the most important ones are the principle related definition. Maybe we can go over these. So the first one is about the conservatism definition. This is our attempt to describe it as strike a balance between permitting delegation of variant gTLDs and also limiting potential security stability risks. And we understand from Sarmad's point, actually, the balance is not there. It's more leaning towards preventing security stability risks.

And Donna has suggested some new wording here, and I personally like it. And I wonder what the group thinks. So what she wrote here is, in recognition that the variant IDN gTLD currently do not exist, and data is limited about the potential impact of their introduction to the domain name system, the EPDP team agreed that they should adopt a conservative approach to their work as a way to limit any potential security and stability risks associated with delegation. So that's Donna's suggested wording, and then Sarmad has provided additional context. So conservatism means doubts should always be resolved in favor of rejecting, i.e. admissibility is limited to only the minimum clear-cut cases. I was thinking we somehow can integrate both suggested wording into

one and create a new text for conservatism. And we want to hear what the group thinks in terms of this definition.

DONNA AUSTIN: Dennis?

DENNIS TAN: Thank you, Donna. So conservatism means something, and I'm plus one with Sarmad's suggestion. And maybe another—I don't know if there's another term in the glossary that speaks about the usability or goals for these IDN EPDP insofar introducing variants. And these are the two competing goals that this IDN EPDP is trying to find a balance for, conservatism and also the usability and adoption goals. And that's where the balance comes in. But conservatism has a clear goal in terms of protection, being risk averse, whereas the other side of the spectrum is trying to introduce, make these IDN TLDs, variants, available. But we are trying to find the balance. But these goals, conservative and usability, have their own clear objectives, which are in opposite directions. So just my two cents there.

DONNA AUSTIN: Thanks, Dennis. So just a reminder that in the public comment form, I think we have called the glossary out for attention that folks pay some attention to it and provide comments where they think we're off. Okay. So this provides another little bit of a challenge for us, but we'll see if we can work something in here. And I'll put Dennis in the book for reviewing the glossary. Okay.

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ARIEL LIANG: Okay. Sounds good. Thanks, Dennis. The next one, integrity of the set. That's the other principle we have agreed on. So this is what we wrote. The principle agreed upon by the EPDP team where relationship between a primary label and its allocatable and block variant labels shall not be infringed upon as long as the primary label exists. In other words, it stresses that the primary label determines the variant labels that using RZLGR and the unity of a variant label set centered around the primary label.

So Sarmad had some comments here. So you talk about first define what set means, not a relationship. For example, a set contains ... So the thing is we ordered the glossary based on alphabetical order. So the variant label set is in the glossary, but towards the end. And I did think about, should we define something first logically before others, but it's just getting a little too complicated because we have 34 terms and the logic isn't as clear cut as I hoped it to be. So it's just alphabetical, but we did try to do the italic format for the terms that are also defined in the glossary. So hopefully that will flow—like the reader will understand that they can find the definition in the glossary.

And also Sarmad has a comment, [define] what it means by integrity, what the members of the set cannot be changed through any process other than changes in the RZLGR. So I think the second point can be somehow integrated into the definition. So if the primary label is unchanged, then the set is not changed. Something to that effect, but happy to hear your comment. And I see Satish has a comment also. He has his hand up.

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SATISH BABU: Yeah, thanks. But before I get into my comment, a general comment on the glossary. Looking at this from an end user perspective and the average community member who's going to access this document, the purpose of the glossary I feel is for people who are not experts to understand or at least get a first understanding of some of these terms.

So I fully see the need for balancing both the technical definitions and the simplified definitions. But the glossary is not really a place where one goes for very detailed technical stuff. It's a place that we look up quickly to see the general meaning of a term.

So while we should, of course, put out some link to the technical definition, my personal position, looking at the average community member who's going to look at this document, would be that we should simplify things rather than make it more complex. Because our purpose is communication and not necessarily a very great technical approach. That's one general comment.

And in this case, just a minor comment that we are condensing everything into this unity. I don't think unity completely explains integrity of the set. So I had put a suggestion here. I mean, Ariel can look at it and take it on later. Thanks.

ARIEL LIANG: Just a reaction to appreciate, Satish, the recommendation and—in terms of unity, we did struggle with this word. Originally, I had atomicity as well. And it seems even harder to understand or

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explain it. So I just went with unity. But I saw that atomicity is mentioned again in Satish's comment.

DONNA AUSTIN: Ariel, I just want to pick up on a suggestion by Alan in the chat. So if it's not a technical or legalistic definition, then perhaps use explanation or meaning instead of definition as a column heading. And I think that's a really good suggestion. So that gives us a little bit more flexibility in what we're trying to do. So thanks, Alan.

ARIEL LIANG: Okay, thank you, Alan. And thanks, Satish, again. If we don't have further comment on this, we can move on to the next. And just a quick note. So we try to provide definition—sorry, meaning or explanation to the various label state. And we have one broader definition here. And then we listed the five that was identified in our recommendation. So just want to draw attention to that. And I know that Sarmad said this is ambiguous as this phrase can be connected with either variant labels or primary label based on how the reader interprets that.

SARMAD HUSSAIN: This is just ambiguity in syntax. So I think this phrase which is highlighted is connected with the primary label. So just wanted to make sure that we can we make sure that it's read by the reader in that context and not associated with the variant label. So one shouldn't read that the states of variant labels that are delegated into the root zone. It's primary labels that are delegated. We talked about the variant labels of those primary labels.

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ARIEL LIANG: I think I understand what you're suggesting, but I think I need to do some cleanup of this. Because I think the label state applies to all the labels in a variant label set. And the primary can also be allocated, delegated. Maybe the primary cannot be blocked or rejected on those, but it can apply—the delegated allocated state also applied there. So I will try to think a little bit more and clean this up. But thanks for the comments. And I saw Maxim's comment too.

And another thing I want to draw attention on is the primary. This is a key term. And personally, I hesitate to add the label next to primary because primary is usually in the context of primary IDN gTLD in our recommendation language. And I don't think we actually use the term primary label anywhere. So that's why I kind of hesitate to add label here. But if we really feel the need to add it, I put in a bracket. And I wonder what the group thinks, whether label is necessary in this term or it's not.

DONNA AUSTIN: I don't have a problem with keeping it in, this label in parentheses.

ARIEL LIANG: Okay. Let's just do it this way in case there's some strong objections. Then we can revisit. And I think these are all fine. And then the next one is about the same entity principle. So initially, we had only one paragraph explains that the same registry operator managed the entire variant label set. And then it wasn't adequate. So I added some additional redlines. And that explains

what same entity means from application, legal and operational standpoint. And these additional texts, Sarmad [inaudible] from actually our charter question D1, which is opening or introduction text to D1A and D1B. So in the interest of time, I'm not going to read it word by word, but I just want to make sure folks have seen this.

And another question I have is Justine has put this word, allowable, in brackets right before variant label sets. And I wonder whether we can make it clearer by saying the same registry operator must manage all the approved labels in the variant label set of a primary gTLD. Would that be clearer than allowable? Because if we put allowable, we have to explain what that means. Or approved.

JUSTINE CHEW: Yeah, the issue with approved is if the registry operator doesn't apply for a variant, then it can't be approved. You see, that's why I chose allowable. But because they are still entitled to get and manage allocatable variant labels, although they have not applied for them.

ARIEL LIANG: Okay, I think that—Justine, sorry, I got a little distracted. So what do you suggest in terms of the wording?

ARIEL LIANG: I don't have a concrete suggestion. I was hoping that people would respond. My only concern about using the word approved is

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it doesn't allow for allocatable variants that have not been applied for. But if we're not too concerned about variant labels that have not been applied for, then we can go with approved instead of allowable.

ARIEL LIANG: Or can we say manage the delegated, allocated, and withheld variant labels from a variant label set? Would that help? Because we do have definition for those terms. Or explanation of meaning, not definition.

JUSTINE CHEW: What do other people think? I mean, I'm quite [stuffed] at this point in time.

DONNA AUSTIN: I'm concerned by adding in all that extra text that we're just going to confuse people. I think ...

JUSTINE CHEW: Let's just go with approved. That is clear. It wouldn't cause any controversies, I guess.

ARIEL LIANG: Okay, let's do that. Okay, so I think these are all fine. And another one I want to call out is the string term. And I know Sarmad actually initially suggested deleting this explanation, but we felt it important to keep it because every time this term is used, it's in

the context of applied for gTLD string. And if it's already delegated, then it's gTLDs without the word string. So it's important to explain it. And then this is actually a definition from ICANN Org website. We got it from there. So, Sarmad, please go ahead.

SARMAD HUSSAIN: Yeah, I was actually suggesting that since it's synonymously used with the term label, instead of defining label and string separately, we define either label or string, and then point the other one back. So if you define the label, we can say here that string is the same as label and just look at the definition of label, rather than trying to define those two things separately. Thank you.

DONNA AUSTIN: And I see that Dennis supports that, and I support that too. So if we're using the terms interchangeably, then they should be the same.

ARIEL LIANG: Okay, point taken. And just want to clarify, string is label at the top level. That's what we say it's interchangeable. It's not label at other levels. So that's something we need to clarify too.

DONNA AUSTIN: Sorry, just noting what Maxim put in chat. He needs to drop in seven minutes, which is fine. So look, we still have a bit more to get through. So if folks have the ability to stay on until we get this

wrapped up for today, that would be appreciated. Otherwise, I'm going to encourage folks to listen to the recording. So let's keep moving, Ariel.

ARIEL LIANG: I think the rest of the glossary is okay. If I have further questions, I will address them with the leadership team. But I think the most important ones are the principle-related explanations that we went over. So I think we can move on to section five. Donna, your document, basically.

DONNA AUSTIN: Thanks. And if I could encourage folks that haven't had a chance to look at the glossary yet to do so, because it's really helpful to have other eyes on these documents.

ARIEL LIANG: So Donna, do you want to read this?

DONNA AUSTIN: Okay. So folks are aware that one of the reasons that we've been having conversations with the ccPDP4 throughout our work is just to make sure that our recommendations are consistent. And where they're not, just to have a conversation about why that's the case. And the reason we're doing that is because it was part of the Board resolution that approved the recommendations from the staff paper back in 2019. So that when we got into developing the policies, we should do our best to make sure that our

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recommendations are consistent. And if they're not, then try to do something about it to make them consistent.

And the other thing that we've recently seen is that the Board has written to the GNSO Council requesting that we provide a timeline for when we will get phase two done, and also asking about this differences piece. So that's why we've decided to put this in the initial report. So it calls out the differences and tries to explain why we don't think the differences are a problem. So if you could scroll down, Ariel.

So that's just background. So the first area of difference—and Ariel, I don't know if we have a specific recommendation on this first one or whether it's [inaudible] but if we have a recommendation, we should identify it here.

ARIEL LIANG: We don't have a recommendation, especially allocatable, we don't have a recommendation for that. That's basically glossary.

DONNA AUSTIN: Okay. So the reason we picked this up is because ccPDP4 have identified delegatable as one of their disposition values.

ARIEL LIANG: Yes, that's correct. Yes. And they don't have a recommendation either. It's in their glossary as well.

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DONNA AUSTIN: All right. So there's a difference in the variant label dispositions. We have stayed with allocated and blocked, which is consistent with the root zone LGR. ccPDP4 have created another disposition value, which is delegatable, and it's tied to the fact that for CCs, there has to be a connection that the label is a meaningful representation of the name for territory and designated language or script.

So while it's a difference, I don't think it's problematic in that there will be inconsistent policy that will create problems. So really, the difference in the disposition values reflects what are, at the moment, primary differences between a ccTLD and a gTLD. And it's not necessary for us to adopt delegatable as a disposition value, as it would have no meaning in the gTLD landscape. So that's our analysis of that one. And Ariel's put the link in chat. So if folks have a chance to have a look at this, that would be great. So I'm just going to kind of briefly go through this. And if you have any questions, please put up your hand and we'll see if we can answer them. So the next one, Ariel.

So limiting the number of delegated variants. Obviously, our recommendation is we don't have a ceiling value for a number of reasons. And the ccPDP4 could be interpreted as having a different recommendation because they're limiting the delegation of variants to only allocatable variants of selected IDN-ccTLD streams that are a meaningful representation. So it could be interpreted as a difference in the recommendations because we have no ceiling value while the ccPDP4 has something different.

So the analysis here is that the EPDP team does not consider these recommendations to be inconsistent. The ccPDP4 has not

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placed a ceiling on the number of allocatable variants, but the recommendation does state that only allocatable variants are meaningful representation in the name of [blah] and eligible to be delegated.

So the EPDP team acknowledges that this qualification may be seen by some as creating an artificial ceiling. And we note that in our deliberations on this topic, the team came to appreciate that there are also factors that serve to create an artificial ceiling for IDN-ccTLDs as well. For example, only seven scripts in the current root zone LGR have allocatable variant labels and accept the Arabic script, the other six scripts already have ceiling values that will limit the number of allocatable variants. So that's an explanation of the difference there. I hope that makes sense. And the next one, please, Ariel.

So impact on delegated TLDs due to the root zone LGR update. So personally, this is one where I think the Board may disagree with our analysis. So we're trying to argue that it's not a substantive difference. So basically, the two recommendations are consistent in that where there is an update to the root zone LGR, that the ccTLD or the gTLD be grandfathered. But the ccPDP4 goes a step further in saying that the ccTLD should be removed if deselection is demonstrably the only measure to mitigate the threat to stability and security of the DNS. So their grandfathering is qualified, whereas ours isn't.

So our analysis here is that the EPDP team understands that all future updates to the root zone LGR should aim to retain full backward compatibility with delegated gTLDs to maintain stability of the root zone, and as such, [inaudible] probability where an

update will invalidate the delegated TLD to be extremely low. We acknowledge that the ccPDP4 recommendation accounts for the possibility of deselection in specific circumstances. However, we believe that fundamentally the recommendations of the EPDP team and ccPDP4 are consistent, as they both support grandfathering a TLD that has been invalidated by an update to the root zone LGR. This is the only one where I think the Board may disagree with us. And Alan, if you're still with us it's, I guess, interested in feedback from yourself or Edmon on this one. So on the next one.

So the string similarity review, obviously, we have a hybrid model recommendation. And the ccPDP4 agreed to conduct a visual similarity check for the requested delegatable strings, but the string evaluation panel may expand the comparison by including allocatable and blocked variant labels. So we're arguing that the differences are considered acceptable because the preliminary recommendations, while not the same, are developed in the context of the respective application processes for an IDN-gTLD and IDN ccTLD. The main difference in the process is the gTLDs are applied for in dedicated rounds that could result in hundreds, if not thousands of applications being evaluated simultaneously, whereas an IDN ccTLD can be applied for at any time and evaluations are discrete. The purpose and the intent of both string similarity review processes is considered consistent. It's only the manner in which this is done that differs.

So they're the four areas of difference that we believe currently exist within recommendations that we have and ccPDP4 have. And this is our kind of analysis of why we think the differences are

okay and they're not substantive. So this is what we will go forward with as part of the section. This will be section five of the initial report.

And if you could just scroll down to the remaining stuff. So because there's a difference in the scope of the two groups, there may be some topics that are addressed by us, but not by the ccPDP. So we're not necessarily going to take those onboard. And I think the other thing that we need to recognize is that both efforts will have to go through a public comment period. So some of the recommendations may change as a result of that. And we'll come back to it if we have to. And I'm not sure what the timing is for ccPDP4 to put out their initial report, but I think we're actually ahead of them at the moment.

So I know that was a pretty quick run through, but if folks have got the time to have a look at that and just provide any feedback that you may have, or if you can think of something else that could add weight to our analysis that there shouldn't be any concern with the differences, that would be helpful.

All right. So that's section five. So what else do we have, Ariel?

ARIEL LIANG: Thanks, Donna. Great job. I'm going to go back to the agenda. So I think we covered the most important part. And then the next part is kind of a quick overview of the initial report. I think we're already eight minutes over time, Donna. How would you like to do it? Since all the documents are out to the group, do you still think we should do an overview or we just leave the text for the group to

review? And then I can maybe call out some specific things so that folks can pay attention to it.

DONNA AUSTIN: Yeah, I think just highlight the things you want to highlight. And also, I think the other thing that we need to discuss is just our timeline from here. So what's the plan to pull all this together and then to get it ready for the public comment process?

ARIEL LIANG: Okay, sounds good. We're going to quickly go over the timeline here. This is really the critical point now. And today is the 3rd. Our aim is to get the full draft to the group to review tomorrow. But I don't know whether that's achievable at this point, because we still have some major cleanup needed for the fee-related recommendations and also glossary. So, we will discuss with the leadership team what's the realistic day to get the full report to the group. And then we will project to have one week for the group to review. And we must send all the documents over to ICANN Org, all the related departments no later than Wednesday. Otherwise, we cannot meet our deadline for publishing the report on the 24th.

But one caveat I want to note is in our communication to the Council, we have been saying end of April. So, that can give us potentially till April 27 to publish the initial report. [We didn't remind them it's the 24th. We're aiming for just the end of April.] So, if the group really needs an additional couple of days, then it's possible. But we really cannot be after the 27th of April to publish the public comment.

So, that's our timeline. And then in terms of the end date for public comment, the previous discussion is we choose the option one and public comment on June 5th. That gives us 42 calendar days if we open public comment on April 24th. But there is a possibility to extend it based on what the public asks. And I see Donna has her hand up.

DONNA AUSTIN: Ariel, can you just go back to the last previous slide, please? Yeah. So, look, I know we're rushing towards the end here. And I know that we're rushing because we're aiming towards getting this set in motion for the public comment so that we can publish on the 24th of April. But what I really want to understand from the group is that you are comfortable with where we are at the moment and that we have a few things to review. But if your respective groups think that you need more time to go through the initial report, now is the time to say so.

So, hearing nothing and seeing nothing in chat, I'm going to assume that everybody is comfortable with the timeline and the plan that we have here. And the fact that we are currently rushing towards these dates with limited opportunity for substantive changes to any of the documents that have gone up in the past week. Okay. All good. Thanks. Let's keep going here.

ARIEL LIANG: All right. Sounds good. So, the ones I particularly would like to call attention on—actually, there are a couple of things. One is, so, we have to go back to the draft text. Actually, there's one that we

didn't talk about it because we were looking at the glossary. So, it's product question A9. For recommendation 1.12, we have listed these label states. But we didn't provide a definition in the recommendation language itself.

In addition, in our rationale, we said this is our preliminary agreement. And then that was done in the early stage of the PDP process. And we said we're going to revisit this. But based on my personal understanding, these are still okay label states. We don't need to make any substantial changes. But we may need to provide—oh, did anybody lose audio? Can people still hear me?

JUSTINE CHEW: I can still hear you.

ARIEL LIANG: Okay. So, first is, do we want to add the definition of these label states based on what we agreed on for glossary? And second, do you think there's any need to change the label state? Because our deliberation has progressed a lot since we finished talking about 1.12. So, that's one thing I want to mention. We shouldn't miss this. And I'm not seeing hands. Donna, Justine, do you have views on this?

DONNA AUSTIN: I have no more views left in me, Ariel.

JUSTINE CHEW: I think it's fine.

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ARIEL LIANG: Okay. So, we will just add the definition or the explanation of meaning of these label states in the recommendation language so that it's complete. So, that's first thing I want to call out. And the second thing I want to call out is the preliminary recommendation section four. That's the main body of our initial report. And as I noted before, we have this structure follows the new gTLD program process flow.

And so, I just want to show everybody how it may look like, in my view, the formats. And I want to make sure everybody's comfortable with that before I start populating the text. So, basically, this is section 4.1, RZLGR is the sole source. We put the charter question on the top and then use this italic format. And then we put preliminary recommendation as the second part. And then we use this box format with color coding or the coloring just to make it pop more. And then follow that is the rationale. So, that's how this section may look like. So, you can see, like, section B, section 4.2 will look like this.

And then section 4.3 does have some issue because under section 4.3, the application submission and administrative check, we have a ton of recommendations and a lot of charter questions that are applicable to it. So, for this one, it doesn't look too bad. But for D1B, under this charter question, we have 12 recommendations. So, if we do lay out in this format, so, we'll have 12 recommendations stacked in this way. And then we'll put the rationale underneath. So, it's going to be very similar to the SubPro final report. So, they put recommendations all in one section and rationale underneath. It's just a reader have to kind of

flick between pages to check the corresponding rationale for each recommendation.

So, I just want to let folks know that's the consequence of this formatting. And then if you don't have an issue with that, then we'll do that this way. If you do have an issue, please let us know now so we can change it before we start populating the whole section.

DONNA AUSTIN: So, Ariel, just one question from me. So, where we have implementation guidance, will that also be in a blue box?

ARIEL LIANG: Yes, that's correct. We treat it as if just a recommendation, but it's implementation guidance. So, maybe I will use like a different color to distinguish it, but it will have its own box.

DONNA AUSTIN: Or just indented.

ARIEL LIANG: Yeah, we can do that. I'm just thinking through how it may look like, but I will explore some formatting options.

DONNA AUSTIN: Yeah, because some people are colorblind. So, just switching out colors doesn't always work.

ARIEL LIANG: Yeah, you're right.

DONNA AUSTIN: Any concerns about the layout that Ariel's suggesting here? Okay, looks good.

ARIEL LIANG: Okay, sounds good. So, we don't have time to go through every section, and maybe I just want to quickly call out section six in the next steps. I do have these two paragraphs at the end. It's about what may happen when the public comment process is ongoing. So, I wrote the EPDP team is expected to develop an updated project plan for the GNSO Council's review, as well as discuss mechanism to commence phase two work in an expeditious manner. That's due to the Board's request.

And then the last paragraph is subject to Council's approval of the updated project plan, the scope of the phase one final report may potentially expand to include final recommendations pertaining to a subset of phase two charter questions that are identified as having an impact on the next AGB. That's what I wrote, and I want to make sure the group saw it and comfortable with the wording. But we say it's expected, so it doesn't mean it will happen.

DONNA AUSTIN: Yeah, my sense here is to not have the last paragraph. That's not something that we've discussed as a team, and nor is the notion of a subset of phase two questions. So, I don't want to set the wrong expectation, so I think I prefer to be silent on that.

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ARIEL LIANG: Okay, fair enough. Yeah, we don't want to be tied to our word if we don't do it this way. I agree. Okay, sounds good. And one final thing is we're still waiting on the Arabic GP to get back to us on the X number for allocatable value label that should be delegated. I know Sarmad and Pitinan already sent them reminders on that. We will follow up with another reminder, and hopefully they will get back to us tomorrow, but we don't know for sure. So, that's another potential risk we have. If they delay it and not getting back to us on the number, we don't know what to do with the fees-related recommendation, or we can just [inaudible]. That's another option. So, just let folks know.

DONNA AUSTIN: So, I guess a question for the team here is if we don't get something back from the Arabic GP, are we comfortable with identifying, picking an arbitrary number for what the value of X is in our fee discussion? Sarmad?

SARMAD HUSSAIN: So, is that something which can be left to the implementation stage? And policy says that a number will be set in consultation with the GP and leave it there.

DONNA AUSTIN: I guess in theory, we could, but it's up to the team about what they're comfortable with, because implementation can sometimes go down a different road that we didn't expect. Justine?

JUSTINE CHEW: I don't think we should leave that to implementation, because I think the X number is actually policy, and implementation doesn't deal with policy. I prefer Michael's option of just picking a number. And I wouldn't call it arbitrary number. I would probably just use the highest number that the other scripts have come up with as the justification, and then we just put that out for public comment, and then we take it from there. Thank you.

DONNA AUSTIN: Yeah, a well-educated guess number. So, Ariel is saying that the highest number is four for the other scripts. I guess I was thinking six, because I don't know what the situation is with the Arabic, but it seems—and the reason we're setting that arbitrary, not that arbitrary number, the reason we're setting that number is because we're trying to avoid a situation where there's a perception that IDN variants are getting a free ride through the application process. So, that was the intent in setting a value for the number of variants. Sarmad?

SARMAD HUSSAIN: Right. So, another potential factor which could play into this is the conservatism principle as well. So, I guess given multiple choices, the lower number would be more in line with the conservative principle. Taking it back to the SSAC recommendation where they actually are saying that the number of top-level domains, if there are too many variant labels in combination with the second-level variants, they can cause management challenges for registries,

registrars, and registrants. So, starting with a smaller number, and then potentially increasing it may be the more conservative path versus starting with a high number, and then, I guess, then finding out that that potentially caused a management challenge. Thank you.

DONNA AUSTIN: Okay. Thanks, Sarmad. So, what I'm going to propose to the group is, in the absence of hearing from the Arabic GPs on this question in time for us to publish the initial report for public comment, that we go with four, because that's the current number for the other scripts. It's between two and four, I think. So, we'll go with four. Hadia?

HADIA ELMINIAWI: Thank you. I do initially agree with going with the highest number, which is four, but I raised my hand to ask if we could actually call this out in the public comment and say that we came up with this number and that we are still expecting an answer from the Arabic GPs. Thank you.

DONNA AUSTIN: Thanks, Hadia. I guess we could. Yeah, I think we can do that. Sarmad?

SARMAD HUSSAIN: Yeah, I think just to maybe slightly reword that question which Hadia suggested, one could say that there's a number proposed

and if a particular generation panel—not just calling out Arabic, but others could as well, not agree with it, they can, they should put in a public comment with their rationale. Thank you.

DONNA AUSTIN: Yeah, good point, Sarmad. All right, so we're going with four, and we can call something out in public comment to the effect of what Hadia and Sarmad just said. Okay, so, Sarmad?

SARMAD HUSSAIN: Yes, sorry I'm persisting on this a bit more, but is there a reason we're picking four and not three? The reason I say three is because I think from a Chinese domain perspective, they normally would go for the applied for label, the all simplified version, and the all traditional version. So that adds up to three, not four. I'm not sure where the four is coming from. But just, I guess, calling out, if there is a reason we are saying four, we may actually want to put down some text explaining why we are suggesting that. Thank you.

DONNA AUSTIN: It was my understanding that there was the generation panels were saying it's somewhere between two and four. And Ariel's put something in chat as well. So, I don't think there's any harm in four. It's still a very low number. And the reason we're setting that value is—it's related to the fees, it's not related to the number of variants that a registry operator or an applicant can apply for. It's just the cutoff for the base application fee.

Yeah, that's a good question, Alan. So, yes, it's the primary plus four variants. So, it's the four that are the variants. Okay. I think we'll stay with four. As I said, it's still a very low number. And hopefully, it will be okay for Arabic. Okay. So, where are we, Ariel?

ARIEL LIANG: We're done.

DONNA AUSTIN: We're done for the next 10 minutes. All right. Thanks, everybody, for hanging in there. It's a particularly long call. And unfortunately, we had a substantive issue that we had to discuss, but I think at least we had the opportunity to discuss it and reach some agreement on it. So, on the fees, we will try to get something back to you by Wednesday for review. And then hopefully if there's any concerns, we can have a discussion on the email list. But for all intents and purposes, we're trying to get this ready by early next week so we can get the public comment process started.

So, thanks, everybody. So, at the moment, we don't have another call scheduled. So, we'll get back to you, but take a break for this week anyway, and probably next week. But if we need to schedule a call for next week, we will do that.

Alrighty. Thanks, everybody. And for those who celebrate it, happy Easter for the end of the week. Alrighty. Good night, all.

JUSTINE CHEW: No call but homework review.

DEVAN REED: Thank you all. Have a good rest of your week.

[END OF TRANSCRIPTION]