

ICANN

**Moderator: Gisella Gruber-White
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10:00 am CT**

Coordinator: ...everyone. This is the Operator. Just need to inform all participants that today's conference call is being recorded. If you have any objections you may disconnect your line at this time. And you may begin.

Benedetta Rossi: Thank you very much, Lori. Good morning, good afternoon, good evening. This is the BC Pre-Beijing Planning call taking place on the 25th of March, 2013.

On the call today we have Jimson Olufuye, John Berard, Marilyn Cade, Elisa Cooper, Janet O'Callaghan, Yvette Miller, Angie Graves, Andy Abrams, Ayesha Hassan, Gabriella Szlak, Steve DelBianco and Chris Chaplow.

I would like to remind all participants to please state their names before speaking for transcription purposes.

And Aparna Sridhar has just joined, by the way. And thank you very much and over to you, Elisa.

Elisa Cooper: Thanks, Bennie. And thank you to everyone for joining today's session where we're really going to talk about the Beijing meeting. And I would like to review with everyone some of the agendas and some of the topics to be discussed. And I'm really hoping that this can be a very interactive session. And I hope that you will come with some ideas about things that you'd like to also see included on the agenda.

So why don't we - Bennie, if you can go to the next slide. For those of you who don't know, Bennie did send out an Adobe Connect link and so we're looking at some slides which have the agenda for today's meeting as well as the proposed agenda for our BC meeting and then some of the agendas which have been proposed and are still being worked on by Marilyn for the CSG events.

But in terms of our meeting today I'd like to review some of the extracurricular activities because I know for myself in the past I've been confused about exactly where I should be and what I should be doing so I just wanted to highlight a couple of those.

Then I wanted us to talk about Constituency Day and I'll review a draft BC agenda - it's just a draft - and so I'd like to hear from others things that you want to make sure that we cover or things that you think we don't need to review. I really want it to be me getting some input so we can make sure that we're covering everything that you want to cover at the meeting in Beijing.

Then Marilyn is going to review the CSG agenda and some of the CSG events. And then Steve is going to discuss what some of the possible topics we may be addressing in the public forum and what comments we might be making.

And then also, Steve, if you can point out the different sessions at the Beijing meeting that you think, from a policy perspective, will be of interest to the members and things to be on the lookout for. And then we do have a little bit of time at the end to cover any other issues that anyone wants to cover at all. So - but I am hopeful we'll get through this meeting in less than hour today.

So in terms of what we have and the extracurricular activities, Sunday morning we have a meeting with Bill Graham and Bruce Tonkin. Those are the two board members that have been selected by the CSG. And we'll have an opportunity to meet with them and to speak with them.

Then on Tuesday we have this cross-constituency breakfast with the Governmental Advisory Committee. And again Marilyn will be taking us through some of the topics that we'll be discussing.

And then finally on Thursday - this is very last minute - but there is a breakfast that is going to be held to sort of reach out to business - Chinese business. This is an event that's being organized by ICANN and they've asked us to participate. And so we don't have a finalized agenda but when we do we'll be sure to send that out.

Bennie, can you go on to the next slide?

So this is what I'd like us to discuss together. This is a draft agenda that I've prepared for our BC meeting. And, you know, this is kind of what I was thinking. And basically this agenda is the result of feedback that I received through the online survey that was sent, which we will actually be reviewing this Friday to go into some detail on.

But I've done my best to really incorporate what I've heard and what the survey responses said. So basically there were a lot of responses that said they wanted to hear more about gTLDs, Whois, DotBrands, RAA.

Then obviously we need to spend some time discussing recent policy developments and any new positions we might be taking. There's also some business to do around the budget. And we may want to also discuss the charter revisions which we'll begin discussing next week.

But I'd like to put this out there and hear from others what you would like to discuss or things you'd like to change about this agenda before we finalize it.

Marilyn Cade: Elisa, it's Marilyn. Just one quick point, for anyone who's trying to access Adobe Connect you may be getting it's a private meeting and somebody has to approve. So just to make sure - I'm in but I just want to be sure everybody's being approved.

Elisa Cooper: Oh and now we have - I realize the big benefit of using the Adobe Connect is that you can raise your hand and I - we can call on people. So I see Chris Chaplow has his hand raised.

Chris Chaplow: Thanks, Elisa. Yes just a quick comment on one of the items there on the agenda and that is dealing with the trademark clearinghouse. And my thought is for guidance on the level. I've just written a short article at a very basic level for the up and coming newsletter.

So I'm thinking that if other members are in agreement with this that Liz Swezey's presentation might be at a slightly higher level assuming that we all know the basics. We've read about the clearinghouse. We know we register at the trademark Website. And it's a little bit more tips and tricks and problems

that we might encounter. Just a suggestion on setting a level for that one.

Thanks.

Elisa Cooper: Yeah, I think that's a great idea. And, you know, Liz has a lot of experience with working with large corporations and so I'm hopeful that she'll be able to share some insight as to what she's heard about companies and their plans for the mission to the clearinghouse.

Marilyn Cade: And it's Marilyn. Can we just make sure on the agenda that everybody's affiliation is shown? I think that's really important. It helps to advance the BC. So that's a - maybe something that would just go through all of the rest of the agenda. Thanks.

Elisa Cooper: Yeah, and if I could just ask people to use the functionality within Adobe Connect it will make it a lot easier and we'll be able to call on more people. Just to clarify Liz Sweezey, I can tell you right now, Liz Sweezey is with Fairwinds. Susan Kawaguchi is with Facebook. Martin Sutton is with HSBC and then I think you know Steve and Chris.

I see Ron Andruff has his hand raised.

Ron Andruff: Just getting off mute. Thank you, Elisa. Regarding the draft agenda Sally Costerton is going to talk about ICANN communications update. And I know that she was also part of the Meetings Working Group. And I see that Michele Chaplow has been selected to be part of that group. And I congratulate her and am happy to see that we have a BC representative in the group.

One of the concerns that I have - and I'm - I could be way off base but when I looked through that list of people that would be planning, you know, for the future Meetings Planning Working Group a lot of those names I didn't know.

And I've been coming to ICANN meetings for 40-odd of 45 meetings. So it gives me a little pause that we have people that have not been a long-time in the community to understand the history of the community; Sally Costerton being one of them.

We have Sebastian Bachollet, fortunately, who is also part of it and Sebastian has been around for a very long time, a former BC member. But I would like to see if we can just get some - get it on the agenda that we ask her a little bit about the future meetings because I think it's important that we have some long history brought forward in that group and I didn't see a lot of names in there that I recognized.

Others may recognize members of the community from a long time. But that was - brought some concerns to my mind. So if you could please add that it would be helpful. Thank you.

Elisa Cooper: So that's something that we would address with Sally?

Ron Andruff: Yes. I would guess so. When I look at the agenda I don't see any other place. And the fact is that she will be with us for a half an hour if we could just ask her to speak a little bit to that and how they came - how they made the selections.

The selections were very clear, half women, half men, very global, all of that was very good. But the concern I have is that very, you know, there's been a lot of people on that list that have been coming to very few meetings so may not understand the nuances and the importance of the gathering as people who have been longer in the community so that was more the concern.

Elisa Cooper: Yeah. And, you know, she, along with Margie, are still to be confirmed so if that's not, you know, if she can't confirm for that time or she cannot participate I'll try to find someone else who can fulfill that role and we'll definitely get that addressed by whoever it is that's presenting.

Ron Andruff: Okay. Thank you very much.

Elisa Cooper: Thanks, Ron. Aparna.

Aparna Sridhar: Yes, hi. Can you all hear me?

Elisa Cooper: Yeah.

Aparna Sridhar: Okay great. I wanted to add one potential item to the agenda which is I think it would be helpful for us to talk as a group about what we can do to sort of support and defend the multistakeholder model for Internet governance.

One of the really important things about ICANN, from our perspective, is that it provides an alternative to some more top-down governmental regimes and that's important not only for the ecosystem as a whole but particularly for business users. And so I was just wondering if we could add a short discussion on that topic.

Elisa Cooper: I think that's a great idea. I don't know what others think but I think that's an excellent idea.

Marilyn Cade: It's Marilyn. I'm not - I'm not appearing on your list. Can I just get in the queue somehow?

Elisa Cooper: Sure. I'll put you right after we're done with Aparna. So if we were going - basically we may have to take one of these items off I think because we have quite a bit of content here. But I think that's an excellent addition to the agenda. So if we were going to drop one - I mean, there is a session on the RAA.

Do others feel like if we were going to choose, let's say, between this RAA discussion with Margie and what the impacts to Business are relative to the RAA and this new topic about supporting and defending the multistakeholder model do people have thoughts about one of those topics over the other? Or is there another topic on here that you would rather see dropped?

Marilyn Cade: Sorry, it's Marilyn. I just support Aparna's statement. Sorry, I think that - may I go ahead with your permission, Elisa?

Elisa Cooper: Yeah, I was just hoping if others - if we were going to add that topic, which I think is an excellent topic, I'm just asking others if there is any of these other topics that we might consider dropping.

Marilyn Cade: Right, we don't need to have my comments. Defer to others on that comment.

Steve DelBianco: Elisa, it's Steve. What I would suggest is we drop Margie's presentation on the RAA because at 5:00 on Monday she's giving an entire session on the new RAA and the Registry Agreement.

Elisa Cooper: Okay.

Steve DelBianco: So any BC member that wants to hear from Margie can attend that session and we don't need to have her repeat her PowerPoint just for the BC.

Elisa Cooper: Yeah, okay totally agreed. And I'm going to add Aparna's point. Thanks, Steve. Okay, Marilyn, I know that you have some comments.

Marilyn Cade: No, I didn't, Elisa. I wanted to support Aparna.

Elisa Cooper: Okay. Any other thoughts or ideas or changes that we'd like to have in the agenda for our BC discussion? Okay if you do have any other ideas after this call just let me know but I think we have a very full and rich agenda planned and I hope that you're happy with it - oh it looks like Chris has another comment or question.

Chris Chaplow: Thanks, Elisa. Just to chip in just the charter revision at the end, 15 minutes, that seems quite short; that's just a comment. I mean, it would just be talk about it for a future event I suppose.

Elisa Cooper: Yeah, I agree. You know, I'm hoping we'll have a little discussion about it this coming Friday. And I agree it's not a lot of time. It would probably just be recapping or making some plans for next steps. Any other questions or comments or thoughts on this agenda?

Marilyn Cade: Elisa, it's Marilyn, I have one on the charter revision.

Elisa Cooper: Go ahead.

Marilyn Cade: Am I allowed to proceed?

Elisa Cooper: Yes, go ahead.

Marilyn Cade: Oh thank you. I think it's important for everyone in the BC to understand that charter changes, having nothing to do with us, are subject to full review by the

full community and board approval. I think that's probably really important to know since that's a new change.

And that means that any changes to votes in any charter go out for public comment and can be criticized by other parties and may change things that we think are in our purview including the fact that we have two representatives to the Nominating Committee, term limits, everything will be subject to public comments and then the board will subsequently review any charter changes.

Elisa Cooper: Okay thanks, Marilyn. Actually, Marilyn, I'll turn it over to you. I had copied what I had sent out and put it onto some slides in terms of the CSG events, which are the breakfast, the meeting with the CSG as well as the board - this meeting with the board.

I don't know if you want to refer to what I had sent out or not but those are available on the next few slides and it's up to you whether you'd like to use those as you take us through a discussion of what you think those agendas will look like.

Marilyn Cade: I'm happy to use your slides. Sorry, I hadn't had a chance to look at them but I'd love to use them. Can we...

Elisa Cooper: Okay.

Marilyn Cade: ...just go to those slides? So one of the things that the BC members may recall is we have two board members who are elected from the GNSO, Bill Graham and Bruce Tonkin.

I just want to mention that Bill Graham was elected from a highly negotiated process that we led as the CSG. And Bruce Tonkin is elected from the

Contracted Party House and is standing for election possibly again later this fall. And that's important for us to think about since we've had very strong and positive relationship with Bruce.

On Sunday morning we have a very unique opportunity to have a conversation with Bruce and - Bruce Tonkin and Bill Graham. Elisa has presented a short list of questions. And those questions are being resolved within the CSG. It is a - the BC proposed the breakfast on Sunday morning. It's now been adopted by the other two constituencies. So expect to see Elisa's comments augmented and changed by the other two constituencies.

I think mostly you could expect a focus on policy versus implementation, improvements to the GNSO process and RAA and RA amendments extending forward for that time slot. It's only an hour; it's very early but it matters.

Can we move on to the next slide, Bennie?

So on Tuesday morning we are very fortunate that the GAC has accepted our invitation to have a breakfast with us but they have delimited it to 8:15 to 9:15. And the GAC actually wants to focus on two topics. One is the gTLD program and their work that they're engaged in in the - during the Beijing meeting which is focused on objections.

So if you look at Question 3 - sorry, I just want to say Question 2 and Question 3 - their focus is, so, they're spending their time on Thursday, Friday, Saturday and Sunday dealing with objections and what do we want to - what can we provide that helps them determine their outcome on objections and concerns that they are raising? So that is something we need to think about and then go back to the other partners - the other two constituencies.

As far as the GAC is concerned Question 1 doesn't really relate for them. Their thinking if we ask for meetings they will accommodate those meetings. So, you know, we should think about whether we want to have separate meetings with the GAC other than this breakfast, which is only an hour.

But their priorities for the breakfast are how do we deal with the new gTLD program? And the second question is how do we feel about the ATRT and what the ATRT should engage in?

So short list - we only have an hour. And we - if we want to come back to the GAC and ask for other issue discussions we're going to have to devise that with the CSG. But we do have this hour breakfast.

You guys will all be - you'll be sitting at roundtables with government representatives. And as usual we'll send the RSVP list out to all of you so you know who's coming as government and you may want to prioritize who you sit with for breakfast.

Elisa Cooper: Marilyn, I see that John Berard has his hand up.

Marilyn Cade: Oh, thank you. I didn't see that. John, yes.

John Berard: Excuse me. Two things, regarding Question 1, what is the best way for us to communicate with them? This is a particular agenda item for the GNSO Council which - and it's also going to be likely an agenda item for the join GNSO Council ccNSO Council meeting.

I think it is, in those two instances, is driven by the increased participation of the GAC not just in offering advice to the board but in engaging with the other SOs and SGs.

The problem - I don't know that it really is an agenda item for the Business Constituency, I mean, if the GAC were to ask us for advice we certainly are in a position to offer it.

Where it does become a bit of an irritation is at the GNSO Council level where to this point we've been - I've been successfully able to continue to keep the focus on the fact that the Council is a creature of the GNSO and so therefore it really falls to the GAC to pay particular attention to the SOs and - I mean, to the constituencies and the stakeholder groups and not to essentially go around them by seeking consolidated advice from the Council.

In terms of the new gTLD program I had a conversation with an ICANN watcher, let me just put it at that, who said that there is discussion inside the GAC not to offer a comment on specific strings but instead to look at the applications in their various categories whether that be closed or open or brands or general or IDN and to offer advice to the board with regard to requirements that they would like to see in each of those different kinds of gTLDs.

I don't know if anybody else has heard this. I certainly haven't floated it to anybody until this call this morning. But if that's the approach that the GAC takes that could change things considerably because I know now that the community is thinking that they're going to be offering a string by string review of things.

Marilyn Cade: May I respond and ask for Steve DelBianco, you're on the call, yes?

Steve DelBianco: That's right.

Marilyn Cade: Steve and I were at a breakfast with Fadi. I think if it's okay with you, Elisa, Steve might respond to this and then I would because I think it's really relevant.

Elisa Cooper: Go ahead, Marilyn, but let's be cognizant of the time.

Marilyn Cade: That's why I'm referring to Steve first.

Steve DelBianco: Yeah. Well Fadi made a comment or two that refers to the GAC. Marilyn, I'm not entirely sure how it's relevant to this. The string by string advice from the GAC - I don't remember Fadi saying anything whether he thought the GAC would do advice on a string by string or just general categories. He did...

Marilyn Cade: Yeah.

Steve DelBianco: ...he did react though when we brought up the - you and I both brought up singulars versus plurals. And I asked Fadi, "What were you thinking?" And he put his hand in his hands and said I don't even know. He said I'm mystified by a decision that treats singulars and plurals of the very same string to be completely different in different contention sets.

So we all asked Fadi what, if anything, could be done. Should they give advice? Should we do public comments? Should we send a letter to the Board? And he said he'll take it on. He'll talk to the board new gTLD committee because he doesn't necessarily want the GAC to intervene on this but he does want to hear from the community. And I hope we'll have a chance to do a lot of comments on that in Beijing and maybe even a public comment.

Marilyn Cade: Okay thank you. Elisa, I'm very cognizant that you want to end this call early but I think just to share a couple of relevant comments. Fadi also noted his -

I'm trying to think about what the right word is here because it's important since the BC has members who are affected by this.

But I think the whole issue is the GAC is raising concerns in two areas. One area is consensus agreement or objection and another is category objection. And Fadi indicated to us he didn't like category objections. But as Steve has just indicated, you know, there may be categories that arise as objections.

They might be generics or they might be more limited than that. The point is the GAC is meeting for four days and we have members who will be affected by those four days of meetings. However the BC's charter limits what we are engaged in. And I think all of our members need to take that into account.

Elisa Cooper: Okay. Can we continue on with the agenda for the CSG events? It looks like, John, do you have a question or is that your hand raised from your previous question?

John Berard: Oh I'm just showing off; that's from my previous question.

Elisa Cooper: Okay. Maybe we should stop here and ask if there are any questions or comments from anyone? Okay, Marilyn, can you take us through the rest of your topics?

Marilyn Cade: Very quickly. So on Constituency Day we have a breakfast with the GAC and the GAC has asked for two topics. We need to accept those though are CSG topics, not just BC topics. They want to talk about new gTLDs and about the ATRT. So we need to figure out if that's acceptable to us.

Their focus on new gTLDs is on explaining to us what they're doing on objectives. That's the breakfast. And then we go to the CSG meeting which is...

((Crosstalk))

Elisa Cooper: Actually, Marilyn, I'm sorry - I'm sorry to interrupt. But I think actually what the IPC said that they wanted to discuss with the GAC is how the GAC advice should be considered by the board and how the GAC - they use the word advice but I know they don't mean advice - how GAC perspectives or positions should be adopted into the policy development process.

Marilyn Cade: Sorry, I guess that was actually incorporated in what we had proposed as well.

Elisa Cooper: I don't think so. I just - looking at the email that Kristina had sent back. So at any rate I didn't meant to interrupt but that - those were some of the things that the IPC wanted to talk about.

Marilyn Cade: I got that. I think that's incorporated in the breakfast discussion. But, you know, the details - if you think I haven't incorporated the details that was what we were going to discuss with the GAC for our breakfast.

Elisa Cooper: Correct.

Marilyn Cade: Am I - can I proceed?

Elisa Cooper: Yeah, go ahead.

Marilyn Cade: The CSG then moves into preparation for a meeting and discussion with the board. And we have a few topics that have been advised but I think I'd like to seek permission from the chair to review them again before I publish them.

We only have - the CSG only has - we meet at 9:30 and then we go to meet with the board at 11:15. Elisa and Kristina and Tony as the chairs will be on the dais with the board members. It's just two or three board members and the chair. And we have a few topics. I will hesitate to say what they are until I get a complete review from Elisa and the other two chairs.

But I think generally it's new gTLDs, the ATRT and any other issues that come up in the meantime. And we only have an hour. And normally it's very interactive. And we should plan for the BC members to be fully engaged. Right now as far as I can tell the BC members are 19-20 members, 11-12 IPC and 7-8 ISPs. So we may want to really focus on how we make sure our members have recognition from our chair and others from the dais.

Back to you, Elisa.

Elisa Cooper: Thank Marilyn. So I think just to recap once we get basically a final approval with the CSG, which is the Commercial Stakeholders Group that consists of the Intellectual Property Constituency and the ISPs, and we're also a part of it, once the three different stakeholder groups can agree what our topics will be and what the bullet points will be and what we're discussing we'll send all of that out to everyone to take a look.

Marilyn Cade: And so just one quick thing. Could you come back to me at the end - talk about the final event on Thursday? Is that okay?

Elisa Cooper: Are you talking about the breakfast that ICANN is organizing with business in China?

Marilyn Cade: It doesn't have to be me but just so we have Ayesha, you, or someone talking about it, is that okay?

Elisa Cooper: Yeah, I think actually I had mentioned that the top of the call so basically the three different extracurricular activities. And just to recap again they are the Sunday meeting with Bill Graham and Bruce Tonkin.

They are the Tuesday Cross-Constituency Breakfast where we're meeting with the GAC. And then Thursday there is an ICANN-sponsored event which is actually something that's sponsored by ICANN. It's an event that we've been asked to participate in. And it is to reach out to local Chinese business.

So actually maybe we can move on to Steve and - to talk about a couple of things, the public forum; maybe, Steve, you can give, you know, I know we have some newcomers on the call so, Steve, maybe you can just give a little bit of overview of exactly what the public forum is and some ideas and maybe we can have some open discussion of things that we would like to bring to discussion at the open forum and then also other meetings that might be of interest to BC members. So, Steve, I'll turn it over to you.

Steve DelBianco: All right thanks, Elisa. This is Steve DelBianco. I'm Vice Chair of Policy coordination in the BC. And the public forum this time around will be very different; it will be wide open. There are no scheduled or notified topics. The last several meetings ICANN has cut the public forum up into little half-hour intervals where specific topics had to be discussed. At least the current schedule shows that it's wide open.

That doesn't take place until 1:30 on Thursday just before the board actually meets. We actually line up at the microphone and people can speak in their individual capacity or officers in the BC or any member of the BC can speak with the BC position on a particular topic.

So, Elisa, what would be most helpful? If I run through very quickly the policy focus events that will take place earlier in the week and they will actually lead up to the topics that are likely to be covered at the public forum.

Elisa Cooper: Sure, that sounds great.

Steve DelBianco: What - yeah, what I would recommend to folks who attend is be there at 9:00 on Monday morning. The president will give his opening remarks. Fadi is very specific when he gives remarks and he does intend to unveil the new project management interface which will allow you to track all the progress of projects at ICANN. But undoubtedly Fadi will give us real data and insight during his remarks.

Then Monday at 11:00 is a session on new gTLDs. We want to go there to listen for discussions of the Strawman solution, because, again, three of the four Strawman solutions advocated by the Business Constituency were accepted as implementation matters. And these are trademark clearinghouse related items. There's also the public interest commitment specifications which is part of the Registry Agreement.

Then at 5:00 on Monday afternoon there's a special session on the Registry Agreement, the Registrar Accreditation Agreement and a brand new charter called the Registrant's Rights Charter. That's at 5:00 but it's at the same time as something I know Aparna is going to want to attend which is an Internet

governance and the global agenda session so BC members will probably be divided between those two.

On Tuesday 4:45 pm the GAC and the board meet together. That is required viewing for anybody at an ICANN meeting. We can't speak but we're often left speechless by some of the interaction between the board and the GAC so it's always a good show.

And then on Wednesday morning at 9:00 there's a panel on policy versus implementation. I'll be on there for the BC and be able to articulate the positions we laid out in our written comments on policy versus implementation. The example we used in our written comments covered the fact ah the Strawman items were implementation.

And, well, it looks like management agreed with us at least on three of the four items that those were just implementation. So that should put us in a really good position to articulate our tests of material changes with respect to things that are policy versus implementation, things that don't impart brand new obligations.

At 11:00 Wednesday the Accountability and Transparency Review Team, and everybody abbreviates that as the ATRT, is meeting for the first time at 11:00 on Wednesday. And this is a team that's required by the Affirmation of Commitments. They'll just be getting organized, they'll just be spinning up and deciding how they're going to evaluate whether ICANN has improved on the aspects of accountability and transparency.

So it could be a little bit slow and organizational but we're bound to see key issues emerge. You'll have an opportunity to comment. And we'll get a chance to see how the personalities of the leadership of that team will take place.

These review teams are really important at ICANN. They spring out of the Affirmation of Commitments.

At 1:30 Wednesday there's a session on DNS Industry Engagement. I believe this comes straight from Fadi, the CEO, who seems to believe that the DNS industry needs to come together and engage more at the media and the government stage to create a better image for the DNS industry. I have no idea how this is going to work and whether it'll actually improve the image of the DNS industry but this is worth attending.

And then at 3:15 on Wednesday the GNSO Council meeting that what John Berard was mentioning earlier, John and Zahid are our councilors. And many of us will be in the audience to support the work they're doing and to make comments on topics that come up.

Finally, Thursday, 9:00 Thursday morning the trademark clearinghouse special session. There we want to be paying attention to not just the sunrise period but trademark claims warnings, which are going to be extended by an extra 30 days pursuant to our request but also in particular how companies that have a trademark that also can register strings that have been abusively registered and used in the past.

My favorite example is Bill Smith's PayPal, it doesn't have a trademark on PayPal but the string PayPal has been abusively registered and used to fool people into thinking that it's something related to PayPal. So we have been successful with getting that into the trademark clearinghouse implementation.

The public forum starts at 1:30 on Thursday. And I think the topic we'll see there are the Registrar Accreditation Agreement, policy versus implementation and the Strawman. There may be folks who get up and

complain that three of those four Strawman items are in there and that's when the BC will want to get up and defend those as good implementation decisions.

There may be some discussion of closed generics for which the BC does have a strong position. We actually did a straw poll and the BC didn't take a position on closed generics.

And then I can be sure we'll talk about these contention sets, singular versus plural, you know, DotLaw, DotLaws; DotDeal, DotDeals. And these are going to be separate contention sets and I think this would create a lot of problems for registrants, for users, and for subsequent rounds of new gTLDs.

Hey, there may be some discussion on uniform rapid suspension and UDRP at the same session. And it would be good for the BC to weigh in on that. There is a board meeting at 6:00 on Thursday. There has been no agenda posted yet for the board. Often when they post their agenda that's a guiding post to understand what they want to discuss at the public forum since they're going to vote on some of these same items that same day.

Elisa, I'm done. Thanks. Any questions?

Elisa Cooper: No but I was wondering should we discuss as a group what some possible topics that we might bring to the public forum might be?

Steve DelBianco: Elisa, I nominated one on singulars versus plurals. I don't need to go into that more but I'll be glad to take a queue on that.

Elisa Cooper: I agree with that one. I guess I'd like to hear from others if there are other things that we would like to comment on during the public forum. And again

for newcomers the public forum is an opportunity basically to go up before the entire ICANN board. And I think you have - is it two minutes, Steve?

Steve DelBianco: Yes, they'll say two minutes unless the line is long, Elisa, and then you get one minute.

Elisa Cooper: Okay so it's whatever it is one to two minutes so you don't get a lot of time. But it is an opportunity to speak in front of the entire board. And it looks like Bill Smith maybe has a question or a comment.

Bill Smith: Yeah. Thanks, Elisa. I think in addition - what we would - I would love to know, and I don't know if the public forum is the right place to do it is, but how the group that ICANN contracted with ended up where they are. It is a mystery to me and I think most people - no one I that I have spoken to about this understands how this could have happened.

And so we really - I think the community should ask and deserves an answer how this happened from ICANN.

Steve DelBianco: Great question, Bill. When we put that to Fadi on Thursday morning he buried his head in his hands because the panel only looked at visual similarities. That's why Hotels and H-O-T-I-S and a lower case R and an M - they only picked two sets and they were strictly on the basis of visual similarity. So great point. We'll raise that question to the board.

Bill Smith: Okay.

Marilyn Cade: Steve, sorry, it's Marilyn. But didn't we get input from Fadi that he would welcome - I think Bill's comment is really relevant but didn't we get input from Fadi that earlier comments on that topic would be welcome?

Steve DelBianco: Fadi said he would check with (Cherene). He then turned to his chief of staff here in Washington, Jamie Hedlund, and said follow up on this. And let's figure out whether there'll be other discussion. I then said at the very least you should open a public comment on this.

But I don't - if there's opportunities earlier in the week, for instance, the new gTLD session on Monday morning at 11:00 that's a great chance to - if they open the microphone - to get up and make that point on Monday at 11:00. So, Bill, Marilyn, Elisa, all of you who are in the audience on Monday morning at 11:00 let's try to get in line and raise that question.

Elisa Cooper: It looks like Ron has his hand up.

Steve DelBianco: Ron Andruff.

Ron Andruff: I beg your pardon, I'm sorry, I will still on mute talking to myself. Thank you, Elisa and Steve. I wanted to support that comment. I think what's critical here is that we have watched over the years how the community has lined up at the microphone literally out the door and all gone up and said exactly the same thing and then staff turn around and do something completely different and put that into the Guidebook.

The point I'm trying to draw out here is that this is an obvious mistake. There's no question about it. And so we have a panel of experts, quote unquote, that have come up with this solution - this decision and I'm just - it boggles the mind that we would actually be having a conversation about this and that this wouldn't be reversed immediately.

So the way the bottom up consensus process works is that we need to build consensus within the community. So that means that we've got opportunities with our board members on Sunday, we've got opportunities with our GAC members on Tuesday, we've got opportunities with staff and other people in the hallways as we move about the meetings.

So we really need to lay into this one quite heavily because this would be, you know, of all the fiascos we have that can raise their ugly head in this process this one here is just too ridiculous for us to even have to comment on. So we really need to gather as a community to take...

((Crosstalk))

Elisa Cooper: Yes.

Ron Andruff: ...and make something happen. Thank you.

Elisa Cooper: Yes. Point very well taken. And I agree with you. I'm sure many others do as well. It looks like Ayesha has her hand raised.

Ayesha Hassan: Thank you, Elisa. I just wanted to mention I think everything that is being talked about are very important subjects to be raised. I thought it would be helpful maybe to just let you know that I've been working with (Baher) on the global agenda and Internet governance session and we hope to have a couple of business speakers on that session. I think that's going to be an important one.

We might want to listen to what goes on at that session and depending upon how the public forum is organized if there's an opportunity to raise a few

points it might be helpful to do so in terms of the landscape issues that Aparna had also raised earlier in the call.

And secondly I wanted to just point out that there is some significant outreach effort work going on. I know Chris Chaplow and Jimson and others were on the call. I had a chance to go through the transcript and I think we might want to just keep our eye on that issue. And again if the public forum or other meetings or opportunities for us to raise issues in that regard we might just want to keep it in our bucket of issues to be thinking about. Thanks.

Steve DelBianco: Got it, Ayesha. Anyone else in the queue? I don't see any other hands up.

Elisa Cooper: I wanted to make sure I caught - I got the first topic that Ayesha mention which was to support and defend the multistakeholder model if we have an opportunity to do that. But I don't think I fully caught the second issue that we might raise.

Ayesha Hassan: The second issue, Elisa, is that there is a concerted outreach effort going on and a group that is looking at how to outreach and what our needs are across the community, etcetera. And there will be a meeting in Beijing in that regard.

And I know, you know, some of us will be there. Chris Chaplow, as I said and I think Jimson were both on the Webinar that they had or the call that they had recently. And so we should just keep our eyes open. Thanks.

Elisa Cooper: Okay, got you thanks.

Marilyn Cade: It's Marilyn...

((Crosstalk))

Marilyn Cade: Can I just make a comment on this issue?

Elisa Cooper: Sure, Marilyn, go ahead.

Steve DelBianco: Go ahead, Marilyn.

Marilyn Cade: I'm waiting, I hear - is it okay for me to speak?

Elisa Cooper: Yes, Marilyn, go ahead.

Marilyn Cade: Thanks, Ayesha. Thanks, Elisa. Ayesha has covered a couple of really important points. Maybe we should also just note that this topic has not just implications for what is discussed at - within ICANN but many of the BC members are actively engaged in other topics related to this. And maybe we could identify any parties from the BC that want to take this topic up separately for a different and broader discussion.

Elisa Cooper: I'm sorry...

((Crosstalk))

Steve DelBianco: Okay, got that. Any other comments here on policy? Elisa, it looks like the queue is empty. Back to you.

Elisa Cooper: Thanks, Steve. We had a little time at the end of this call to discuss any other items. You know, I think there has been obviously a couple of big developments in the last week or so that are probably worth mentioning.

One is, you know, of the first 30 strings that have gone through the original review, the initial evaluation, I believe 27 has passed and three have not. And that means that, you know, these new gTLDs are well on their way. So already ICANN has - basically they have gone through the initial evaluation and we're expecting to see on a weekly basis I think ICANN coming out with those lists.

Obviously the other big thing has to do with the Strawman which Steve sent out an update on. But I wanted to see if there was anything else that we should discuss or if there was anything else people wanted to talk about. Keep in mind we have our meeting scheduled for next Friday to review the survey results.

And I will send out one final version of the results. I think we have now about 25 respondents to that survey, which is excellent, excellent, in terms of response rate. And it's not too late still to respond to that survey. I think it provides some very interesting feedback and information and that will be the basis of our discussion next week.

But I wanted to see if anybody else had anything that they would like to discuss? Ayesha, I see your hand up, I'm not sure if that was from last time?

Ayesha Hassan: No, that was from last time. Thanks, Elisa. Sorry.

Elisa Cooper: Chris.

Chris Chaplow: Yes, just a quick comment to note the trademark clearinghouse opens in 20 hours time so that's tomorrow. And obviously anybody who's interested actually it's trademark-clearinghouse.com. Thanks.

Elisa Cooper: Yes, that will be interesting. Of course obviously we'll expect to see some changes to the clearinghouse given that there is now going to be the opportunity to submit up to 50 previously abused registrations. The clearinghouse doesn't accommodate that just yet but we'll find out how that's going to work I'm sure in the near future.

Ron Andruff.

Ron Andruff: Thank you very much, Elisa. Regarding the schedule we have a call today. I have on my calendar we have a call on Thursday and one on Friday. I just want to make sure I'm correct on that or maybe I've got something double booked? That was my question. Thank you.

Elisa Cooper: So we do have a call on Friday. I don't know if perhaps, Benedetta, you can help a call for Thursday, is that to do with the discussion of the ACBR, the Arab Center for Dispute Resolution?

Benedetta Rossi: As far as I'm aware we just - the call on today and call on Friday.

((Crosstalk))

Benedetta Rossi: Did you need a call on Thursday as well?

Elisa Cooper: No, no, no. I mean, we need to schedule that call to discuss that particular issue but I don't know if this week is the best week to do it but we'll have to probably take that offline to discuss scheduling.

Ron Andruff: That's probably my mistake then. Thank you very much.

Steve DelBianco: Elisa, on the Friday call you said next Friday but to be clear it's this coming Friday, four days now.

((Crosstalk))

Steve DelBianco: And I wanted to ask - I would like - I mean, I sent a note to all members on Friday that there were sufficient objections to our draft comments on the UDRP proposal by ACDR. We do need to convene an editing session to see if we can make a revised comment. And would it be possible to do that as part of the Friday call or would you prefer we set up a separate call this week?

Elisa Cooper: I think there's a lot to discuss on that Friday call. And I don't know if everyone's going to be interested on the ACDR issue so probably a separate call. Do we need to do it this week?

Steve DelBianco: Timing-wise it'll be very difficult to do next week and only the members that are there in China will be in the right time zone.

Elisa Cooper: Okay.

Steve DelBianco: So I do think that it probably is worthwhile this week. I will ask Bennie's help to send out a Doodle poll and we'll see how many members can do something later on this week. Thank you.

Elisa Cooper: Thanks, Steve. Anything else from anyone before we wrap this call up? Well, I really want to thank everyone for participating. Hopefully using the Adobe Connect - I found it useful to read the comments and see the feedback and I hope others found that useful as well.

And I am definitely looking forward to our call on Friday. And in the interim if there are any changes to the agenda or things you want to make sure we cover on the Friday call or anything at all please don't hesitate to contact me. And I'm really looking forward to seeing everyone in Beijing and to having a very successful and fruitful meeting.

So thank you so much and...

Susan Kawaguchi: Elisa? Elisa?

Elisa Cooper: Yes.

Susan Kawaguchi: This is Susan.

Elisa Cooper: Yes.

Susan Kawaguchi: Sorry, I know you're ending this but I - something just came to mind and I was wondering if I couldn't sort of put out a call for help?

Elisa Cooper: Of course.

Susan Kawaguchi: So as some of you know I'm on the Expert Working Group to sort of figure out new directory services which they've renamed temporarily the Whois. So we're still dealing with the Whois issue; the Whois Review Team recommendations didn't go very far.

So what we're looking at right now is use cases. So if anybody has specific - beyond just looking at the Whois to see who might own it if you have any cases where you can provide real detail about how you use the Whois and

solved an issue and sort of the broader - or I shouldn't say broader but maybe the more unusual the better because we're looking for everything possible.

If you could send that to me at susank@fb.com I'd really appreciate your input because not everyone on the team really understands the full use of the Whois and the fact that we use it to protect our brands, to protect our users everyday. So use cases would be awesome if you could send those to me.

Steve DelBianco: Susan, are you looking for use cases that reveal failures in Whois or just plain use cases when Whois is appropriate?

Susan Kawaguchi: That's a good distinction. Everything. You know, if you found routinely that you couldn't get the information that's good to know but also if you - like for one thing I was giving an example of how I monitor and manage my domain names, especially the core domains, because we have the super lock so I watch the statuses.

You know, if something went really wrong and somebody at the registry removed the registry lock I could see that in the status. They were surprised by that. I also rely on the creation date of a Whois record to make a determination if I - if our brand has the right to go after that domain name registration. You know, who used it first or who registered and then used first.

So those are the type of issues, you know, I've been discussing on this team. But I know everybody that's, you know, in the BC uses the Whois to protect their brand or protect their users. So anything you have I would love to hear.

Marilyn Cade: Susan, it's Marilyn. Could I just ask a quick question for you and Elisa?

Susan Kawaguchi: Sure.

Marilyn Cade: Would a - I mean, I'm just brainstorming and this may not work for Elisa as the chair. But would a kind of a short questionnaire to the BC members be helpful?

Susan Kawaguchi: Yeah, I could do that. I mean, I didn't really think about this until the end of the call because I just returned from London with, you know, two and a half days of discussion with the team. So, yeah, I could slip something out to the list; that's a good idea, Marilyn.

Marilyn Cade: Elisa, would you - would that be okay with you?

Elisa Cooper: Of course.

Susan Kawaguchi: Okay, I will try to do that probably not today but tomorrow.

Elisa Cooper: Yeah, I'm sure we all have some information to share. I know I'll have some information to share with you, Susan.

Susan Kawaguchi: Okay. Perfect.

Elisa Cooper: Thank you for bringing that to our attention.

Susan Kawaguchi: Okay thanks so much.

Elisa Cooper: Anything else from anyone? Any final questions or comments or thoughts about anything before we end the call? Okay well again thank you so much to everyone for joining and I look forward to speaking with you all soon. Thank you so much.

Susan Kawaguchi: Thank you, Elisa.

END