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KATHY SCHNITT: Welcome to the SSAC Evolution of the DNS Resolution Work Party Teleconference scheduled on Thursday the 21st of July 2022. Russ, I'll hand back over to you.

RUSS HOUSLEY: Thanks. All right, so I wanted to remind folks how we got to where we are. We were kind of gathering facts, and then we wrote down these findings that kind of were conclusions from the facts. And then we started talking about where did those facts lead us in terms of recommendations, and we started talking about possible directions that those might go in.

And last week there was a very strong support for Option 3 in this Google Doc, which basically had two recommendations to it. The first is that we should track and update the Board and the community about what other alternate domain namespaces are emerging and whatever protocols are used with them.

And the second, we should create a place for coordination. This is distinctly different than the place for people to get free names. We're not talking about gnu.coordination and barry.coordination, russ.coordination, suzanne.coordination, etc., and everybody come get your free one. We're talking about a place to have a conversation.

And then we started talking about the nuances of ICANN inviting people into the conversation could be perceived as, "We own the territory ,and therefore you must come to us to have a conversation." And we want to

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avoid that tone but create one that's more akin to, "We think coordination is needed, and we're happy to provide a place for that coordination to happen. Would you please participate?"

And that's kind of where we left it. Does anyone have any disagreement with any of that? Or is there some nuance I didn't express that needs to be raised? Wow, I got it perfect? That never happens.

JIM GALVIN:

Perfect as I see it.

RUSS HOUSLEY:

Okay. So, the other thing we talked a little bit about was Option 4 which was to create a paper with no recommendations. And I would recommend—this is just my no-chair hat/thought—that this is part of the background that kind of goes before the facts. You know, we have published various things that lead into the conversation and are part of the conversation, and we think that the facts that lead to those findings that we're going to present here, in whatever we ultimately produce, are also going to be useful in that same kind of way to make sure that people have a common place to start the conversation.

And I think, given that we're going to recommend a conversation—or an ongoing conversation, actually—that might be useful as background so that people can usefully participate in the conversation. What do people think about that? This is going to be a short call. I kind of expected somebody to have some reaction to some of that. None.

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JIM GALVIN: Yeah, we're lacking critical mass.

RUSS HOUSLEY: Perhaps.

JIM GALVIN: Suzanne came off of mute, so maybe ... Go ahead.

SUZANNE WOOLF: Yeah. If you're asking what people think of Option 4.

JIM GALVIN: No, I don't think that's really ... I think that the question is: is what we say useful background regardless of what the recommendations are?

SUZANNE WOOLF: I'm hesitant. I'm of two minds about that. In the court filing in which Unstoppable is suing ... It's not Handshake. Yeah, it is. Well, anyway. The other blockchain provider—

JIM GALVIN: Yes.

SUZANNE WOOLF: Sorry?

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JIM GALVIN: Yes. I'm aware of that, yeah.

SUZANNE WOOLF: Did anybody else read the filing? I know. Terrible nerdiness in an unusual direction. But I read the filing, and Unstoppable—

RUSS HOUSLEY: Well, can you share with us, please, because I have not.

SUZANNE WOOLF: Yes, I am. The thing that struck me that might be of interest here is that first of all, Unstoppable talks about domain names as domain names. They don't talk about how their stuff is special. They just talk about TLDs and domain names. And—

RUSS HOUSLEY: So they think of their things as domain names.

SUZANNE WOOLF: Yes.

RUSS HOUSLEY: Okay. That's important.

SUZANNE WOOLF: It is.

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RUSS HOUSLEY: And it supports finding 0.

SUZANNE WOOLF: They claim to have sold 320,000 of them, and that their directly attributable revenue is \$5 million. Now, on the one hand, I'm willing to bet an ice cream sundae that they're padding those numbers somehow for the court. At the same time, that's not pocket change. So that's one thing worth establishing. The other is that they clearly ...

They're talking about suing somebody for creating name collisions. You know, for deliberately creating name collisions in the domain name space outside of the DNS. And the grounds for their claims are interference with business relationships, interference with prospective business relationships, common law trademark infringement, and ... There's one more.

RUSS HOUSLEY: Wait a minute. These are all the things that people use as reasons for takedowns.

SUZANNE WOOLF: Yes.

RUSS HOUSLEY: Fascinating.

SUZANNE WOOLF: It is a glorious piece of work. And again, it's easy to point and laugh and say, "Look, you guys. Gee, isn't it interesting that they want to have a literal federal case out of resolving exactly the problem that ICANN was created to resolve?"

At the same time, if they get away with, if it turns out that there's a court that says, "Yeah, this is in my jurisdiction. It's appropriate for me to rule on this ..." And, oh, by the way, the rulings that occur sort of solidify the claims being made, you know, and this is all rather far afield from a technical argument about names and uniqueness and so on. But part of what's at risk is people's willingness to use ICANN and the canonical route as a dispute resolution mechanism when that's literally what it was created to do.

So I just thought that the claims in the suit were real interesting—

RUSS HOUSLEY: Yes.

SUZANNE WOOLF: —in terms of how people think they're conducting business with these alternatives to DNS. And clearly, they're thinking in terms of conventional business. Common law trademark infringement is not a technical argument.

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JIM GALVIN: Well, and the thing is that they have not been given a contract from ICANN that says that they can sell domain names under that TLD. Right?

SUZANNE WOOLF: I'm sorry. Say again?

JIM GALVIN: Have they been given a contract from ICANN or one of its delegates—

SUZANNE WOOLF: No.

JIM GALVIN: —saying that they can sell domain names under that TLD?

SUZANNE WOOLF: No. They're marketing to registrars. And there are some ICANN accredited registrars who do sell Unstoppable and Handshake names. But, no. They have no relationship with ICANN at all except neener, neener.

JIM GALVIN: [Yeah].

TARA WHALEN: I like that expression of the relationship, Suzanne.

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RUSS HOUSLEY: Yes.

SUZANNE WOOLF: It's been a long day, guys.

TARA WHALEN: So conceivably then, for some of this they're playing out in their own space. And then the arguing that's happening about these—what they were calling the chaos of the conflict—is I guess between parties, neither of whom are in the sort of traditional ICANN space.

But sometimes there are people who have feet in both camps, it sounds like. So some of them are your traditional TLDs with the ICANN agreements but are also dealing in this space. But there's also nothing keeping them from deciding that business that happens over in the traditional TLD space isn't considered also equally bad. They're going to be like, "Oh, that's also conflict. Even though we didn't really organize anything with you, we're just basically angry because there's a conflict. And this is making your business be screwed up, and now you're going to be entangled with it whether you want to or not."

SUZANNE WOOLF: Well, the interesting thing is that the whole filing does not mention ... Not only ... Yeah, it just completely ignores the existence of ICANN. It's not that they say it's irrelevant. It's just that it's not there. Not mentioned at all.

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RUSS HOUSLEY: Which means it's not part of their theory of their case.

SUZANNE WOOLF: Right.

JIM GALVIN: Well, which means that if you acknowledge ICANN's role, then you harm their case. So they're not mentioning it and hoping the court doesn't see it?

SUZANNE WOOLF: Well, and of course the underlying technology doesn't touch on anything that's in ICANN's remit technically, either.

JIM GALVIN: Right.

RUSS HOUSLEY: Right.

SUZANNE WOOLF: The entire question of a relationship is around whether ICANN has anything to say about this arbitrary domain namespace and things that are called TLDs.

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JIM GALVIN: Right.

SUZANNE WOOLF: And I don't know where it leads from here. I just read the filing this afternoon. But I admit it was not a ... Gangster on gangster violence was not on my bingo card. It should have been. It really should have been—is really what I realized. But I think we're talking about a whole different class of problems that involves consumers and businesses and domain names, but don't involve again or policy setting by the ICANN community in any form.

RUSS HOUSLEY: In some way, that supports what you were saying last week.

SUZANNE WOOLF: Which part?

RUSS HOUSLEY: Where you said, "ICANN can't claim it's their ball," or however you worded it, probably more eloquently. It didn't involve "neener, neener," but ...

SUZANNE WOOLF: That was pretty much my best work today. But yeah, I mean, it's a pretty good demonstration at the very least that, you know, it's entirely

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possible that, to at least some of these issues and arguments, ICANN really is irrelevant. It's not like we can stop those guys from doing what they're doing or going to court over it.

RUSS HOUSLEY: Well, I guess you can go to court over it, but it would be ... On the theory you could sue anybody about anything, you'd just have to be willing to pay the court costs when you lose?

SUZANNE WOOLF: Yeah. So I have to admit I do not know what, if anything, this means about the conversation we've been having. But it sure is an interesting additional set of facts.

JIM GALVIN: [inaudible] then what happens, if this lawsuit succeeds, when somewhere along the line someone sues ICANN for the same sort of thing?

RUSS HOUSLEY: Well, they'd have to mention ICANN.

JIM GALVIN: Well, yes.

SUZANNE WOOLF: I'm pretty sure that exact thing has happened.

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RUSS HOUSLEY: Really?

SUZANNE WOOLF: .web? The original .web. The Chris Amber .web.

JIM GALVIN: So I don't know the history on that [but now]—

SUZANNE WOOLF: Yeah, okay. That would turn into a long digression, so I'll try to [dig up] documentation.

JIM GALVIN: All right.

TARA WHALEN: But yes, I would agree that was what I was thinking of, originally, and sort of what the blowback is going to be. It's one thing for people who are off in their own space to, as you say, do gangster on gangster violence.

But it's more about what effect is that going to have of merely, “This should not involve ICANN” but now suddenly it's become, “All right, we seem to have won in this case. But there are these spaces that have already been established with rules and contracts, but we don't really

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like what's going on. And maybe if we just push over there, we may triumph even though we don't have a leg to stand on.”

That maybe in establishing that, that's more of who's going to wind up in the worst situation when that happens. Or are they smart enough to kind of not engage in that battle? Or is anything that we say here going to be helpful in, I don't know, laying out why that would probably not be a fruitful direction to proceed in?

JIM GALVIN: Well, and a lot of these sorts of lawsuits count on the fact that courts don't understand the nuances of what they're asked to a judge.

TARA WHALEN: Indeed.

RUSS HOUSLEY: But, you know, I used to think that, too, until Nortel files bankruptcy and the bankruptcy court decided that their /8 was a valuable asset and auctioned it off.

SUZANNE WOOLF: I remember that.

RUSS HOUSLEY: It was like—

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SUZANNE WOOLF: But I don't remember reading—

RUSS HOUSLEY: —oh, crap. They do have ... Somebody's paying attention.

SUZANNE WOOLF: I remember that, and I don't remember reading the filing, so I'm not sure the basis. You know, the—

RUSS HOUSLEY: The bankruptcy court has tremendous latitude of deciding what an asset is. But the fact that they decided it was an asset was scaring some people. Jeff's employer included.

SUZANNE WOOLF: [inaudible] thinks that it didn't make a lot of sense to try to prevent.

RUSS HOUSLEY: Well, obviously. But the point was that now settles it. It is an asset.

SUZANNE WOOLF: Yeah. I agree with that. So is this at all relevant to any argument we [think it's important] to make, or is it a digression?

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RUSS HOUSLEY: I think it's interesting additional facts. I think we need to see if there's a related finding based on those additional facts. Maybe Andrew or Kathy or whoever's scree that we're looking at can scroll back. It certainly supports Finding 1.

SUZANNE WOOLF: Yeah.

RUSS HOUSLEY: And it sort of supports Finding 2. I don't know. In this particular case, what protocol are they using to resolve the names?

JIM GALVIN: Yeah.

SUZANNE WOOLF: Yeah, I looked at this a while ago. There's not a conventional resolution protocol as such.

RUSS HOUSLEY: With Unstoppable, you mean?

SUZANNE WOOLF: Or Handshake. They're blockchain based. Either you look directly on the blockchain to validate—

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RUSS HOUSLEY: Which you find with a domain name and DNS?

SUZANNE WOOLF: Oh, you noticed. No, this is where it gets sort of fuzzy for me, is where you go to look. But basically it's either written directly to the blockchain and can be verified there, or it's on a sidechain because committing directly to the blockchain is expensive. And at that point, you're inventing your own protocol.

RUSS HOUSLEY: Oh, the sidechain. And then you periodically make commits to the mainchain of the sidechain.

SUZANNE WOOLF: I think that's the idea. I think instead of having every transaction committed to the blockchain, it's—

RUSS HOUSLEY: That's kind of the Ethereum model.

SUZANNE WOOLF: Yeah. It's a chain of trust from something directly committed to the blockchain.

ANDREW MCCONOCHIE: I made a slight edit here, and we can reject it if you want. But based on this ... I'm going to go back to this gangster on gangster violence thing.

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SUZANNE WOOLF: [inaudible].

ANDREW MCCONOCHIE: Finding 3 really just talks about alternate protocols using domain names that may collide with the DNS protocol. But what we're talking about here in this lawsuit is alternate protocols are using domain names that collide with domain names in another alternate protocol.

SUZANNE WOOLF: Yes,

RUSS HOUSLEY: It might be easier to divide that into two findings, one about collisions in the names and the other about protocols. I don't know. I'm just trying to ... Or—

ANDREW MCCONACHIE: Or I just do this.

RUSS HOUSLEY: Yeah, I don't know. [inaudible].

ANDREW MCCONOCHIE: Just removed “by the DNS protocol.”

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RUSS HOUSLEY:                    Yeah, right. Even better. Don't be so specific.

SUZANNE WOOLF:                What is it—you're done when there's nothing left to take away?

RUSS HOUSLEY:                Yes. That was a Multics design feature.

SUZANNE WOOLF:                That's right.

ANDREW MCCONACHIE:        Names collide with other names. That's it.

SUZANNE WOOLF:                Perhaps we need to clarify by saying "regardless of resolution conventions or other—"

ANDREW MCCONACHIE:        "Regardless of the protocol that is used" or something?

RUSS HOUSLEY:                "Regardless of the resolution mechanism"?

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ANDREW MCCONOCHIE: Sure.

RUSS HOUSLEY: Are we trying to even up level further?

SUZANNE WOOLF: Yeah.

ANDREW MCCONOCHIE: "Use ..."

SUZANNE WOOLF: And that's why search lists are bad. No, wait ...

ANDREW MCCONOCHIE: It's true.

RUSS HOUSLEY: What about [dot]?

ANDREW MCCONOCHIE: Sure, okay.

RUSS HOUSLEY: Who has any thoughts about where we go from here? Do we start fleshing out the facts behind each of these findings?

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JIM GALVIN: [You know], I think that's a good next step.

SUZANNE WOOLF: Have we determined that there's something here that goes beyond the previous namespace advisory? I admit I haven't looked at it lately.

RUSS HOUSLEY: Well, Option 3 does go a little further. Keep telling the community and the Board what's going on and create a place for a conversation.

SUZANNE WOOLF: Yeah, I think OCTO is probably already ... I mean, I have no objection to telling ICANN Org to do things it's already doing.

RUSS HOUSLEY: I don't know if OCTO's doing the first one. Are they doing the second?

SUZANNE WOOLF: Okay, so this sets a regular schedule or time for ...

RUSS HOUSLEY: Yeah, that's the idea.

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SUZANNE WOOLF: Yeah. The only thing they've done on the subject for the community, as far as I know, is that paper a couple of months ago.

RUSS HOUSLEY: Yeah, and I think that was step one—

SUZANNE WOOLF: Yeah, exactly.

RUSS HOUSLEY: —in what work is being recommended here. And we can certainly observe that step one in this direction has already been taken. There's no reason to take away from them [inaudible].

SUZANNE WOOLF: “ICANN recommends that the ICANN Organization continue to track and provide annual updates”?

RUSS HOUSLEY: Or depending how you write the lead-in, it could be, “We acknowledge this has already begun. We really want it to continue.”

SUZANNE WOOLF: Yeah. And you don't want OCTO to be their only source of facts and perspective on this.

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RUSS HOUSLEY: That's actually part of why you need a discussion.

SUZANNE WOOLF: Yes. Totally agree.

RUSS HOUSLEY: Another reason.

SUZANNE WOOLF: So many reasons, so little time.

ANDREW MCCONOCHIE: We're pretty specific there with the word "annual." Do we need that word there?

SUZANNE WOOLF: "Annual" might be too slow.

ANDREW MCCONOCHIE: Yeah.

JIM GALVIN: Yeah, I was thinking. I would say "regular" and maybe add some text that—

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RUSS HOUSLEY: "Regular" lets them do it less often.

JIM GALVIN: Well, but I think we need to make it clear that it needs to be done as needed rather than—

SUZANNE WOOLF: Didn't Jim, I guess it was, tell us that there's now a standing agenda item for the Board Technical Committee on volunteering—

RUSS HOUSLEY: He did, but that isn't the community. Which is what we're—

SUZANNE WOOLF: Right, no. I'm just trying to figure out how to pitch ... I'm trying to figure out what's already being done so we can tell people to do more in an incoherent [fashion].

RUSS HOUSLEY: Oh, encourage continuation of this and do more. I see. Yeah. Well, we can ... Well, Jim will be back.

SUZANNE WOOLF: I don't want to just tell them to do things they're already doing.

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RUSS HOUSLEY: Jim will be back. We could confirm.

SUZANNE WOOLF: Yes. No, I think it's good that we're making a point of [this].

RUSS HOUSLEY: Okay, so how do we start gathering the text to support the findings? I mean, we had a lot of talking that led to those findings. We need to write something down.

SUZANNE WOOLF: It's true. We do.

ANDREW MCCONOCHIE: Do we want to start with an outline again? I mean, I can do another outline. I mean, obviously, the outline we had previously that we filled in with all of that kind of brainstorming text, that's not really where we're going anymore. But I could start a new outline.

RUSS HOUSLEY: Okay. That would be good, and then we can start providing bullets. And then we can turn bullets into paragraphs, and so on.

ANDREW MCCONOCHIE: Exactly.

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SUZANNE WOOLF: Then we can have a bar fight.

RUSS HOUSLEY: Oh, really? Next week?

SUZANNE WOOLF: Hey, that's right. First opportunity to have a bar brawl in how many years now?

RUSS HOUSLEY: At least two.

SUZANNE WOOLF: Let's not waste that opportunity.

RUSS HOUSLEY: Tara, I've been staring at that text you posted in the chat.

TARA WHALEN: Yeah, that was on the—

RUSS HOUSLEY: I wonder what “partner” means in this lawsuit. Did they define it?

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SUZANNE WOOLF: I don't think they did. They talk about ... Their partners build applications that depend on ...

RUSS HOUSLEY: Yeah, but a partner implies some cooperation/awareness of each other.

SUZANNE WOOLF: Yes.

RUSS HOUSLEY: And that's how this works. Right?

SUZANNE WOOLF: I don't know because, I mean, I'm guessing that a partner is an application that wants to be able to exchange money.

RUSS HOUSLEY: Or have an Unstoppable domain name.

TARA WHALEN: Well, they're all connected with the wallets, so I'm assuming that what it is is exactly as you say. It's the money, the [inaudible].

SUZANNE WOOLF: You're not a partner until you until you put up a [charity] or something that lets you process payments.

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TARA WHALEN: Well, if you're using this as a ... I don't know, because people are linking these as, like, wallet addresses through the domains as well. So if what you're doing is saying, "Well, we have built some kind of an application" which could be directly something in currency but maybe also ... They want to be able also to make this group of effective users be as large as possible, so they're running the whole chain down the way as it were. Ha, ha.

And I'm sure they're probably saying that if you're building on it and then using that with the wallet space in it, then downstream the collision on the domain that's connected to the wallet and the wallet was used in this application. And all of those things probably get pulled in to say, "Look at all of the chaos that you're sewing."

SUZANNE WOOLF: Yeah, they talk about the risk of payments being misdirected.

[JIM GALVIN]: Yes.

RUSS HOUSLEY: Well, that's a legit concern.

SUZANNE WOOLF: It is. Funny all the risks that go along with not-unique names. Funny how nobody—

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RUSS HOUSLEY: If you agree to give me that ice cream sundae. I don't want to go into Barry.

BARRY LEIBA: I'll take it. I like ice cream sundaes.

RUSS HOUSLEY: No. That was her example from earlier, or [whether] she was willing to bet.

SUZANNE WOOLF: I was willing to bet an ice cream sundae.

RUSS HOUSLEY: Yes. Okay, I think we gave Andrew a homework assignment and successfully put ours off until after the IETF.

ANDREW MCCONOCHIE: That's fine. I have two weeks to come up with an outline.

RUSS HOUSLEY: Yeah.

SUZANNE WOOLF: Who here is going to be at IETF? I'm assuming Russ and Barry.

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RUSS HOUSLEY: Yes.

BARRY LEIBA: And Jeff and Warren.

TARA WHALEN: Sadly, I will only be remote. I was hoping to make us. We had extreme travel cutbacks, so I'll have to be doing it from home.

SUZANNE WOOLF: Oh, we miss you already.

RUSS HOUSLEY: So, time zone wise is that awful?

TARA WHALEN: No, [inaudible]. [It would have been] easy for me to jump on the train. I mean, I'm in New York so [it would have been just]—

RUSS HOUSLEY: So it would have been easy.

TARA WHALEN: It actually would have been one of the easiest and cheapest. And yet we're dealing with ... Very few people are able to go this time around.

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But I hear there's going to be a bar brawl, so it's probably a good idea that I'm [inaudible].

SUZANNE WOOLF: I think it's a question whether you're the sort of person that avoids bar brawls or embraces them.

JIM GALVIN: Yeah. I mean, I like to stand on the sidelines and watch them. It's always fun.

TARA WHALEN: Place bets.

RUSS HOUSLEY: So you're like [Stephen Farrell] in the sense that he likes to watch rugby. That and a bar brawl. I'm not sure there's much difference.

SUZANNE WOOLF: I was going to say except in a bar brawl, they use even less protective equipment.

JIM GALVIN: Yeah. We had a [inaudible]. I know nothing about it except what I know from [Stephen]. Because Russ and [Stephen], and I think it was [Jari] and I—

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RUSS HOUSLEY:                   That's right.

JIM GALVIN:                    —were in a pub in Barcelona when Ireland was playing England in some rugby final thing. And [Stephen]—

RUSS HOUSLEY:                [Stephen] was all excited.

JIM GALVIN:                    —would cheer and we would say, “Okay, tell us why you're cheering. What just happened that's useful?”

SUZANNE WOOLF:               I just have to say that, you know, I feel it's worth studying any game in which “maul” is a technical term.

JIM GALVIN:                    Yes.

RUSS HOUSLEY:                And not the tool used to, you know, split locks.

JIM GALVIN:                    That's right [inaudible].

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SUZANNE WOOLF: But no, no. I learned to watch rugby and ... Or actually, a pub in New Zealand that, you know, you happen to walk in looking for something to eat. It's on the telly. You want to be neighborly as you ask people questions about what's going on, so you start buying them beers. And pretty soon, you've learned a lot about rugby.

JIM GALVIN: So, I think when we've degenerated into talking about rugby, it means that the call is done.

RUSS HOUSLEY: Yes, exactly. I think we're now to the social part.

SUZANNE WOOLF: Sorry.

JIM GALVIN: No, don't [inaudible].

RUSS HOUSLEY: No sorry.

JIM GALVIN: It's quite delightful. But we should let the people who don't want to talk about rugby go about their business.

TARA WHALEN: Or at least wrap up official business so you can keep talking about whatever you want.

JIM GALVIN: Yes, like turning off the recording.

RUSS HOUSLEY: Turn off the recording, mostly.

[END OF TRANSCRIPTION]