

**ICANN**

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

Coordinator: today's conference is being recorded. If anyone has objections, you may disconnect at this time. You may begin

Benedetta Rossi: Thank you very much (Rebecca). Good morning, good afternoon, and good evening, this is the BC Members call-taking place on the 19th of September 2013. On the call today, we have Zahid Jamil, Jimson Olufuye, and Janet O'Callaghan, John Berard, Marilyn Cade, Richard Friedman, Ayesha Hassan, Marie Pattullo, Andy Abrams, Mark Sloan, Elisa Cooper, Emmett O'Keefe, Philip Corwin, Bill Smith, Steve DelBianco, and Laura Covington.

We have apologies from Martin Sutton, Sarah Deutsch, Olga Yaguez, Susan Kawaguchi, and Chris Chaplow. I would like to remind all participants to please state their names before speaking for transcription purposes. Thank you very much and over to you Elisa.

Elisa Cooper: So first of all, thank you everyone for joining today, we have quite an agenda to cover, so let's just jump right in. I wanted to cover a few items before we turn it over to John Berard, and then, we will hear from Marilyn and then we will close with Steve DelBianco. We've switched up the agenda a little bit

today to make sure that we give other members of the Executive Committee time, because often we get crunched at the very end.

So the first thing that I wanted to cover is that we have had a number of requests for membership and I realize that it has been some time since there has been a change in the members that participate with the Credentials Committee and we are actually long overdue to replace those members of the Credentials Committee. So I would like to strongly encourage anyone who has any interest in participating with the Credentials Committee to participate.

Essentially, the Credentials Committee is there to review the applications and ensure that they are in line with our charter. Now we are talking about making some amendments to the charter, which could potentially affect membership criteria. With that said, it's not in place yet, but it is very important that we continue to make sure that as new members are asking or potential members are asking to join that we are reviewing those, getting back to them, and making sure that again you know we are making sure that those criteria. Which are identified as part of the charter, and it's a rather short section actually, are being processed.

So I'm not sure you know if we can - or if people are ready today to sign up for that, but we are looking I think at least for a committee of at least three individuals. And again, I would ask you to please consider. In terms of time commitment, I don't know Benedetta if you could maybe chime in and give your estimate as to how much Credential Committee members are spending.

Benedetta Rossi: Well time wise, it really depends. I mean at the moment, we've had quite a few applications and currently due to the changes in the charter and the difference in the applicants compared to before, it has become a bit more

hazy, so it has been taking the (unintelligible) Committee much longer to assess whether the applications are actually - the applicants are eligible or not.

But normally, it's not a day; it's something that happens weekly. You know it really, really depends on how many applications we receive. This year we've had quite a few, but usually the Credentials Committee rarely has conference calls. They mainly discuss the applications by email, and I am there between the Credentials Committee and the applicants, so they submit questions back to the applicants if they have any.

And again, that's all discussed by email, and then, they ask us whether they are eligible or not, so it's not a full-time commitment in terms of the BC, but I think that the Credentials Committee members will be good people to speak to if you are interested. And at the moment, it's David Ferris, Martin Sutton, and Ron Andruff, but I don't see any of them on the call right now.

Elisa Cooper: I know David is planning on joining; he is just going to be a little late.

Benedetta Rossi: Yeah and Ron is going to join soon as well.

Elisa Cooper: Are there any questions? Unfortunately, for some reason, I cannot see the Adobe. Are there any questions about participating on the Credentials Committee and is there anyone who might have an interest in participating.

Laura Covington: It's Laura, Elisa, and I would be glad to do that.

Elisa Cooper: That would be awesome.

John Berard: Yeah, this John Berard. I have an interest in it as well.

Elisa Cooper: Okay, fantastic. Can I get a third.

Jimson Olufuye: This is Jimson and I will also be privileged to serve on that committee.

Elisa Cooper: Okay, great, so Jimson, Laura, and John. Is there anyone else? I don't mean to be greedy.

Phil Corwin: Yeah, Phil Corwin, and I might have an interest pending further details.

Elisa Cooper: Okay. All right, great. The next item that I want to go to is around our upcoming elections for councilor on the GNSO Council, and our election period will start in a couple of weeks, will run for a couple of weeks, and I would just strongly encourage people to consider running as a councilor.

Now I just received an email yesterday that there will be like training for new participants at ICANN, and we just all received an email about this just - actually, last night about some kind of orientation and training into the whole ICANN landscape. And I would envision potentially this councilor or whoever it is may be participating in this training that would occur just prior to the Buenos Aires meeting.

It is important that we look towards a councilor that is from another region other than the North American Region, because there is a desire and need for geographical diversity and so it is important that we look to another region for a councilor and I would just strongly encourage people to consider it.

I know that for some of you, you may feel that you know you are not an expert at ICANN or you haven't been at this long enough, but really, the role of the councilor is to represent the Business Constituency and for us as the

Business Constituency to help provide you with guidance and how to address policy issues as they come about at the council level.

And frankly, you know my whole - I was just talking to another member yesterday and you know we are all from business. You know for most of us, this is not our full-time job, and so we need to be there representing businesses and you know businesses aren't always expert at everything that ICANN does nor probably you know there is - if you are working in business, you probably would not be expert in how everything runs.

And so, again, I would just ask that everyone really think about it, and as I mentioned, it is very important that we have if possible that geographical diversity.

Any questions about that - about the (unintelligible).

((Crosstalk))

Stephane Van Gelder: Yes, Elisa, this is Stephane.

Elisa Cooper: Yes.

Stephane Van Gelder: Thanks and hi everyone, it's Stephane Van Gelder speaking for the record. Just to add to what you said initially, I believe this year the council is also planning just after the Buenos Aires meeting week to hold -- I think it's one day and perhaps John can add to that -- of training as well for new councilors. So to remind everyone of the way it works is that we elect a councilor and the new councilors are seated just at the end of the AGM meeting, which this year is in Argentina.

And on the council, there has long been talk and this was a conversation that was going on before I was chair of the council, so it has been going on for a while, about the best way to trading new members, and I believe the current Chair, Jonathan Robinson, has started this idea of having an extra day. So if people are willing to volunteer, I would probably have volunteered, but our charter precludes me from doing so and I'm committed to the noncom anyway.

But if people are willing to volunteer for this worthy cause, I believe they will get plenty of training. So if people are feeling unsure whether they think the GNSO Council is a complicated affair, there will be adequate training I believe for people to participate. Thank you.

Elisa Cooper: Yes, thank you so much Stephane. I can actually see the Adobe now, so we can use the Adobe to raise questions and so forth.

And I just want to raise something that Steve mentioned that the ICANN bylaws don't require diversity for the councilor, but it is desirable and I would just urge us to try our best to identify individuals who are from a region other than North America so that we can achieve that diversity.

Moving on, I will just mention quickly that the Accountability Transparency Review Team has requested to meet with us at Buenos Aires. We are working currently with the Commercial Stakeholders Group, which is comprised also of the Intellectual Property Constituency and the ISPs, to potentially meet with them with the group from the ATRT, the Accountability Transparency Review Team, as part of our meetings with the rest of the CSG.

And we are still working through that whole agenda, but one question has come about and perhaps Marilyn is planning on covering this, but there is a

question about you know at the meeting in Buenos Aires who it is exactly that we would like to meet with in terms of the breakfast. And I am sure that Marilyn is probably planning on covering that in her section, so I won't go over that.

And then finally, the last thing. You know we kind of stalled out a little bit on the charter changes. I know that there were some changes sent probably within the last week and a half, but I also know that there were others there who had requested that we kind of hold off moving forward with working on the charter.

You know one, we have a lot of comments in process, and then two, we were in summer, so let's try to - I will try to pick that back up and continue moving forward with that and see if we cannot perhaps get that done by the end of the year. Of course, I think it depends on other kinds of comment periods and things that we need to be involved with.

So that is everything that I have. Any questions or anything that anybody wants to raise or make sure that we discuss on this call. Okay, so I happen to know that Chris Chaplow is actually not able to make this call, so we will not hear from him today, so we can move right on to John in terms of an update at the council.

John Berard: Sure. Sure and Zahid, you are on the line as well, right.

Zahid Jamil: Yes, I am here John, go ahead.

John Berard: Yeah, good, so if I misstate something or miss something altogether, please feel free to jump in.

The key thing from the council's perspective that I think is important for the group here is to appreciate that issues that we have been vocal on have gained some traction or gained traction that we need to qualify at the council level.

As you know, we have been adamant that the GNSO review move forward without delay, and Jen Wolfe who is a noncom member of the council, has been asked to lead the group at the council level to do just that. and so, I think we can - we should appreciate the fact that the other members of the GNSO community are in agreement with us that this review should move forward and that the council is trying to make sure that the pot gets stirred so that there would be even less chance of a delay.

Zahid, have you expressed an interest in joining that group that she is preparing or should we just be confident that we will have the opportunity to participate as the meetings occur?

Zahid Jamil: at the moment, we are just hoping you know that this will work its way when the meetings do occur, but at the moment, no I haven't put my hat in the ring yet.

John Berard: Okay and for the calendar, the next GNSO Council meeting is on the 10th of October.

The other item that has been of intense interest to the Business Constituency has been the new gTLD program's fits and starts with regard to singulars and plurals, with regard to different decisions from - on objections. You know VeriSign objecting to (dot cam) - each of the three (dot cam) applications and the different reviewers coming to different conclusions.



And so this noise in the new gTLD program has drawn the attention thanks I think in part to the efforts of not just our constituency but others, drawing the attention of the council.

And a letter was sent by Jonathan Robinson on behalf of the council to the new gTLD Committee, the board, highlighting the specific places where the program is at odds with the language of the guidebook.

At this point, we haven't lighted the torches, we have not sharpened the pitchforks, but I suspect that there is going to be an increasing amount of discussion on this point. I think that it is a good opportunity to inject the BC's point of view on some of these things. It probably won't be resolved or moved very far forward by October 10, but could wind up being a significant part of the weekend sessions' agenda when we get to Buenos Aires.

I think that those would be the key elements from the council. The only other item that I would mention of course is that the cross-community Working Group, Consumer Metrics. There will be a - actually a cross-community working group on cross-community working groups is also moving forward. so while it might seem as if the momentum has dropped out of can cross-community working group principles be created, there is still an effort to push that forward. There is a meeting tomorrow at noon Pacific on that.

Zahid Jamil: Not much actually. You got everything John. There is one other addition that - in the letter that Jonathan sent to the board. He did mention that we are looking at certain possible ways in which to address the string confusion and basically, the issues of you know conflicting results that have been coming up.

And what we had discussed on the council was that we would bring this issue back to our stakeholder groups and constituencies so they can consider and discuss how we should move forward on this.

Now the discussion sort of ran by saying maybe this is not something that should go to an issues report or a PDP obviously, but try to do something pretty fast like maybe a taskforce that can quickly put together some initial view that could be put together and sent to the board in response to what the GNSO feels are the inconsistencies and what could possibly be done to improve this situation.

So effectively, maybe the BC could think about what they feel the council should do here, should there be a taskforce, what should the response be? Should it just be a letter, and if there will be a taskforce, we need to have ideas as to what (solutions) constituencies and the decisions. So that's pretty much the only thing I wanted to add, thank you.

Elisa Cooper: All right, any questions, thoughts, or comments for John or Zahid.

John Berard: And as to Stephane's earlier point, there is nothing more I'm looking forward to than spending yet one more day at an ICANN meeting.

Elisa Cooper: Well.

Stephane Van Gelder: Hey John, Stephane here. Could you perhaps just explain what's on the agenda for that day so that we will all understand why you are being asked to stay for so long?

John Berard: Sure, because the new councilors are seated at the end of the annual general meeting, it was thought I think wisely so that we - having come to one place,

if we took a little extra time to begin to build the personal relationships. To have a casual conversation about the agenda of issues going forward, to have the opportunity to talk about how - what the best practices might be for councilors.

Making sure that their constituencies and stakeholder groups are energized and represented and then getting a sense of just what the behavior guidelines are, and you know the rules of the road for being a sensible productive member of the GNSO Council.

So we will be convening for Thursday afternoon and then through Friday. I think we are staying in the same location, so yeah, initially there was some thought about moving, but that's an anathema to the intent, so it's an opportunity to accelerate the introduction of new councilors into the mix.

Stephane Van Gelder: Thanks John.

Elisa Cooper: I see Steve has his hand raised.

Steve DelBianco: Thanks. Zahid, it's Steve asking about the singular plural, which is a particular flavor of the string confusion, confusion. And you mentioned that the council call. You discussed the potential for a taskforce. That would be new. I've never heard of a taskforce in council, but your next council meeting is not until 10 October, so this notion of doing something quickly on singular plural really resonates with me in particular.

And I am wondering should we recommend something to the rest of council in terms of convening a working group or a drafting team to draft a letter to go to the board and executives. And if so, we could take the lead on that in the

BC. We have quite a bit of experience and interest in the singular plural issue and could probably draft a letter based on things we've already said. Thanks.

Zahid Jamil: Yeah, Zahid here. Absolutely, I think it will be opportune, the BC is well placed. I agree with everything you just said and we could take a sort of leadership role here, try to steer this thing through.

There is also a great interest from the Registry Stakeholder Group where we've got Jeff Neumann sort of also taking the lead from that perspective, so I think we have some resources that we could also add to there.

I think the answer is yes, there should be something very simple like a letter and a small group. I mean the only reason we called it a taskforce, or a drafting team, or something else was because we didn't - it's completely new. We are trying to do something different from the regular process of the council so that we can respond more quickly and effectively given the circumstances.

So yeah, I mean I don't know what kind of name we are going to give it at the end of the day, but definitely some group that gets together, tries to address the issue as soon as possible, and the BC playing its role in trying to input you know the extensive discussions we've had and the objections we've taken with the way this process is moving forward. I think that would be very opportune, so yeah absolutely.

Steve DelBianco: Well Zahid, I have compiled all of the things that we have said about singular plural before as well as some of the most recent developments, and I will send that to the list, but it would be great to get a volunteer to help turn that into a letter that you could present to the council. If council doesn't like the letter or

they water it down too much, we could end up just making it a BC letter as part of our campaign to fix this problem.

Elisa Cooper: So I'm raising a hand, this is Elisa. I am very supportive of that and I would like us to take a strong position against this singular plural situation, and I can get a draft letter together unless someone else would like to take a leadership role on that. But I would really like us to come out strongly against it, because I think as a group, we all agree pretty strongly that it is extremely problematic for business.

Andy Abrams: Hi Elisa, this is Andy Abrams. I am willing to help with that letter as well.

Elisa Cooper: Okay, great.

Steve DelBianco: This is Steve. I will circulate a summary of what we said before and it would be great Andy to get - you Googled me some of the best arguments and had one of the few outcomes that make any sense on this, so it would be great to hear you guys weigh in on that and we should be able to get a letter together quickly.

But do I understand it correctly that our first letter is the draft letter for council to send, not in the BC's voice? Do I have that right?

Elisa Cooper: Right. I mean isn't that right John and Zahid that we would be preparing something for the council, and if then if they don't like it, we will just do it on our own.

John Berard: Right, so we are looking for - I think that the BC is probably a little bit further ahead except maybe for the registries with regard to an expressed point of view on all of this. and so, what we are trying to do now is to get everybody to

participate, see if we can come up with something that makes sense for all, and if not, just make sure that each of the constituencies and stakeholder groups are heard from.

Elisa Cooper: Well I think regardless, getting a letter together that could be used would be great, but I think this is an issue that's like really problematic for business. And Andy, if we could work together on a letter, just getting it together, and then we will figure out the best way to get that in front of the community.

Andy Abrams: Okay.

Elisa Cooper: I see that Ron has his hand raised.

Ron Andruff: Hi, Elisa. Yeah, this is - apologies for coming a little late to the call everyone, but I just wanted to throw my hat into the ring. I would be happy to work with you and Andy on that to draft that letter. I feel equally as strongly about plurals and singulars as you do, so just wanted to offer assistance. Thanks.

Elisa Cooper: Awesome. Thank you. Okay, anything else we need to talk about in terms of what's going on at the council before we move on to Marilyn.

Zahid Jamil: Just one other thing Elisa, this is Zahid. Sorry, I was disconnected and just got back in. It would be great to have something, even though we don't have a draft started, but something that we could say at the next council meeting so we can you know take the leadership role as far as the BC is concerned on this issue. Just wanted to say that having something in advance would be great. Thanks.

Elisa Cooper: And that's October 10.

Zahid Jamil: Yes.

Elisa Cooper: Okay, I'm sure we can get a draft that you can use by then.

Zahid Jamil: Thank you.

Elisa Cooper: Okay, so moving on. Marilyn.

Marilyn Cade: Thanks Elisa. Just to - I'm going to do this fairly quickly and most of this from the CSG is an update subject to inputs and recommendations and comments from the members.

But just to kick this off and remind everybody that the Commercial Stakeholder Group is a very (light) coordinating agreement between the three constituencies, and we rotate the substantive coordination. The IPC is coordinating for Buenos Aires, for Singapore it will be the BC again, and for London, the BIPC.

I just want to mention something that so everybody is kind of keeping this calendar in mind. We have fantastic new additions to our CSG interactions that we pioneered or piloted I should say in Durban and that is the Sunday afternoon meeting.

We have submitted the request again for that, and the primary purpose for that is to give us time to interact with key groups that we otherwise don't have time for and also to allow us to debate within the CSG differences of opinion on key policy or governance topics.

So we will start off with the Sunday morning am session at 8:00 am or 8:30, we will be confirming that, but it will be very early. Again, it's the one-hour

session that Bruce Tonkin and Bill Graham meet with us. They are the elected board members from the GNSO Council and they typically keep this on their agenda as an opportunity to interact with the CSG. We are confirmed for that and Bill is actually interacting directly with Bruce at the upcoming board face-to-face meeting, which will be next week.

Again, just to confirm, the BIPC will be coordinating that and I will talk about topics and development in just a minute. So we will have Sunday morning 8:00-9:00 and then we have Sunday afternoon for a two to two and a half hour session that will be issues yet to be developed across the CSG.

There is an opportunity to perhaps meet with some of the groups we are very interested in during that afternoon and then save our Tuesday CSG session, which will be from 9:45-11:15 for finalizing discussions related to policy and our interaction with the board. At 11:15 we're confirmed again with the Board, with the CSG and then that sort of wraps up the CSG. So Sunday twice and Tuesday are a segment of time that we have dedicated. Bene has already submitted room requirements, request for transcription, conference numbers, etc. with (cass)- sorry with MP3 recording, etc. There's - now I'm going to talk about issue development and guests for the Cross Constituency Breakfast on Tuesday morning.

We reserved the time, we're on the agenda for the Cross Constituency Breakfast, so we need to come to an agreement with our colleagues in the CSG on the priorities for guests. The ISPs are very interested in SSAC or BC NSO, the IPC has indicated an interest

Elisa Cooper: (Donna) can you let members know what those acronyms stand for.



Marilyn Cade: Sure, Security Stability Advisory Committee, that's as many of you know that's a particularly important group for business due to the publication of studies that have technical implications about security, stability and resiliency.

And we've met with them in the past as the BC usually just a few of the SSAC usually just with a few of the SSAC members. You will recall for some of you we met with them in Durbin but we really did not have enough time to delve into certain key issues such as name, collision or other issues. You may all recall that dot-list domain was a topic that was very much on the agenda in Durbin. We did hear from the SSAC related to dot-list domain.

Subsequently the Board took a decision to not allow dot-list domain, but the point of my mentioning this is the topic's explanation of what their study is about, etc. is when we meet with the SSAC that's typically a very good opportunity for our members to delve into specific questions. The ccNSO of course is the ccTLD supporting organization, so that's the counterpart to the full of GNSO. We're not talking Council, we're talking the full GNSO that will be all of the ccTLD managers, not just those that are actually on the Council - is that okay Elisa?

Elisa Cooper: Yes I think it's just important some members may not know what those groups are for.

Marilyn Cade: Sure, sure, so I just mentioned ISPs, priority for SSAC or ccNSO. IPC there is I think diversity of views within the IPC and within the BC I had suggested that we prioritize the SSAC or the ccNSO or the ALAC.

But I think Elisa has also suggested that we may want to consider meeting with the GAC again if we're able to do that, although we've met with the GAC for breakfast twice. There is a possibility of meeting with the SSAC or the

GAC as a substantive consultation, not just at the breakfast. So I think it would be helpful to - Elisa and I as members of the Executive Committee of the CSG would be to think about this in terms of member priorities for these groups.

And then finally let me mention that the ALAC has - (Olivia) did contact me and indicated their interest in planning toward an interaction with the CSG or if not possible with the CSG with the BC for Singapore and start that planning off while we are together in BA, which sort of moves the possibility of either the breakfast with the ALAC for Singapore or another kind of consultation which we've done in the past. So I'm going to just say a couple of more things here about opportunities to meet with people and then go back to asking input on prioritizing this list of possible guests.

Two of the regional VPs have suggested that they would welcome the meeting with the CSG and so I parked that thought for members to think about, I still have to take that forward to the CSG ExCom but I wanted to flag it as a possibility. I think we all see that there's a regional strategy being developed in Africa for Latin America, for Asia, for the Arab states. And by the way (Jenson Olafooie) who - and Waudu Siganga who are a part of the BC are members of the African Regional Strategy.

And Gabby and Cecilia from the Instituto are a part of the Latin American Regional Strategy. So these are not representatives from the Business Constituency, these are business community leaders that are actively engaging with the regional strategy. I believe (Charles Chavone) and Fahd are also interacting with the Arab State Regional Strategy, so we do have individuals who are aware of what's going on.

So if we get a formal request from the Regional VP then what I'd like to do is forward that to the CSG and see if it's possible to add that at least briefly into our CSG schedule if that time is available. So let me just go back and say...

Elisa Cooper: Marilyn we - if we can just wrap it up because we need to definitely move on to policy with Steve...

(Marilyn Cade: Well...

Elisa Cooper: ...and I did actually ask - there is a question in here and that question is for the members, do you who are attending Buenos Aires, who do you want to have breakfast with? Do you want to essentially - I think the question is do you want to have breakfast with the GAC or do you want to have breakfast with the SSAC? Because I think that's what the IPC prefers and the ISP want to meet with the country codes or the ACAC.

Marilyn Cade: No, no, no because - sorry Elisa can I just clarify that, we do need to go through this but let me just say, based on whether their available if we could go with the members priority I believe it's actually the SSAC or the ccNSO for the ISP. So we have these...

Elisa Cooper: (Okay).

Marilyn Cade: ...please, we have these four, we have the government - but again we have to verify if these parties are available in that time slot. So we have the SSAC...

Elisa Cooper: Yes it would just be good to hear from members who they want, if they are going to be in Buenos Aires who do you want to meet with in terms of having this breakfast?

This is our one opportunity to meeting with the group and formally to continue to develop relationships and get feedback from them informally. So it would be great to hear from any member as what you think about who you want to meet with. And you know what, why don't we just take that to the list - if you can extend to the list who your preference for meeting with in Buenos Aires that would be extremely helpful so that we can resolve this with the CSG.

Did you have anything else that you needed to cover before we go to Steve because we have just about 20 minutes for Steve now?

Marilyn Cade: Yes if I could just ask Bene to send out the list in descending order and members could prioritize and then if we can't get that particular group for the breakfast slot we would know that we should try to (slap) them into the CSG slot, Elisa is that okay with you if I do that?

Elisa Cooper: Yes that sounds great.

Marilyn Cade: Fantastic, thanks.

Elisa Cooper: Okay great, Steve?

Steve DelBianco: Thanks Elisa and I definitely wanted to go last on this call so that everyone else would not get squeezed out by policy, so I appreciate finding the room at the end of the call - thanks Marilyn for cutting yours short.

I sent a policy calendar around two days ago and so I'll quickly dive into that. On public comments the BC filed this week, one on name collision risks and there were 78 total filed. And when I circulated the last call Marilyn suggested stronger language and within hours Sarah Deutsch came back with some

stronger language. I helped her with that and hearing no objections we filed strong language two days ago.

There were 78 total comments and I have yet to catalog how many folks are calling for further study on the impact on businesses. But as you well know internal name collisions will cause software to break - something will go wrong, that's not even in dispute. And when it does go wrong the question is what is the impact on the business interruption and what are the costs of mitigating - of changing the code.

One thing I noticed is that when you take code that was written seven, eight years ago and it's running on my supplier network PC Windows's machine I've got to recompile that. So I went back and checked and some of the programming languages I've worked in I don't even have the compilers or components available to change the name of an internal domain name and recompile the code, so it's never that easy to just tweak a piece of code that was written six or seven years ago.

Things get complicated in computers and I'm pretty sure that's going to cause a lot more disruption that we've all anticipated. Are there any comments on the work done on our collision? Number two, rights protection mechanism - Elisa you were the lead drafter on that. I know that (Andy) of Google pitched in as well and those comments were filed a few days ago, there were 70 total filed on rights protection mechanisms.

The third is DNS risk management framework, I brought this back because it sounds like something we ought to be caring about but I've yet to hear any volunteers that would analyze the Westlake report and determine whether the BC would like to comment on that. The comment period ends October 5. This would wire quick read, what I brought up is Page 8 of the Report, it

particularly talks about things the BC has brought up in the past - are there any volunteers that would be interested in helping out to analyze DNS Risk Framework?

This is Number 3 on my policy calendar. All right I'll move on to Number 4, this is gTLD delegation and re-delegation user instruction. I haven't even looked at this one to determine how relevant it is to us but the first half of the comment period closes October 1. I won't call for volunteers on that just yet, it's not something I believe is critical to us but may be. Okay let me jump to the geographic indicator debate...

Elisa Cooper: Steve before you go on...

Steve DelBianco: Okay go ahead.

Elisa Cooper: I can write a draft on Number 3 if somebody else can also work on it with me.

Steve DelBianco: Thank you Elisa, who else can assist Elisa - this is the (GNS) Risk Management Framework?

Elisa Cooper: Well maybe once I write the draft then others will read it and have some thoughts.

Steve DelBianco: Thank you Elisa, all right moving on to geographic indicator debate, on the last two...

Marilyn Cade: Sorry.

Steve DelBianco: Go ahead.

Marilyn Cade: I was just - it's Marilyn, I was just trying to note that in the past I think we actually - Elisa I'll send you an email, but we had a couple of members who had been very involved in that and you might want to reach out to them, I don't think (they're on the call), but I'll just send that to you by email.

Elisa Cooper: Okay great, thanks.

Steve DelBianco: Thank you Marilyn, the geographic indicator debate was brought up on the last two policy calls. This came out of a decision of the GAC who vetoed Amazon in Patagonia and J Scott Evans of Yahoo started a discussion thread on this.

There was a vigorous discussion within the BC mail list, we resolved in our August call to draft a letter and J Scott, Stephane and Sarah Deutsch were the ones who volunteered to help draft such a letter for consideration of sending by the BC. There isn't a public comment period on this so it would just be a letter. Unless Stephane, Sarah, J Scott or others have something to add this one is still an open item.

Okay moving on, the next one is standardized contract for URS providers, Phil Corwin are you on the call - I think you are, great. So this I wanted to site earlier is that Phil brought this issue to our attention after the Durbin meeting. Phil drafted a letter which I reviewed and then circulated to members back on the 4th of September and we allocated the full 14 day member review period. Now Marilyn had given some comments which I believe Phil has reflected in his latest draft, Gabby and Cecilia who aren't on the call simply suggested to Phil that we ask for public comment period.

But I saw no other comments or objections from BC members and Phil I don't necessarily need you to walk through the letter, but you could summarize in

60 seconds what it says and we'll see if there's any further on third call before we ask Elisa to send the letter, go ahead Phil.

Phil Corwin: Thank you Steve and thanks BC members for addressing this issue. Actually the issue is contract for UDRP providers, BC has long been on record for a standardized and enforceable agreement for UDRP.

Providers, URS providers have a contract - it's not much of a contract, it's a two-page MOU but it's something. This is about a report that ICANN put out the day after Durbin basically taking a very strong, clearly staff generated position that they were against any kind of contractual arrangement with UDRP providers in making the argument that it somehow would diminish their ability to discipline those who went off the reservation in one way or another.

And incredibly explain the difference between contracts for URS providers and UDRP by saying that URS was not based on a policy which is con- you know, contrary to logic and to history. So the letter basically questions the process by which the - this so-called status report was generated and I asked some questions about it. I did a comment on just about all of Marilyn's changes and the only thing I added back in was at least a reference to the Board Governance Committee statement in May that was in the context of Trademark + 50.

But if not an attempt to re-litigate that issue, it's just to show that this, you know, very powerful subcommittee of the Board stated that both the clearing house and URS were based on policy. And Gabby and Cecilia had suggested we ask for this document put out for current public comment now. I can add a sentence to - there's Item 3 in our comments lack of public comment, I could easily add one sentence requesting that it be put out for comment now if that's



the will of the BC. But otherwise it seems to be acceptable to the constituency and ready to go.

Steve DelBianco: Thank you Phil, I'll take a queue I did have one suggestion to you. I read the third paragraph, there's a sentence there that says the BC position was most recently reiterated in our comment on the application of the Arab Center for Dispute Resolution - this was our April.

So I went back and double-checked what we said in April and we didn't just comment on it, we went expansively on the need for standardization but we also endorsed ACDR. So I believe ACDR is a member, we did endorse it and I believe the word "commented on" should be changed to reiterate in our comments where we endorsed the application of the Arab Center for Dispute Resolution where we endorsed.

Phil Corwin: Yes, Steve (all right) can you just send me that line and I'll make that change to letter?

Steve DelBianco: Yes I'll be glad unless any BC members object to clarifying that we endorse them.

Woman: No.

Steve DelBianco: Great, Phil I'll send that to you right after the call.

Phil Corwin: Okay.

Steve DelBianco: Are there any other folks in the queue about whether to move this letter to Elisa's hand for sending to the Board and the...

Phil Corwin: Yes and also should we add one sentence suggesting that it will be appropriate to put the status report out for public comment now?

Steve DelBianco: Yes I think both...

Phil Corwin: ...that was (suggested) (unintelligible)...

Steve DelBianco: ...are on the table, are there any objections to these two small changes? All right hearing none then we will do that after the call Phil and then when you finish the letter up, we get it to Elisa. Now Elisa we don't have BC letterhead do we? It may just go in on plain white PDF.

Elisa Cooper: Yes I'm sure I can Jim something up.

Steve DelBianco: All right great, Phil thank you for taking the lead on this, for reaching out and involving the other UDRP and URS providers that are BC members and speaking with a consistent and sensible, reasonable voice - appreciate your work on this.

Phil Corwin: Thank you very much Steve and you're very welcome.

Steve DelBianco: I only have one other item because we already covered the singular plural and we already covered Channel 2 for Council. So my only other item is that the infamous Red Cross and Olympics issue - and Zahid you're pretty keen on this, Marilyn Cade has been as well.

A working group has - in Council, has been hard at work on this in fact it's cross community for several months. What to do at the top level and second level for both Red Cross Olympics and other inter-governmental organizations and non-governmental organizations so that IGO/NGO acronym is the

shorthand for the work of this group. But it started with the notion that the GAC insisted and the Board agreed that things like Red Cross and Olympics and variance on them in different languages were off limits at the top level and that they would be entitled to protection at the second level.

That was expanded by a call from governments to expand that to cover lots of - several hundred Internets - inter-governmental organizations or IGOs and non-governmental organizations. The challenge that that presents is that there are many acronyms, (MODRE), (CARE) - there are several acronyms that are used in the business community that would end up being off limits if we followed the recommendation that came from these groups because their recommendation was to give them reserve word status - reserve word status.

So one BC member Zahid was keeping an eye on this group but did not attend very many meetings and the BC didn't have a voice in the working group. So we did not endorse or support in any way what the working group did. We will like everyone else see the report when it gets published for public comment which should happen today. And what I'd like to do is circulate the draft to everyone. I've updated it with recommended positions for the BC to take on all this and I discussed it with Elisa Cooper.

But the rest of membership, particularly Marilyn's (all head) and others should comment on whether we're on the right track with an eye towards the BC, very quickly weighing in with our position. We were unable to do so in the timeframe requested by the working group, it would of required a two to three day turnaround from all of you and I know I've been burying you with things to review on a short fuse.

So we're going to take our time, we'll take 14 days but you could look for a note from me in the next three or four days on that as soon as it's posted for

public comment. So I'll take a queue on IGO/NGOs so we have a few more minutes and then I'll turn it over to Elisa. Anyone want to talk about IGO/NGO?

Marilyn Cade: It's Marilyn, I'd like to be in the queue.

Steve DelBianco: I see Elisa's hand and Marilyn, Marilyn go ahead.

Marilyn Cade: I just - I think some members may not be aware that there is in the reserve name that there was a reserve name working group that developed the mechanism for how to release names that are reserves.

So - I was on that group - so were representatives from Overstock and a few other people. It's a bit old but there is - I think will be important as we consider what our recommendation is to take into account what mechanisms exist to - and exam whether they're adequate to deal with releasing string - names that are on any kind of a reserve list. So I just wanted to park that as a background piece of information.

Steve DelBianco: Marilyn thank you and another way to think about mechanism, the word you used is that in the draft that Elisa and I will circulate, the mechanisms we're advocating are mechanisms that are already there.

For instance the right subjection mechanism at the top level and of course at the second level there's a mechanism of claims notices. However imperfect and temporary that is - and I believe it's an opportunity for us to reiterate the BC position, it claims notices or warning be permanent. There's no reason to shut them down after 90 days and I believe permanent notices is the mechanism that we can get the governments to back us upon.

So you're right mechanisms will be the key to this as opposed to dumping something in reserve and having a mechanism to release there could well be a mechanism that says you don't deserve it but you just provide very clear and permanent warnings and notices. I think Elisa in the queue and then we're done.

Elisa Cooper: So I do have a link that I can post of all the names and strings that would potentially be added to this reserve names list and so I can send that around and people can see exactly what we're talking about.

You know, I'm personally concerned about these very short - like there's a ton of like three and four letter acronyms that acronyms that are used widely that would be basically put on a reserve names list and I think people should see what they are. But I'm concerned about the fact that there are likely businesses want to be able to have that. And even in some cases I notice that there's two letter acronyms that have been put onto the reserve list and the one that jumped out at me is AU which is the country code for Australia.

Now there's a prohibition for registrations at the second level but there is the thought that there will be some process where - particularly, you know, registries or registrants could petition to have a country code name registered at the second level but they would have to get permission first. But in the case of AU which has been added to this reserve list, it's not for Australia, it's for the African Union.

So like I think there's just a lot of issues that are not really - have not really been thought through with this list and I guess I would just like to say I'm concerned that there's so many three and four letter and even two letter acronyms which I don't think deserve to be protected because there's a lot of sort of conflicting things going on right now.

Steve DelBianco: Yes and again reserved is what they want. We might still say it's protected Elisa if there's a claims notice given to somebody then it is - in some sense there's a warning at least given, that's a form of protection - a mechanism.

Elisa Cooper: Yes and I think that's totally fine and legit and I don't think there's any issue there but I think if you're saying that only the African Union now could have, you know, be eligible to get off of the reserve names list because they want to apply for, you know A-U-dot whatever and that, you know. That just seems problematic, you know, in that particular situation, particularly because that's also the country code for Australia.

Steve DelBianco: Okay to make it easier for our members how about if - it was you and I that worked on this draft, why don't we include the list you just spoke of as part of that email to our members as opposed to sending multiple emails. And again we'll let you and I coordinate on that and have it begin - I would hope begin when they post it for public comments so I can link to that, okay?

Elisa Cooper: Yes.

Steve DelBianco: Great, that's all I have Elisa - thank you .

Elisa Cooper: Well thank you Steve, you've done a tremendous amount of work in the last couple of months and I know it's been challenged but I think we all really appreciate the fact that you've been able to corral us and get these comments out and posted, so I'm very, very thankful for all of your hard work.

Any other items or things that people want to raise or issues or things that you want to make sure we cover on our next call? Okay well I think our action items for this call will move forward with seeing about how we can go about

getting those appointments for - to the Credentials Committee for (Jenson),  
Laura, John and Phil. I will work to getting a draft on this DNS Risk  
Management Framework and also it's - so (Andy) did you want to take the  
lead on the singular versus plural or did you want me to take the lead on that?

(Andy): If you could take a crack at the letter and...

Elisa Cooper: Okay.

(Andy): ...well we can talk to (Remo), then I can fill in some blanks on the legal  
argument and that sort of thing.

Elisa Cooper: Okay so we'll look to start getting that draft circulated as well so - especially  
so that John so he can take that draft to the Council and share that at the  
Council level. Is there anything I missed or any other things people want to  
raise or reminders?

Okay well thank you everyone - oh also I guess we'll send out - Benedetta can  
you just send out I guess a quick question to I guess attendees of the BA  
meeting, you know, what their preference for the two day breakfast is?  
Because I do know that Marilyn needs to get back to the CSG and tell them  
officially, you know, what our preference is.

Benedetta Rossi: Yes of course.

Elisa Cooper: Okay thank you everyone and we'll talk to you next time.

Steve DelBianco: Thanks Elisa.

Elisa Cooper: Uh-hum, bye-bye.

Woman: Thank you for (unintelligible), I'll stop the recording.

Coordinator: That you, this concludes today's conference - you may now disconnect.

END