

ICANN

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

Benedetta Rossi: (Carol), can you please start the recording and let me know when you're done.
Thank you.

(Carol): Recording has started, thank you.

Benedetta Rossi: Thank you very much Carol. Good morning, good afternoon, good evening.
This is the BC Members call taking place on the 9th of January 2014.

On the call today we have Elisa Cooper, Jimson Olufuye, Andy Abrams, John Berard, Steve DelBianco, Jim Baskin, Gabriela Szlak, Marie Pattullo and Marilyn Cade. We have apologies from Richard Freedman and Ayesha Hassan.

I would like to remind all participants to please state your names before speaking for transcription purposes. Thank you very much and over to you Elisa.

Elisa Cooper: Thanks so much. So I wanted to cover a few items before we jump into a bit of a discussion on the cross-community working group on Internet

Governance. And then we'll spend a good deal of time with Steve going through policy updates, and then we'll be able to have also some time for a Council update from John and Gabi.

So a few things that I wanted to cover first. One, we had a call this morning with the SO and the AC leaders with Fadi, and that was just a couple of hours ago. And he has decided that it would be a good idea for the leaders to meet with him probably on a monthly basis to kind of have a dialogue and some ongoing conversations.

It's not been determined whether or not yet each of the meetings that we have with Fadi will be focused on any particular topics, but for the meeting that we had today which was recorded and will be made available to everyone, so as soon as I get a link to that recording I'll send it out to the group.

But on the meeting today, we talked a little bit about what his objectives for the year are. And again, he talks about his deep commitment, operational excellence; he talked a lot about sort of his own development plans for within the organization like developing talents and that sort of thing.

But we also talked a little bit about what's going on with Internet Governance. And on that front, he was calling from Brazil and so I think he's feeling like he'll be able to share some more information about the upcoming meeting, but he didn't have anything additional to share.

He also mentioned that he's planning on joining the cross-community working group meeting on Internet Governance, so whenever that next meeting is scheduled he's planning to actually join that meeting and participate and give his ideas on what he's hoping that group will be focused on and what some objectives might be for that group. He didn't really want to get into it in the

call with us this morning, but he felt like it would be better served to kind of do that on the actual cross-community call.

And yes, so I think it was positive and so I think that's a good opportunity, as we're having our meetings, if there are things that we want to take to Fadi we can take note of them and then I can definitely bring those to him in those monthly meetings that we're going to be having.

Any questions about this sort of - so it was an hour long and it was just a couple of hours ago. Any questions about that?

Steve DelBianco: Elisa, did you say it was today.

Elisa Cooper: It was today and so only - so basically it's one person per constituency or advisory committee. And so, you know, in the case that I won't be able to attend we'll make sure that somebody's there.

Steve DelBianco: And I take it he's in Brazil for the prep meeting that is occurring tomorrow.

Elisa Cooper: Yes, yes.

Steve DelBianco: Thank you.

Elisa Cooper: So he was hopeful that we would have some more information in that he was pretty clear like he would distribute whatever information he learned.

John Berard: Hey Elisa, this is John.

Elisa Cooper: Yes.

Marilyn Cade: And I should - it's Marilyn. I would like to get into the queue.

Elisa Cooper: Sure.

John Berard: Did you feel at any point during the meeting that you were put in any kind of awkward position, perhaps where he was seeking approval to act beyond what the constituency had previously discussed?

Elisa Cooper: No. So it was really him kind of sharing what like his focus is in the organization, and he was kind of just gathering feedback.

One thing that he did say, although this was more relevant for 1Net and not the community working group, but he was concerned - he did make mention of this and I think he'll probably bring this up with the cross-community working group.

He was concerned that the representatives from Business within 1Net were very North American focused. And so he did mention that. But he was also pretty clear that it's not really for ICANN to drive 1Net, that 1Net is this sort of bigger thing. And you know, ICANN should participate and should advise or provide guidance to 1Net, but that ICANN was not 1Net.

Does that make sense? So like I have a feeling like he'll bring that issue as his concern about the leaders in 1Net that are supposed to be representing business. I think he'll make mention of that or discuss that on the cross-community working group call with the expectation that the cross-community working group would then take that message to 1Net.

Marilyn?

Marilyn Cade: Thanks. (Isha) - I think (Isha) is not on this call today and I'll come back to a comment about that.

I am one of the five representatives on 1Net, I think Aparna is as well. Others from industry are. But 1Net is a distinct and different activity from CCWG.

What I'm really interested in is how we - as we are very - our representation on CCWG is also non-geographically diverse. What I'm really interested in is how we can contribute to CCWG because CCWG should be able to effect what Fadi is doing, what the Board is hearing, and right now that is focused just on Brazil while somewhat adept activity. I think we can go into this next, to have a broader agenda.

So what we need to figure out is is this constituency what we want ICANN to be doing both in Brazil and in Brazil follow-up. And I'm a little bit concerned that we don't have a clear idea for that. I'm thrilled he's meeting with the leadership, and congratulations on making that happen. I think that's a major step forward.

But now the question is how do we advise you and others within ICANN to affect what Fadi is doing and saying.

Elisa Cooper: Yes. So I think we should have a little bit of a lengthener discussion and that probably follows to our second agenda item.

There was one other area I wanted to cover before we actually dive into more of that discussion on Internet Governance and the Cross-Community Working Group. And probably we want to discuss what's going on with 1Net if anyone can - has been able to follow those conversations, it would be great to hear from you.

But the one thing I wanted to cover was Benedetta, can you give a quick rundown of what it's looking? I think we have kind of a draft schedule for the election cycle just to let people know that we are heading into an election cycle and what those dates are looking like.

Benedetta Rossi: Of course. I sent a draft timeline to the ExCom, but I haven't actually heard back from the ExCom if it was approved. But it would be looking like it would be starting towards the end of January running through to the end of February so a month-long election cycle for the - it is for the BC Officer elections; so for the Chair, the two Vice Chairs and the CSG representatives.

Elisa Cooper: So for people who are, you know, interested in thinking about running, you know, I would strongly encourage you to consider becoming part of the Executive Committee. And I think all of current officers, if there are new people that are interested in taking an active role, I know myself and I'm sure others would be obviously very helpful to help make any transitions or anything like that occur.

Okay, with that let's move on. Before we move on, any other questions? I saw Phil, you asked when I was talking about who was saying all that stuff. I was paraphrasing what Fadi was saying, but again I was paraphrasing and what I was talking about was this call that we had with Fadi, the SO and AC leaders had with him this morning.

It was an hour call. We spoke with him on a number of different topics. That call has been recorded and it will be publicly available. And so I was kind of paraphrasing what I thought I had heard him say.

All right, let's move on to this discussion about the Cross-Community Working Group on Internet Governance. I know that a number of you are participating in that group that are on this call, so Marilyn, Phil, Aparna, you are all part of that group. And I'm not sure if I'm missing anyone who's part of that group.

But maybe you can sort of give an update of where you think that group is and then it would be great to hear from others about - who are following the 1Net mailing groups what you think or what your impression of that is. So kind of turn it over to Marilyn and others, Aparna, Phil, how you think that's going with the Cross-Community Working Group on Internet Governance.

Marilyn Cade: It's Marilyn. I'd like to defer to Aparna and Phil and I think David, if he's on the call, and then I can come in. But I don't want to dominate this.

Elisa Cooper: Yes, so David had a bit of an emergency so I'm not sure if he'll be able to join us today. He was going to try but he did say he might not be able too.

Phil Corwin: I'll start it off, it's Phil here.

I was on the CCWG call last Friday. That's the first of the calls I've been on. I wasn't able to be on the one prior to that. It was at 2:00 or 3:00 in the morning east coast time and I had - it just didn't work for me.

I would say, you know, I'm concerned that the organization to get ready for Sao Paulo is not happening quickly enough. During the hour I was on the call last week, I didn't feel that a lot was accomplished.

And so as far as 1Net, I've been trying to follow that conversation. You could - even when you ask them to put it in digest form, the mail traffic is somewhat

overwhelming. You could easily spend an hour or two a day reading that email list if you're really going to be that diligent. And the conversation is all over the place.

But the biggest takeaway I have so far is that 1Net has still not established a steering committee to ready itself for whatever its role is in Brazil. And I'm not quite sure what its role is for Brazil. And that's my impressions to date.

Elisa Cooper: Thanks Phil. Aparna?

Aparna Sridhar: Sorry, it took me a second to get off mute.

Phil Corwin: One more thing Elisa. They did discuss the charter for the CCWG. And the charter is really not what I would consider a charter; it's somewhat more like an SAQ that was prepared by ICANN Staff. And I think the members of the CCWG need to address that and really come together on what they think their mission is both in preparation for Brazil and for dealing with whatever comes out of Brazil and proceeding after that.

Elisa Cooper: That's helpful.

Aparna Sridhar: This is Aparna. I mean let me just echo Phil's comment that thus far I have not found either the calls or the 1Net initiative to be moving in a particular direction that's discernible which is a little bit concerning given that time is certainly moving forward.

I think with respect to the CCWG in with respect to 1Net, you know, my personal opinion is that what was most constructive, and if we can sort of get agreement on this, we can sort of try to move the whole, both organizations in this direction, would be to recognize that (unintelligible) is an Internet

community whether they're directly involved in ICANN or not, have an important role to play in shaping Internet Governance and in preserving the multi-stakeholder model.

And so both of these initiatives, 1Net and the working group, should have as one focus at Brazil meeting, but to be focused, you know, secondarily on the broader set of meetings and discussions that will affect the multi-stakeholder model.

And I think, you know, what we ought to do is start thinking about what topics we're willing to discuss at the Brazil meeting, what topics are, you know, kind of not productive to discuss, and how we work with IEL and with Fadi and others whose team at this point to have a more direct link to Brazilians to start shaping the agenda. That would be my suggestion.

Elisa Cooper: That makes a lot of sense. I see Marilyn, you have your name - your hand raised again?

Marilyn Cade: And it is Marilyn. I would like to speak after Phil.

Elisa Cooper: Okay.

Phil Corwin: Sorry, failed to unmute.

There was information on the 1Net list about - there is a local organizing group. The acronym for that is (LOG) which is run by CGI which is the Brazilian Internet Group.

And they have made - they are having another call tomorrow or meeting tomorrow. But they've made some pretty important decisions already about

the structure of the Brazilian meeting, that basically it will be a thousand participants. And half from the multi-stakeholder community which I think is, you know, concerned me that a meeting dedicated to preserving multi-stakeholder is only have 50% representation from stakeholders.

The other half from governments and from U.N. affiliated IGO's. And there's no further information on how the agenda will set, who will pick - I guess governments will pick who they send to the meeting. But - and it's up to us how to decide how stakeholders are represented.

But one thing that should be noted, and I've commented on the BC list, is that on the IGO lingo acronym issue where the GNSO Council adopted a unanimous resolution for treatment of those acronyms recently. On the comments on that, the U.N. coordinated a large number of very strenuous objections to the GNSO resolution saying that it provided inadequate protection to those IGO acronyms.

So to the extent that issue is still festering when Brazil comes up in April, I'm concerned that those IGO representatives will not have warm feelings toward ICANN as the discussions proceed.

Elisa Cooper: Interesting. Thanks Phil. Any comments about Phil's statements?

Marilyn Cade: Can I speak first before we (unintelligible)?

Elisa Cooper: Yes, I just think sometimes it's easier to let people respond to comments.

Marilyn Cade: Sure. I was going to take a broader comment that might help to access what will be accessed in the Brazilian meeting.

Elisa Cooper: Okay. Well, I don't see there are any other comments. So Marilyn?

Marilyn Cade: Thanks Elisa. I just want to be disclosed, and I think it's important for those of us who played this role. There's some good overlap between the CCWG representation from Business Community - the Business Constituency, sorry - and the business community into 1Net. And we could help to provide input and information (unintelligible).

We've been successful in ensuring that the 1Net list is fully archived and will be available. The call on Friday which is only about (unintelligible), we hope will be open to the 1Net (unintelligible) members. And if that's the case, Aparna, myself, David Fares, Paul Mitchell - I'm missing someone - would also be able to listen in to that call.

That call is going to be only about logistics, but logistics (unintelligible).

I just want to ensure everyone that regardless of the fact there's only a thousand seats, there's no firm decision right now on how those seats will be allocated. The initial proposal was a 50/50 split but there's been some discussion within the 1Net group that that's not really going to work and there should be more flexibility to include more stakeholders.

So maybe we could come back to that. Having input to the CCWG into ICANN on the (unintelligible) being broader participation could be a major contribution that we might make, collaborating with other groups so that any input from ICANN would be broadly supported with more diverse participation.

At the same time, we also need to be focused very much on what is this meeting going to be about and what it's not going to be about. And I think I

want to build on and contribute supportively to Aparna's comment about we should be concerned about the substance of the meeting, not just (unintelligible), but the substance of the meeting.

The Brazilians very much want to advance support and endorsement of a set of principles that they have previously put forward. And perhaps we should vote within the CCWG and then into the broader (I-Net), be thinking very clearly what's on the table, what's not on the table, at a Brazilian one-off event.

We don't even know who the governments going to be that are identical host. That could be a major issue. If we can merely define the purpose of the meeting using (unintelligible) and influence into the INet, that is probably in (unintelligible). Thank you.

Elisa Cooper: No, I think that makes a lot of sense. So I guess the question is is there a group of people that would be willing to create sort of a draft of what is on the table and what is not on the table or should not be on the table, that could be like circulated with the full membership for further input? Is that something that or maybe possibly the group that's participating in the CCWG could do?

Marilyn Cade: At least - it's Marilyn. At least the four of us and the observers. And if you and the secretary could remind us of those who are in the observer status, maybe the seven or eight or us could (unintelligible) and put something forward.

Elisa Cooper: Yes, I think that sounds like a great idea. Bene, would you be able to just send an email to that group and see if just to kind of coordinate that effort?

Benedetta Rossi: Yes of course.

Elisa Cooper: I guess a bigger question to the participants of the CCWG before we kind of move on to policy because I know we have quite a bit to cover there as well.

What do you - I mean I know it's crystal ball gazing but what do you think will come from the Brazil meeting like ultimately? Anything? It feels like this is all moving nowhere.

Marilyn Cade: It's Marilyn. Could I get back in the queue?

Elisa Cooper: Yes.

Marilyn Cade: So to speak, I think the risk for the Brazilian meeting is 1Net is actually - 1Net was supposed to be about larger issues, not limited to ICANN but hoping to develop solutions for orphan issues. And 1Net needs to do that which is taking away from a singular focus on ICANN, who covers ICANN, who's in charge of ICANN, what ICANN does.

I think the real risk here is to let Brazil become only about ICANN as opposed to addressing larger issues. Those larger issues are being addressed in number of other forums. Many businesses are engaged in those other forums.

If Brazil becomes only about ICANN, and the third bullet point in (Montedeo), that's a very, I think, a very risky endeavor.

And I think the other point is we need to fully understand. I do realize this is being transcribed so will be public. We do need to be really aware that Brazil (unintelligible) along with other bricks to advance different agendas about control of the Internet that are much beyond the role of ICANN.

So if we can manage Brazil's meeting to be narrowly focused on principles and not definitive in decision-making, but feeding into the IG (unintelligible) and feeding into other discussions including the ICANN discussion, I think that advances the Business Constituency's interest.

Elisa Cooper: Thanks Marilyn.

Marilyn Cade: One point of discussion, not a definitive decisional discussion.

Elisa Cooper: Yes. Any other thoughts or comments from any others or perspectives?

Aparna Sridhar: This is Aparna. You know, I think the - Marilyn's articulated some really bad case scenarios. I think the best case scenario is we have a productive multi-stakeholder meeting in which ways to improve the model that preserve its core that gives governments a sense that their voices will also be heard is sort of a best-case outcome.

And a conversation that sort of touches on those issues and takes the wind out of really having that discussion at the (IT potentiary) which would be obviously a very unfriendly forum for all of us, would be a productive outcome. I don't think we're going to come to any definitive conclusions in April. But getting off on a path to help open dialogue would be a good outcome.

Elisa Cooper: Thanks. Anyone else? Okay, so I think we have our path forward in terms of at least what we can do within the CCWG and possibly I guess taking that on to 1Net.

Oh, I see Phil's hand is raised.

Phil Corwin: Yes I just - I'm going to post a link in a second in the chat to an article that appeared on January 3 in the New York Times by (Joan Nasarh).

I think it's useful just to understand what the political atmosphere is in Brazil for President Rousseff.

And the title of the article is Brazil is a buzz about Snowden. And it talks about the - how in reaction to the Snowden revelations Brazil continues to work with Germany to create a new structure for Internet governance which I think is what Marilyn alluded to their other activities.

So I don't think we should be oblivious to domestic political considerations in Brazil and the fact that President Rousseff was up for reelection this fall may want a particular outcome for this meeting that may not be the same as the outcome we'd like to see for our own political purposes. So I'll post that link in a second.

Elisa Cooper: Thank you. That would be helpful. All right. Shall we move on to policy?

Steve DelBianco: Ready when you are.

Woman: Yes go ahead. I'm ready.

Steve DelBianco: Okay. Sorry. Great this is Steve. I did circulate the policy calendar last night if anybody needed it. All they need to do is email me and I'll resend. This should be a very quick report.

There were only four open public comments under Channel 1. So this study on Whois misuse is number one. And those comments close a little over a week from now.

And fortunately on our December call we had three volunteers from the BC -- Jimson, Susan Kawaguchi and John Berard. And thank you for your effort.

They prepared a one page draft that the three of them were continuing to work on. But I took the liberty of attaching it to the policy calendar email thinking it was the current best draft that was available. And with only ten days left in the comment period I thought it would be great to get it out there.

So Jimson and John I know you're both on the call. Anything you want to do to talk to the group about your one-page draft? And let's trying get it approved and submitted in time. I'll turn it over to you.

John Berard: Sure. This is John. It's a one-page draft because there really isn't a whole lot to say. The Whois misuse study was aimed at putting of frame around the suspicion that the data was being misused.

The other Whois efforts and directory services efforts are already moving fast and farther and will likely accommodate the concerns raised by the Whois misuse.

The one point that we felt strongly about, though, was that the study not be used to slow down any other efforts. The high level of misuse that was documented might cause a reaction for hey, let's slow down and take another look at this.

But we just wanted to make sure that our comments that we made it clear that the Whois misuse findings were further evidence that the other effort's already underway are well intended and should not be slowed down.

Steve DelBianco: John this is Steve and for my part, I appreciate the draft that you have and feel that is appropriate for the BC to submit.

There is one historical context. The reason we did a study on whether there's misuse of Whois, is that privacy advocates has meant as much as ten years ago, claimed that spammers and those with harassment in mind would misuse public access to Whois in a way that harmed people.

And that was just a vague allegation or suspicion that they would make.

So in order to be fact-based one of your favorite phrases we'd encourage ICANN to actually study the extent of true misuse of public access to Whois.

And I really like the focus that you and Jimson and Susan have on acknowledging that the report shows ways to mitigate whatever limited kinds of misuse there is.

So there is no excuse to throw Whois out because there could be some misuse.

We'll take the queue. I see Phil Corwin. Go ahead.

Phil Corwin: Sorry, a...

Steve DelBianco: Your hand was still up. Did you want to weigh in on this as well?

Jimson Olufuye: Well can I comment? This is Jimson?

Aparna Sridhar: No, not me.

Steve DelBianco: Okay. So Aparna's hand is down. Jimson as a member of the drafters we'll let you go next and then Phil Corwin.

Jimson Olufuye: Okay. This is Jimson speaking. Well the Internet need for the public to actually access Whois that one is quite clear. While at the same time the number of materials, activities that's come out of public access now to Whois did differently the studies.

We also found that the (unintelligible) population using a study are not really sufficient demand though the analysis of the results obtained was quite extensive. But there was no clear quote to say (damage), you know, resulting from access to Whois, you know.

But of course there is clarification that (unintelligible) have used it, they've used (unintelligible). But the effects of that in the long run could not be evaluated by the reports.

So one of the recommendations be - that we made is that this would be an ongoing effort really. And then after (unintelligible) directly on this call there's need for mitigation purposes, then it will be incorporated in the (unintelligible) development framework for ICANN and the registries and registrars. Thank you.

Steve DelBianco: Phil Corwin?

Phil Corwin: I'm taking my hand down. No comment on this one.

Steve DelBianco: Great. John and Jimson thank you for your efforts on this. I will circulate the comment as a textual email to all the BC members after the call and remind

everyone that will have a ten day review period before we submit it to ICANN. Are there any other comments on the WHOIS misuse discussion?

All right, seeing none let me jump to number two. This is the ICANN's mission, vision and focus statement for their five year stretch plan. We discussed this extensively in Buenos Aires. So we're fortunate to have (Tim Chen) and Chris Chaplow take the lead. They've since been joined by Martin Sutton, Marilyn Cade and Andrew Mack.

So we'd like to get an update on your efforts thus far. And we anticipate getting a draft from you next week. So Chris or Tim, Marilyn, anyone want to take this on?

Chris Chaplow: It's Chris here. I can step in.

Steve DelBianco: Yes, please do.

Chris Chaplow: Thanks. Yes as you said the comments due in by the end of January I've calculated the 14 day period which we're aiming for and to publish comments back to the BT comments on Friday the 17th January.

And so we had a call earlier this week and your emails about. And we have sort of internally we split the work up into the five areas, the five focus areas that are outlined in the plan. And that is further internationalized ICANN regional engagements supporting organizations and advisory committee.

Oh yes industries the roll that there - one second yes, evolving ICANN's implementation multi-stakeholder approach, coordination, developing world-class public responsibility framework, supporting healthy unique identifier

ecosystem striving towards technical, operational excellence then defining more currently for ICANN Internet governance ecosystems.

So we pick one of those areas each. And it'll be about the one page comment on those. And it - I think it is difficult because we're trying to, you know, predict or second guess what is the will of the BC members.

So it is important one we publish on the 17th and that we have some feedback from the members.

And just to give a taste if I may, and then I can take some quick questions, one of the areas is asking for mission and vision.

And the sort of things that we've decided that we're suggesting is that for the mission we're saying that shouldn't be touched. That's in the ICANN bylaws and that's what's best left for now.

And the vision is according to the draft changing from the old vision which was one world, one Internet to the new vision which is actually along a lengthy two sentence structure.

And we're proposing to drop the second sentence and just go for an independent global organization just at worldwide to coordinate the global Internet systems of unique identifiers to support the single openly globally, operate - operable Internet.

So we think that anything longer than that is going to almost be sort of parallel confusion. So that's the area we're heading, happy to take any questions.

Steve DelBianco: Thank you Chris. Tim or Marilyn, I see you in the call. Anything you want to add in this effort, particularly whether this mission and vision overlaps in any way with our current controversy over the Brazil meeting and Internet governance?

Marilyn Cade: It's Marilyn.

Steve DelBianco: Yes, please go ahead.

Marilyn Cade: I really want to support the approach we're taking right now and then say, you know, we really need member's input. But having a narrow mission to me is a real priority. And I think we need to think about what that means.

A narrow mission doesn't mean that ICANN can't engage in educating and creating awareness about what their mission is, what their role is. But we need to figure out if we are still firmly committed to the narrow technically oriented coordinating mission.

I think we are a business, but I think it's important to make sure we thoroughly discuss that.

Steve DelBianco: Thank you Marilyn. I for one want to agree wholeheartedly. ICANN needs to stick to a limited mission. The more it expands its mission to cover or finish to become the world's multi-stakeholder engine the bigger a target it is for United Nations take over which diminishes any private sector role at all.

So limited mission could be the best defense for ICANN, I agree.

Marilyn Cade: I did just want to say one more thing if I can please Steve. And that is again I want to reinforce we can't do this outreach information about who we are what we do. Sorry.

Steve DelBianco: (Lost) Marilyn there? Tim and Chris let me encourage you to circulate your draft as early as you can. Please don't wait till the (unintelligible).

((Crosstalk))

Marilyn Cade: So sorry.

Steve DelBianco: I waited till the 17th. We'd come up against the 14th day. And if there is a lot of discussion and comment from DC members it's hard for everyone to get the review and. So please do your best to circulate something as soon as you can.

Chris Chaplow: Thanks Steve. Chris here. Maybe we won't necessarily circulate all five together. We'll, you know, send them through one by one. That might be easier.

And just one quick comment if I could just finish on. The word IANA is not appearing at all in the documents in the plan at all...

Steve DelBianco: It's so ironic since ICANN's true base of powers the fact that it alone decides what to add to the roots and that authority to ICANN through only their IANA authority.

And Chris let me encourage you to actually package all five together into one document for review. I do think our members would prefer one to review, not five different things on five different discussion threads, please.

Chris Chaplow: Okay.

Steve DelBianco: Any further comments or questions on this?

Great. I only have a couple more items on the public comment process.
Number three is a status update.

We discussed this briefly in Buenos Aires. It was published in early
November. It was an 84 page document by the Expert Working Group on
gTLD directory services. Remember, this is the replacement for Whois.

Comments close at the end of February. So we have a good deal of time.
Susan Kawaguchi, DC member from Facebook is on that working group.
She's also in an airplane right now. So Susan's not part of this call today.

Are there any volunteers in the BC that would seek to work alongside Susan at
trying to formulate BC response to the status update on the new Whois?

BC members have been great about volunteering for things over the past
couple of months. And maybe that will inspire others who don't often
volunteer to take a look at this.

This is an excellent report, graphics and it actually does incorporate a number
of suggestions that the BC made on an earlier draft that this Expert Working
Group put out.

All right seeing no volunteers...

((Crosstalk))

Steve DelBianco: Go ahead.

Jimson Olufuye: This is Jimson. So I was joining with the (unintelligible).

Steve DelBianco: Jimson thank you very much, appreciate it. You're also working with Susan on something else. And that'll be great. Perfect.

Anyone else?

All right, the last one. Number four is the new gTLD option rules. These are options who were in a contention set. And I don't believe that's something that's in the BC sweet spot. So I don't necessarily want to get volunteers. Is there any interest in discussing that or commenting on it?

Great. I'm going to defer to (Gabby) and John to discuss preparation for the council meeting on the 23rd January. I will jump ahead to Channel 4 though and point out the fact that on singulars and plurals over the Christmas, New Year's holiday Andy Abrams of Google I prepared a brief letter asking the new gTLD Program Committee to look at a way of resolving differing results that were coming back on objection.

These are the expert panels, who evaluate objections. We got different results for singular or plural objections on string confusion.

The only two outlier cases were car, cars, hotel, hotels. And we prepared a letter circulated for ten days of business constituency member review. We had five people supporting it. We had no objections or questions. So Elisa our chair submitted that I believe on January 5.

Now ICANN has yet to post that letter. But the letter was very constructive in that it suggests the new gTLD Program Committee that they could adopt an appeals process on the string confusion objectives objections that's very close to what the board already approved for the ccTLDs and their fast track when they have strained confusion issues.

The idea here is to suggest there are ways ICANN can address this. And they've done so in other areas.

Any questions or comments on that?

Great. Seeing no hands my final item is that there's a state of the net conference held every year here in Washington DC on the same day as the President's State of the Union or thereabouts. This year will be January 28.

Now there are two panels relevant to the topics we discussed earlier on the call. One is a panel called if our multi-stakeholder model is the past, present and future of Internet governance can someone please define it?

This is Milton Mueller, a prominent ICANN participant has the lead. And there's another panel where Fadi Chehade, (David Gross), (Carlita Rossini) and myself will debate the question will the Brazilian reboot turn the Internet into a brick? And Milton Mueller came up with that title.

And my - I'm representing NetChoice and my role would be to suggest that Fadi has ventured too far and too fast making ICANN too right a target. He should stick to the limited mission as Marilyn and I discussed earlier.

Happy to discuss, and hear what other BC members think about these topics. And if there are no other further comments it's back to you Elisa thinking that we would turn it over to John and (Gabby).

Elisa Cooper: We do have some time to discuss these issues or if people have thoughts on that. I mean it would be - I would be interested to hear if there are any.

Steve DelBianco: Elisa by (unintelligible).

((Crosstalk))

Steve DelBianco: You know, (unintelligible) impressionable staff. Yes. And the congressional staff knows exactly what ICANN is. And a good many of them know what IANA is.

They will be interested to understand if ICANN is really coveting a permanent ownership of the IANA functions. Would that actually make things better or worse? Would it make ICANN a riper, richer target for ITU take over? And would it remove the ability to protect ICANN from the ITU once ICANN is holding the IANA authority permanently?

That's a bit in the weeds, but it's what I'm thinking right now.

Elisa Cooper: Yes. I just heard one other person.

Jimson Olufuye: Yes, Steve, Jimson. Would that be (unintelligible) from a remote connection for the panel discussion?

Steve DelBianco: I do not think you would be able to discuss. You'd probably be able to listen and watch after they recorded it. But they will not typically bring remote participants into the room.

So Jimson if you have particulars there's a link to the event in my policy calendar. Take a look at the event. If you have advice for points you'd like to see made. Please send them my way.

Jimson Olufuye: Okay.

Andy Abrams I see your hand up. Go ahead, please.

Andy Abrams: Yes, this is on a different topic. This is Andy Abrams. I was wondering whether the BC was going to do a public comment in support of Spec 13 Team as the .brand registry agreement with ICANN?

Steve DelBianco: Andy I didn't indicated on the policy calendar thinking it wasn't in the sweet spot with the BC.

But what we typically do is respond when members are interested. Tell us more about that public comment opportunity and let's see if members would support doing a comment. Please go ahead.

Andy Abrams: Right. Well right now. ICANN has a form registry agreement with all the new gTLD registries. But the BRG which is the Brand Registry Group has been negotiating with ICANN to come up with a different form for .brands.

And these are typically companies, I mean I think a lot of them are in the BC that are doing closed .brand registries because there is a need for a separate registry agreement that takes into account the different needs of the .brand.

And so ICANN has posted this form agreement for public comment.

I know the BRG is issuing a comment in support of that. Google is also issuing a comment in support of that. But I wanted to know if the BC was interested as well. If so I am happy to work on it.

Steve DelBianco: Andy let me ask you it's not on the regular public, page so where has ICANN posted this and who is allowed to comment on it?

Andy Abrams: I can look that up and post it to the listserv. It's Spec 13 and that's - and there's certain provisions that ICANN is raising for comment.

Steve DelBianco: Right. But they're not listed on the public comment page that's open now or upcoming. So that's just why I am wondering if ICANN is restricting comments to those who are applicants?

Andy Abrams: It's possible. I'll look it up and I'll get back to the listserv on that or I'll get back to you on that.

Steve DelBianco: Okay. I'll take a queue on this. Are other members of the BC who share an interest with Andy at examining and potentially commenting on Spec 13?

We've commented on nearly every other section of the registry's agreement until now.

Elisa Cooper you're next in the queue unless you want to speak to this one directly.

Elisa Cooper: Yes, I mean I don't think the business constituency would have issue with what is contained in Spec 13.

What's contained within Spec 13 has to do with allowing primarily .brand registries to be able to use only things like a single registrar. It also has sort of the whole notion of a .brand registry. So there - I don't think there's anything in it that would be like problematic for us.

I think, you know, there could be some concern that like well we're supposed to be the business constituency and we should not be thinking about these registry issues.

But you're right, we've commented on many parts of the registry agreement. And I think it would be - it probably would be a good thing.

Because the other thing to keep in mind is that ultimately it's the registrants who are really going to benefit from Spec 13 to be honest. It's not really so much - I mean, the registries will but it's also the registrants. I mean essentially that's one and the same. So I would be fine with commenting on it.

Steve DelBianco: (Unintelligible).

((Crosstalk))

Man: Steve it is listed on the public comment on the landing page of ICANN. It's the third item on the list.

Andy Abrams: And it's actually now in the chat box. Thanks, (Stephanie) for listing the link.

Steve DelBianco: Appreciate that. The link I put in the chat box still doesn't show it. So we'll have to figure out why it's not on the public - comment page. That's a bizarre one.

Now appreciate that. So after this call I currently have at least two members that are interested. And that would be Andy, (Stephanie). What - any other members that are interested in doing a little drafting on a BC comment?

So Andy and (Stephanie) I'd be happy to coordinate with you at examining and coming up with a point of view that represents BC perspective.

Andy Abrams: Great. That sounds great.

Steve DelBianco: Okay. And...

(Stephanie): (Unintelligible) too.

Steve DelBianco: That's great, appreciate it.

Okay Andy your hand is still up or are you finished?

Andy Abrams: I'm done, thank you.

Steve DelBianco: Okay great. All right thanks. Elisa I thought we would turn it over to John and (Gabby) for council discussion.

Elisa Cooper: Yes, and would mention I mean, we do have - I wanted to have this meeting today where we can discuss what was going on with the cross community working group and Internet governance.

We will actually have another call in a week's time still before the council meeting. But we will have time on the next call to also prepare for the council meeting. And that's just next week.

But I will - it would be great to sort of hear what's going on at the council level for (Gabby) and John. But like I said we'll have time next week as well.

John Berard: Sure. Well between now and then - this is John. And I think I have (Gabby)'s (unintelligible) on this. The agenda for the next council meeting is not even yet to come together. But there are a couple of things that I would encourage you to take a look at.

Over the course of the last year the council has been called upon and has issues with an increasing number of letters in response to questions.

Two new ones, we can find these at the gnso.icann.org site under Council Activities Correspondence.

The first one is the council comments on the Geographic Regions Working Group. There are - it's an interesting subject, more interesting than it might appear on its face.

And the council has asked for clarification on a piece of the which suggests that there be created or allowed to be created special interest groups among countries and territories that don't feel that their current situation totally satisfies their need.

There are special interest groups that would be outside of a formal regional structure, but and this is a quote, they would be able to lobby for the support of elected representatives.

And so the council has asked for clarification of what that means to lobby for the support of elected representatives.

The other letter is a response to the ATRT2 report. And the council comments if you take a look focus solely upon the ATRT2 comments on energizing with their working groups which as you know is a ongoing matter for the council and as part of an ongoing initiative, which will I suspect be a part of the agenda at the next meeting on PDP improvements.

There is a request for a small group of counselors to work with staff to move forward on a set of initiatives that have been identified.

Neither (Gabby) nor I have volunteered I don't think. I know I haven't yet but I don't know that (Gabby) has. But I believe that that will probably come together at the next meeting.

And then finally we are, the BC, I and (unintelligible) they're reformulating the Cross Community Working Group Drafting Team.

As you are aware, there are increasing number of Cross Community Working Group opportunities. The rules governing their performance, behavior, output creation are not nearly as specific as for the working groups within individual SOs (may see). And so there's an attempt to create a set of rules that would guide these cross community working groups who are seeking to get co-chairs of the drafting team from at least at the ccNSO and from at least one other SLA to let - to get a good grounding as it moves forward.

We're trying to have a meeting of that with the drafting team the end of January. It's still possible. I don't know how likely it is.

That's I think the full list of what we have to say. (Gabby) did I miss anything?

Gabriela Szlak: Thank you John. Can you hear me okay?

John Berard: Yes.

Gabriela Szlak: Okay so just thank for the report. I have - we would have everything just to add that I will volunteer for that group for improving participation in working groups and everything related to that (in reach) outreach related to working group (unintelligible) participation (unintelligible) for these members to know.

John Berard: Are there any questions or comments? The motion deadline for the next meeting is the 12th which is Monday. I don't know if we or any one of our members feel strongly that we should be asking for a specific kind of issue report or offering up an even more active motion.

But I wouldn't encourage us to think about how we can become more active in that regard. That's (unintelligible).

Elisa Cooper: Thank you, John. Are there any other any other topics are things that people want to make sure we cover on our next meeting which is scheduled a week from today?

Anything at all? Anything that people want to cover or have discussion around we can make sure that it gets on the agenda?

Steve DelBianco: Elisa it's Steve. I might ask John and (Gabby) whether they think the Brazil meeting and Internet governance will be part of the council discussion topic? And I know that agenda is due and just a few days.

John Berard: I don't see how we can avoid it. I mean it's sucking up a lot of the air in the atmosphere. It may in fact be part of the reason why the (unintelligible) going on.

But I mean in terms of the (crux) of the Working Group Drafting Team it's been difficult to get the time and attention from anybody at the ccNSO because they're mostly focused on those matters.

Steve DelBianco: So my request would you and (Gabby) could put in a - thinking that you and (Gabby) could put a formal agenda item into the council agenda before the deadline of the 12th so that it's instead of burying it under all other business it's exclusively dealt with by council if you think that's a good idea?

John Berard: No. I think it's a great idea. I mean it's a big issue whether it, you know, could help us figure out what specifically we want the council to focus on.

And we can certainly do that off-line.

Elisa Cooper: Yes. Maybe it's the same things that we're planning and focusing on which is trying at least for the Brazil meeting to discuss what will be - what is on the table and what is off the table or should be off the table.

Man: Excellent.

Elisa Cooper: So yes we can take it we can take it to the list for further discussion.

I see Andrew's hand raised and we're almost at time but Andrew?

Andrew Mack: Yes I just wanted - you kind of touched on it already I was - and my apologies for being late. I just been a little under the weather recently.

The question I had was about the Brazil meeting and what - not only what are we planning to do as a group if there is anything but also what people are planning to do individually and what if anything is the best way to coordinate it?

Elisa Cooper: So we did discuss that at the top of the meeting and I'm sure we'll have some additional discussion about that next week.

But the plan is for those for those that are participating in the Cross Community Working Group (Benny)'s going to send out an email in the plan is for that group to at least devise a set of items that should be discussed or on the table for the Brazil meeting and those items which are not on the table.

And that information will be hopefully funneled back through (one net) is my understanding or maybe up to and maybe presented to Fadi.

Fadi's going to be joining the community working group call. I think he'll - I don't know which one but he said he would be - would plan to attend one of those.

All right any other questions, thoughts, items for discussion next week? I'm sure I'll leave some time for additional discussion on the Internet governance topic so we can continue our discussion on that and see where that - where it will - our members of the CCWG are on that list of items.

All right with that I will talk to you all again. Thank you so much all for joining today. Hopefully you all be able to attend next week's meeting.

Then will go after that after next week's meeting we'll go to our standard sort of every two to three weeks timing. We just as I mentioned at the top of the call I just wanted for us to sort of get back on track since we it's been actually quite some time since we had met.

With that I'll talk to you next time and thanks so much. Have a great day.

Man: Thanks Elisa.

END