

Puzzles to Solve

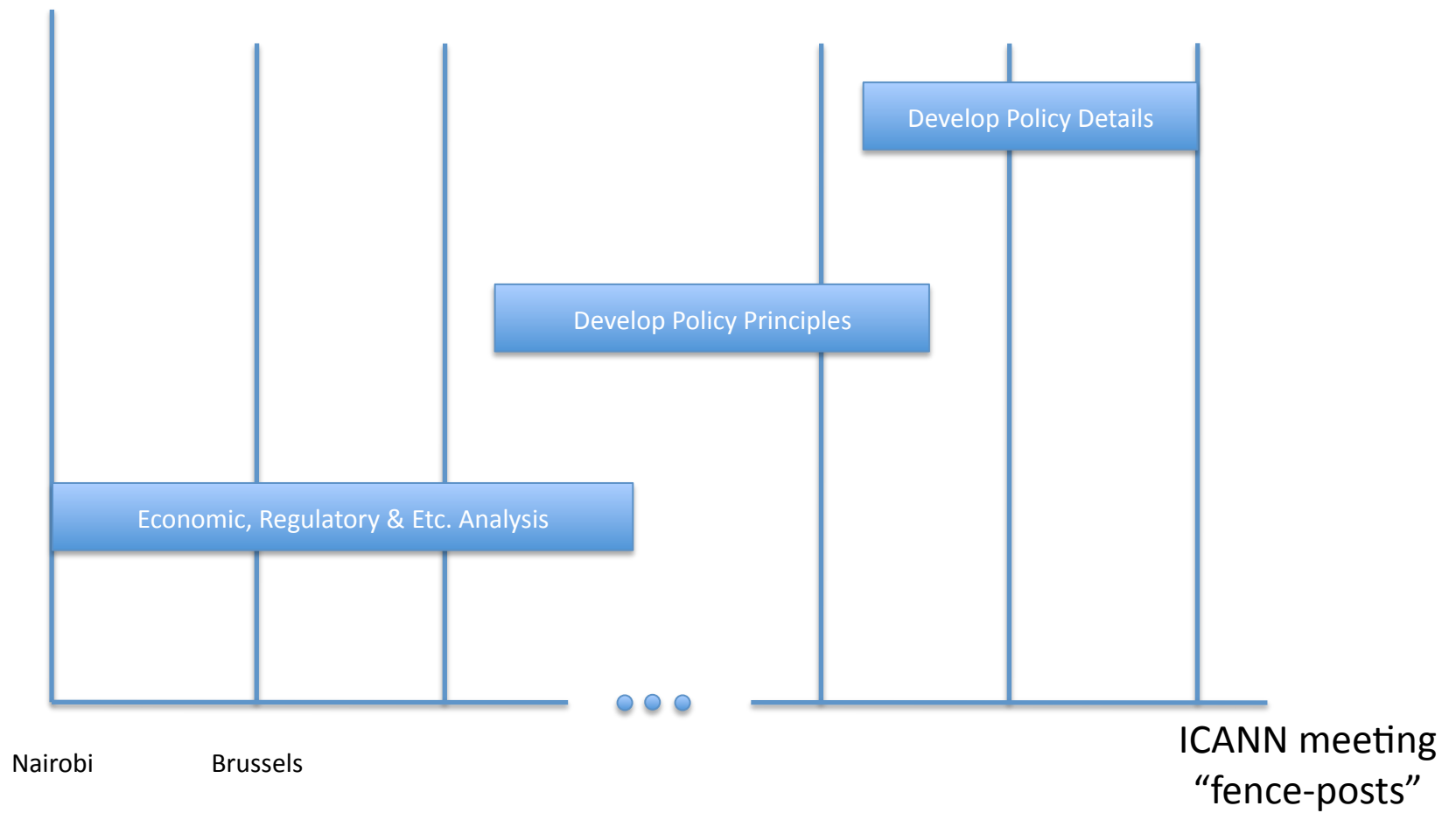
- Scope
 - Charter includes new and existing TLDs
 - Charter includes a review of contracts to ID current/previous practices
 - Charter asks us to ID and articulate changes cross-ownership, separation, and equivalent access to those proposed in the current DAG – but the Board resolution came at the end of the chartering process, which makes current-DAG a moving target
- Approach/process
 - Project has been chartered as a PDP (avg time = ~400 days) but Obj 6 of the charter says “do not delay launch”
 - Work plan in the charter needs revision to comply with bylaws and WG guidelines, which will lengthen it
 - Some of the possible work (economic studies, regulatory analyses, etc.) may not lend itself to PDP approach/work-plan and certainly don’t fit in a compressed schedule
- Target dates?
 - DAG 4 – May 15th
 - Brussels – June 22nd
 - Next DAG deadline – guesstimate is mid-November
 - None of these – work until we are done

“Perfect-World” Approach

Level of detail

High

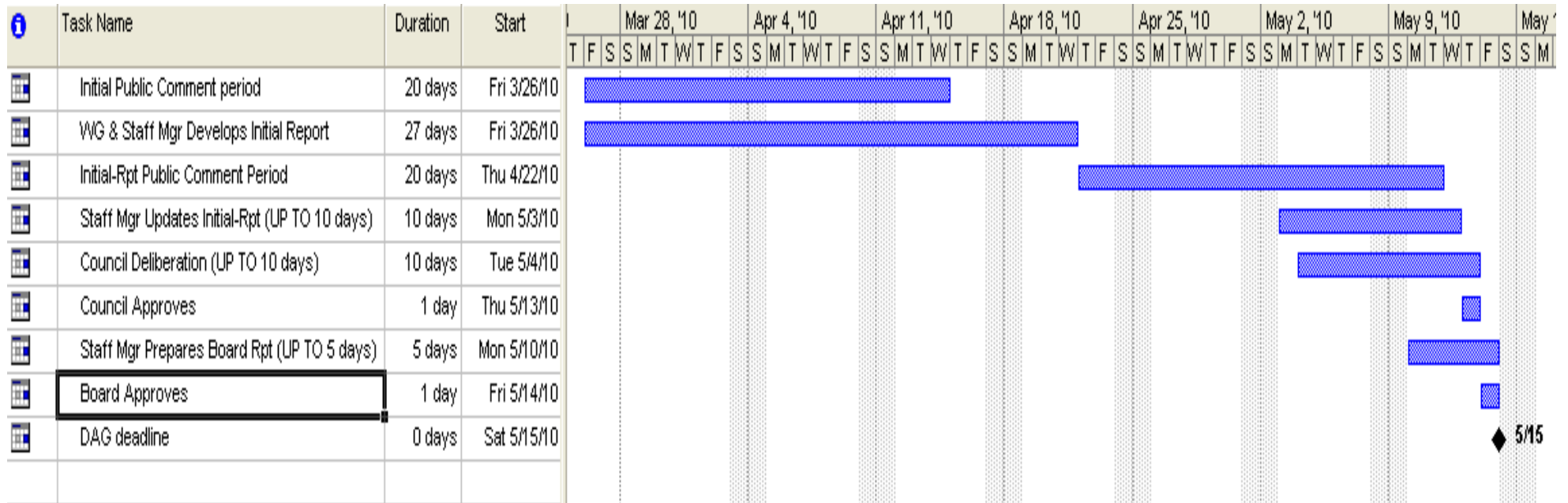
Low



Pros and Cons

- Disadvantages
 - Delays launch, or implies that the Board-resolution defines the framework for this round
- Advantages
 - Appropriate rigor and expertise
 - Provides time for thought, conversation, learning, compromise
 - Provides advance notice of changes in time for parties to react to and prepare

“Bylaws-compliant PDP by DAG Deadline” Approach



Pros and Cons

- Disadvantages
 - Huge scope
 - Astoundingly tight schedule
 - Provides almost no time for WG to think, work – effectively 3 weeks, starting from last Friday
 - Doesn't allow WG to react to 2nd round comments
 - Doesn't allow WG to react to changes in DAG as a result of the Board resolution
- Advantages
 - Complies with bylaws and WGG (kindof)
 - Meets DAG-4 deadline
 - Does not delay launch

“Fast PDP” Approach

Level of detail

High

Policy Details

Policy Principles

Low

Nairobi

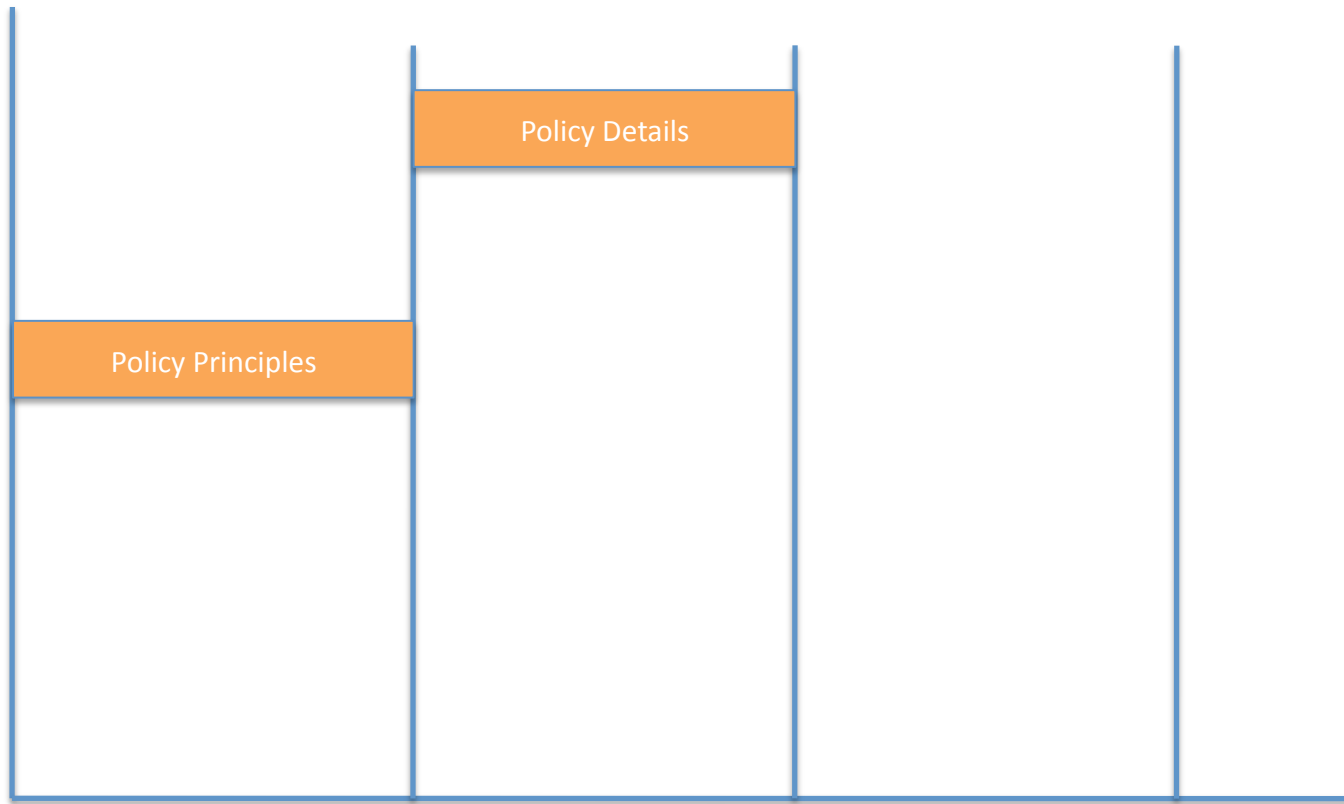
Brussels

South
America

ICANN meeting
“fence-posts”

3/28/10

6



Pros and Cons

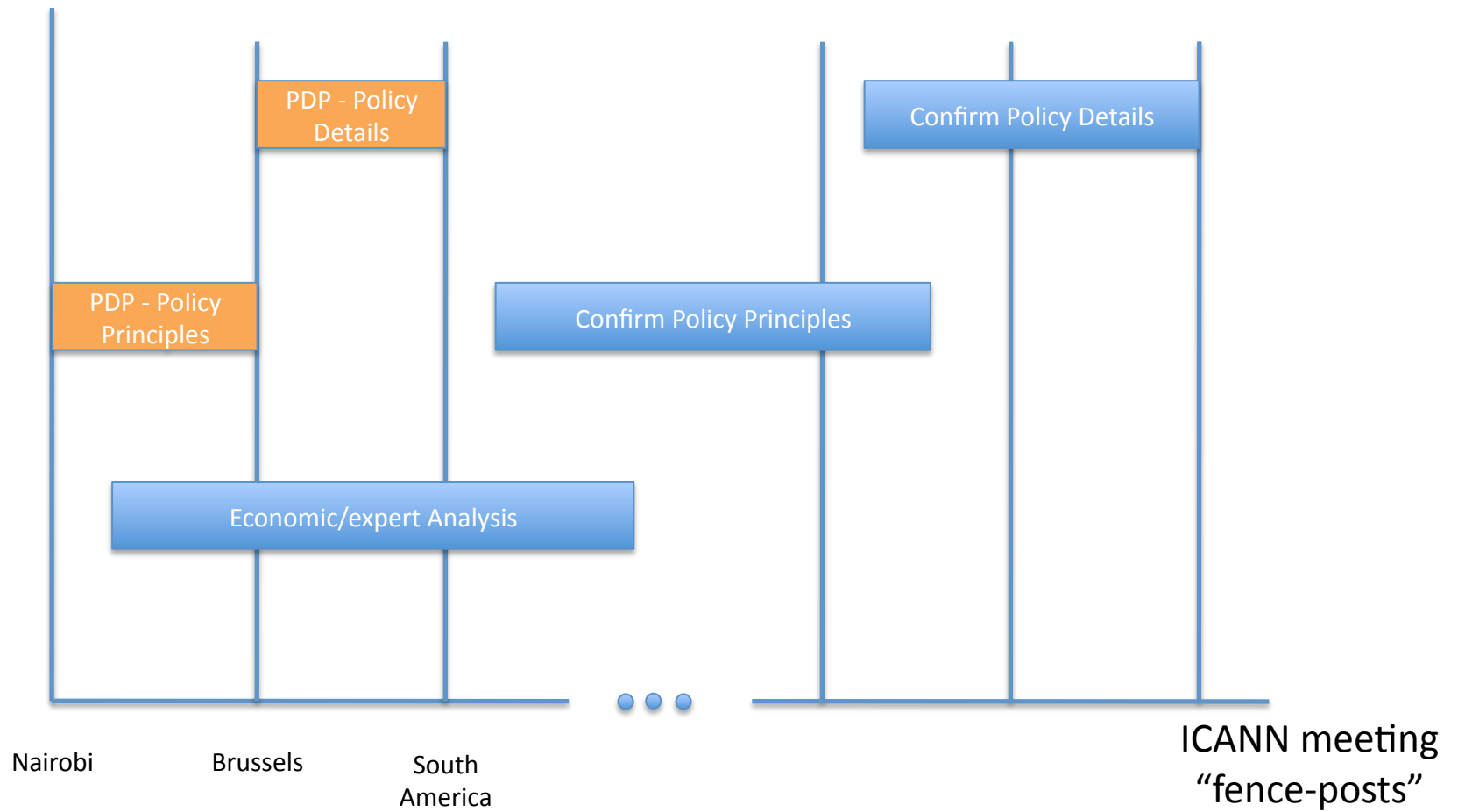
- Disadvantages
 - Still a very aggressive schedule
 - Puts a lot of pressure on scope, tough choices as to what gets left out (Only incremental changes for this-round TLDs?)
 - Smacks of “ready, fire, aim” since it skips the analysis phase
 - Misses DAG 4 deadline and may delay launch
- Advantages
 - Adheres to bylaws and WG guidelines
 - Provides for a “mid-course correction” of general principles by the Council, Board and community before diving into the details
 - Probably doesn’t require a charter-revision from the Council
 - Allows considerable public comment and opportunity for WG to react
 - May not delay launch if we get some lucky breaks

Combined Approach

Level of detail

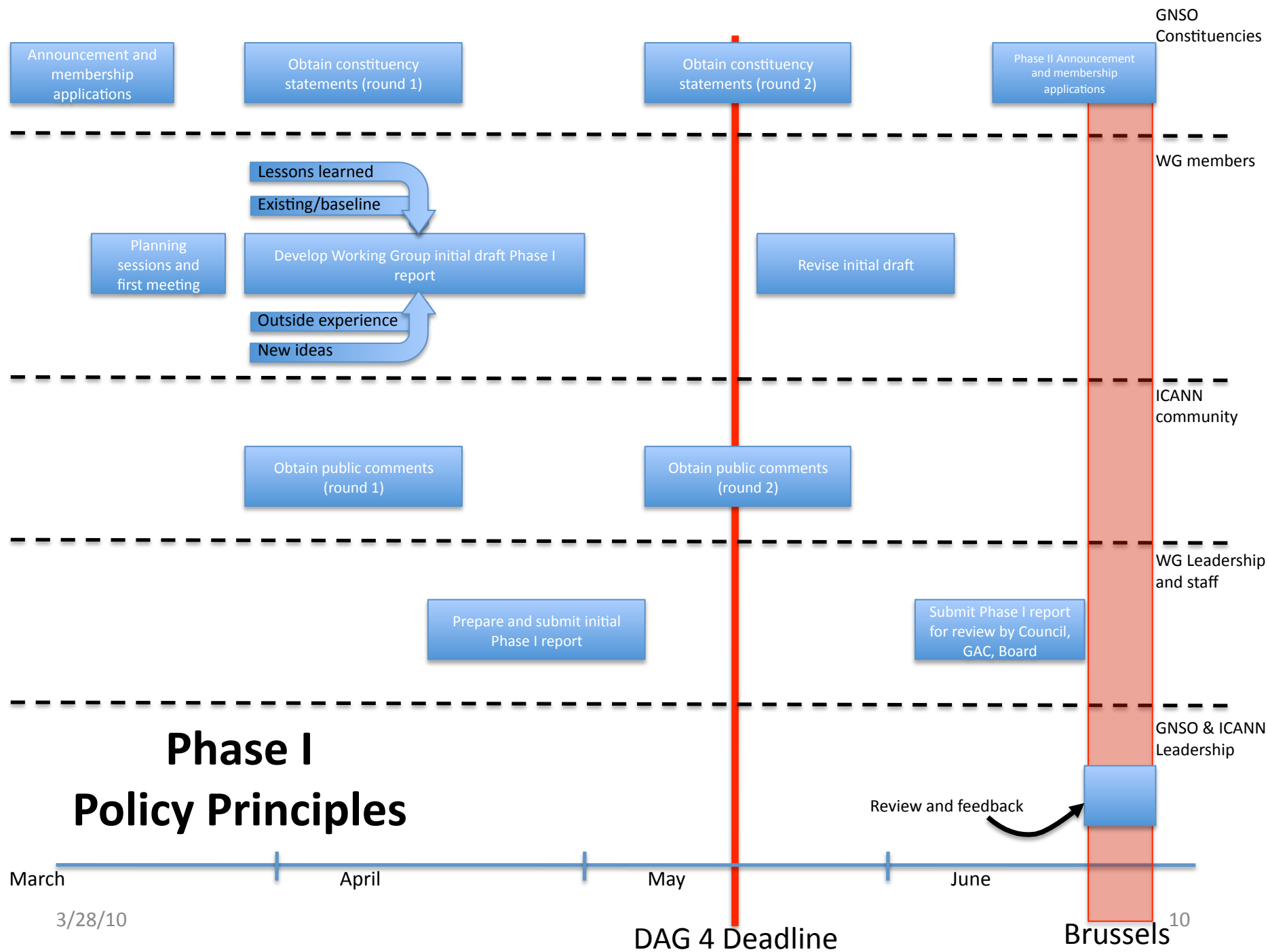
High

Low

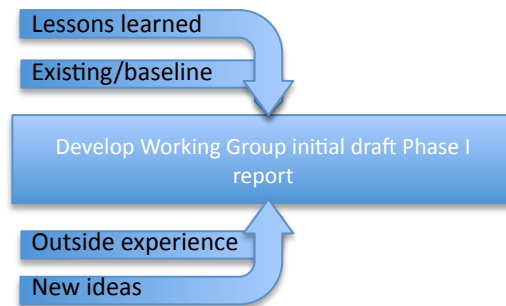


Pros and Cons

- Disadvantages
 - Leaves the door open for big changes in next-round new-gTLD rules, as well as for existing registries and registrars
 - Probably requires a charter-revision from the Council, unless we choose to leave the Perfect World analysis out of scope
- Advantages
 - Best of both worlds – speed and rigor
 - Takes pressure off scope – we'd be deferring issues rather than discarding them
 - Maintains pace and momentum of new gTLD effort, but preserves opportunity for subsequent broader/deeper analysis
 - Aligns with PDP/WG process requirements
 - Narrows the nature of the work and expectations for near-term deliverables



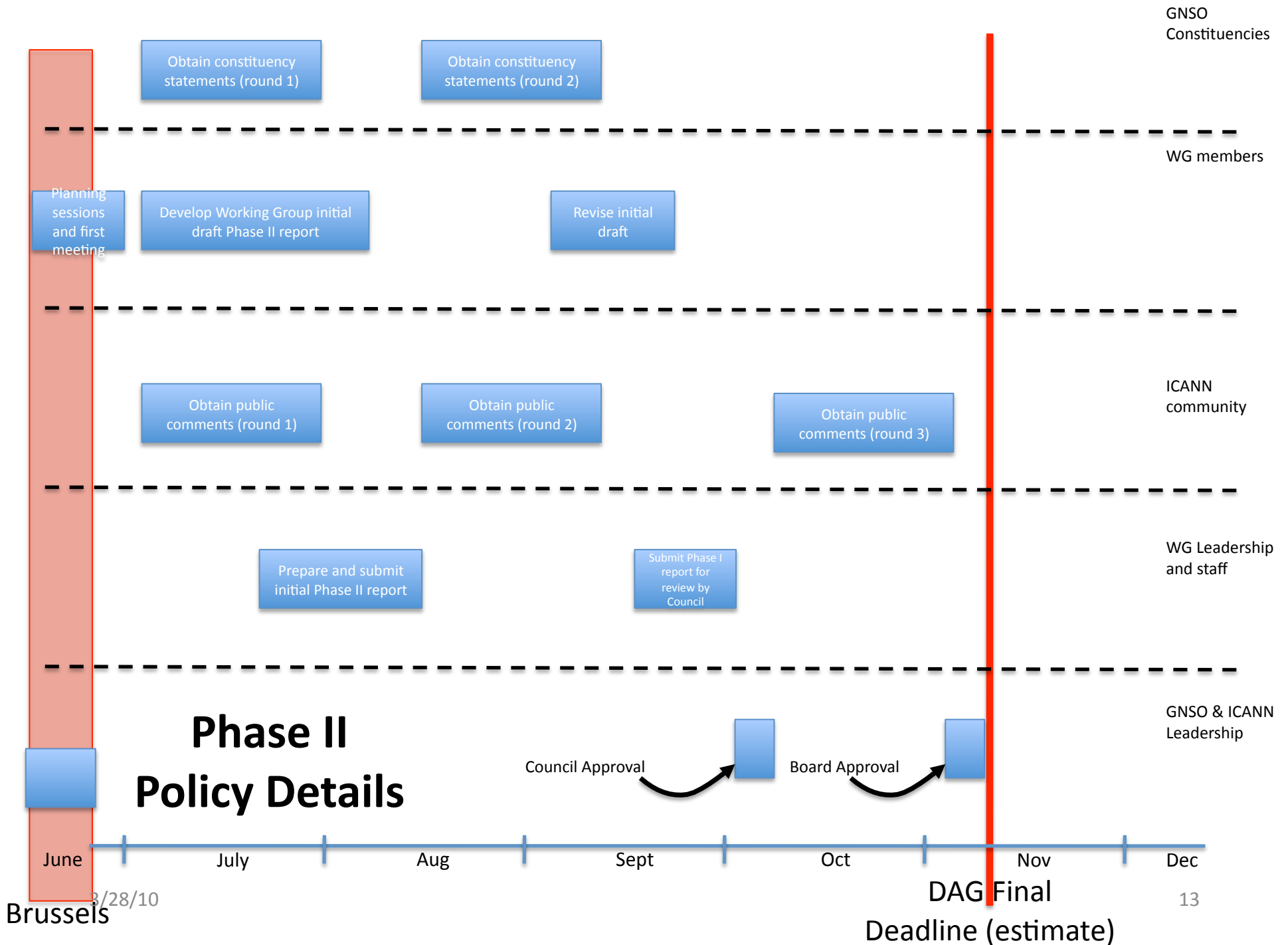
Details of Phase I



- Brainstorming and research in “birds of a feather” sub-groups?
- Share results through wiki?
- Thread conversations on list with subject-tags?
- Weekly updates, cross-pollination on phone calls?

Phase I Scope and Deliverable

- 3-5 page document describing the Vertical Integration policy (framed more as a memo of understanding than as a detailed contract)
- Consensus around principles, details to be determined after reviews by Council, Board, etc.
- Presumes that Brussels is a mid-course correction providing guidance for crafting policy details in the next phase
- The Economic Study and subsequent reviews are out of scope for this phase, merely noted



GNSO
Constituencies

WG members

ICANN
community

WG Leadership
and staff

GNSO & ICANN
Leadership

Obtain constituency
statements (round 1)

Obtain constituency
statements (round 2)

Planning
sessions
and first
meeting

Develop Working Group initial
draft Phase II report

Revise initial
draft

Obtain public
comments (round 1)

Obtain public
comments (round 2)

Obtain public
comments (round 3)

Prepare and submit
initial Phase II report

Submit Phase I
report for
review by
Council

Council Approval

Board Approval

June

July

Aug

Sept

Oct

Nov

Dec

6/28/10

DAG Final

13

Deadline (estimate)

Brussels

Details of Phase II

Develop Working Group initial draft Phase II report

- Much narrower focus
- Translating principles into sample contract language
- Smaller group

Phase II Scope and Deliverable

- Detailed analysis to guide staff as they develop contract language for the DAG
- Implementing the principles laid out in Phase I
- Incorporates Brussels mid-course corrections by Council, Board, GAC, etc.
- The Economic Study and subsequent reviews are also out of scope for this phase, merely noted

Detailed Workplan

- To be developed
- Just need agreement on broad outline before diving one level deeper