JIG
TRANSCRIPTION
Tuesday 12 July 2011 at 1200 UTC

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http://audio.icann.org/gnso/gnso-jas-20110712-en.mp3

On page :

http://gnso.icann.org/calendar/# <http://gnso.icann.org/calendar/#jul
(transcripts and recordings are found on the calendar page)

Participants on the Call:
GNSO
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Avri Doria - NCSG
Carlos Aguirre - Nominating Committee Appointee to GNSO Council
Alex Gakuru - NCSG
Andrew Mack - CBUC

John Rahman Kahn - Individual
Eric Brunner-Williams - Individual
Elaine Pruis - Mindandmachines

At-Large:
Cheryl Langdon-Or - ccNSO Liaison - APRALO
Carlton Samuels - LACRALO - At Large - WG co-chair
Alan Greenberg - GNSO Liaison – NARALO
Dev Anand Teelucksingh - LACRALO
Olivier Crépin-Leblond - ALAC chair
Tijani Ben Jemaa - AFRALO - At Large
Evan Leibovitch - (NARALO) - At Large

ICANN staff
Karla Valente
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Apologies:
Baudoin Schombe - At-Large
Sebastien Bachollet – ICANN Board
Michele Neylon - RrSG
Tony Harris -ISPCP

Man: We're now recording.

Gisella Gruber-White: Thank you. Good morning, good afternoon, good evening to everyone on today's JAS call on Tuesday the 12th of July.

We have Dev Anand Teelucksingh, Rafik Dammak, Carlton Samuels, Cheryl Langdon-Orr, Tijani Ben Jemaa, Alex Gakuru, Carlos Aguirre, Eric Brunner-Williams, Olivier Crepin- Leblond, Avri Doria, Evan Leibovitch.

From staff we have Karla Valente, Glen De Saint Gery, and myself Gisella Gruber. Apologies today noted from Michele Neylon, Baudouin Schombe and Tony Harris.

If I could please remind everyone to state their names when speaking for transcript purposes. Thank you, over to you Rafik.

Rafik Dammak: Thank you Gisella. Thank you everybody for joining today's call. First please if you have any updates in your SOI's please do so sent after to - that to (unintelligible).

So for agenda we have the same items like the last two calls. And then we can start at the first item which will be led by Avri.

So Avri do you have any updates and so let's discuss about the foundation for (unintelligible). Avri it's up to you. Yes.

Avri Doria: Thank you Rafik. As before there's no new documents. There's still the two contributions in there, the Funds in Foundation contribution and the fee reduction and program self-funding requirement that I put in.

We discussed a bit of the funds - an email from Eric after that meeting I think sort of going over some of the points he had made in the meeting.

I made a couple changes based on the two comments and things that were said in the meeting.

One is on the first two bullets that Alan Greenberg had commented on saying that it basically wasn't the job of this board setup Funds and Foundations Committee to investigate legal structures.

I - okay the text is bracketed. And but I changed the bracketed text to say work with ICANN staff to investigate and understand.

As I say this has still been one of the major stumbling blocks that's always brought up whenever someone talks about this Fund and Foundation oh, but we don't know.

So I believe that this committee still needs to be the driving forcing function that has the responsibility to make sure that the staff does it.

But of course that's up to you all so the text remains bracketed with a note saying move to footnote was suggested. I don't think the wikis got footnotes. Well it kind of does but they don't work real good.

The other change I made was under Availability of Funds I put in new text in there that hopefully meets what Eric was talking about.

That text now reads and it probably has my typos so I'm sure someone can point those out to me quite, you know, well.

The goal of the program in terms of providing funds is both immediate and ongoing. So there's an immediate need to obtain funds sufficient to help a significant number of applicants from developing economies to participate in the application process for the first round in 2012.

There is an intermediate goal to assist JAS selected applicants in setting their registries in 2013. And there's a long term goal of ensuring that the second and further rounds will have a stable source of funding available for assisting applicants from developing economies.

So I'm not sure that that's exactly what Eric was pointing me to but I have replaced the errant paragraph from before.

That's all I've done. I see to Tijani doesn't hear me. I'm practically shouting. I'm talking into the microphone. I'm really sorry. I'm done.

Rafik Dammak: Thank you Avri. For some reason I cannot access to other (unintelligible) so I am not sure who is in the queue.

Man: Oh nobody's in the queue so far Rafik. At least there are no hands up. I'm looking at the Connect, Adobe Connect.

Avri Doria: Oh do you think that it's my line that's making that noise?

Gisella: It is Gisella. Avri it is - sorry it is your line. It's static. Are you using a mobile phone?

Avri Doria: No I'm using a landline.

Gisella Okay well I've asked the operator to see if we can...

Avri Doria: Okay but I just unplugged a couple other things from (unintelligible) and it seems to have stopped.

Rafik Dammak: Thank you. So I mean any comment? Okay.

Avri Doria: I see Cheryl has marked a question while we're waiting for hands can we use the term needy applicants?

Of course whatever term but I've tried to use the JAS qualified term as opposed to needy because the qualification seemed to be more than just needy.

But certainly, you know...

Rafik Dammak: Yes...

Avri Doria: And I thought we were always doing developing economy.

Rafik Dammak: So it's clear that we need to agree about the same terms that we will use in the whole how do you say, in the whole report for just to be consistent.

So I'm not sure is Cheryl you want to speak or because still I cannot access to Adobe. I don't know why.

Avri Doria: You don't have any hands up.

Man: Yes there are no hands up Rafik.

Rafik Dammak: Okay.

Avri Doria: Okay well I guess then, you know, I'll keep looking for questions. I mean Cheryl's also just brought up an issue about are we just restricting to developing economies?

I guess that's a question. I thought we were but perhaps I misunderstood because as I say I'll be leaving in 20 minutes. I have another work...

Rafik Dammak: Yes.

Avri Doria: ...work-based call at the half-hour.

Man: We see that. I've seen that Avri.

Avri Doria: But anyhow...

Man: Alan Greenberg has his hand up.

Avri Doria: Oh okay sorry.

Alan Greenberg: Yes with regard to the question Cheryl asked I think it's best in the body of
                        our document if we just use the term, you know, that Eric used some
                        shorthand which will not be misunderstood of JAS qualified or something like
                        that and then we define it.

                        If we end up in the - when we end up with the final definition of including
                        some categories of applicants and GTLDs which are - which could not be
                        called developing economies we shouldn't have to go back and rewrite the
                        rest of the document.

                        So I think we should use a neutral term throughout the document. And where
                        we define how one gets qualified whatever falls out of it falls out of it.

Avri Doria: This is Avri if I can respond. Of course I'll make that change there.

Alan Greenberg: Thank you.

Rafik Dammak: Okay.

Man: If there's no other comments let's move ahead and if we have nothing to
                        talk...

Man: Yes...

Man: ...about we can get off the call early.

Man: That's it.

Rafik Dammak: Okay so that's a good idea Tony. Anyway so if really we don't have any
                   further comment I guess...

Man: I suspect there may still be further comments but, you know, there's nothing
                   obviously no one on the call who has anything to say right now.

Rafik Dammak: Yes Avri what you want to say?

Avri Doria: Please don't be shy and please don't wait for the next call. I checked the
                   comments. I try to check like every day just to see if there's new ones to deal
                   with.

                   I apologize that I only got around to making the edits this morning but, you
                   know, I am checking it daily so, you know, comments any time please.

Man: I think we're all time constrained right now. At least I am anyway.

Evan Leibovitch: Hi all. This is Evan. I'm just now catching up. It's going to take me a little while
                   to come to speed but I'll definitely, you know, I'll definitely not be shy with any
                   input.

                   But I apologize. Over the last two weeks I've been pretty well out of touch
                   with anything JAS related. And I - Avri I'll definitely be in touch with you as I
                   go through stuff.

Avri Doria: Okay and I see Eric's note. I'm not up for, you know, signing up to do all kinds
                   of PowerPoints and presentation where for these meetings.

I don't control Adobe. I think it's dumb that we use a system like Adobe that doesn't interface with the wiki we use.

But sorry, you know, that you have to push back and forth between two screens. I've got two screen set up so I don't have to switch back and forth. But, you know, I'm not going to do extra work just to have presentation ware where. And I see Eric has his hand up.

Man: Eric has his hand up Rafik.

Rafik Dammak: Yes sorry please go ahead.

Eric Brunner-Williams: Thank you Rafik. Eric Bruner-Williams for the transcript. The suggestion I made in the Chat is actually the record of the staff who could be picking up the text from the Adobe and putting it onto the confluence - excuse me, picking up the text from the HTML source in the workspace that we have for doing offering and putting it in the workspace that we have for doing communication with each other.

So from one URL to another URL, not the presenter but actually have staff mouse up the - whatever the current work is and put it in the window rather than having that window be dead area consisting of nothing more than a resolution that's been out since February or November or anyway a board resolution that we're all fairly familiar with.

The reason I raise my hand has now even slipped my mind. So thank you very much for the opportunity to comment.

Rafik Dammak: Eric, thank you Eric. So I'm not sure is maybe Gisella or Karla can answer your comment.

Karla Valente: Hi Rafik. If you haven't (called on) one I can start switching text. It always takes time with formatting even a copy and paste from wiki.

But I'm happy to do that if you want to. And the board text is not there since February. This is the board text from September, Singapore resolution with some of the things that are, some of the important deadlines to consider because this is one of the things that always comes up during the meeting. So whatever the chairs want I'm happy to do.

Man: Avri has her hand up Rafik.

Avri Doria: Quick thing.

Rafik Dammak: Yes?

Avri Doria: Instead of having to, you know, PDF it and put it up I noticed that for those that are hosts you could share a screen.

So would you be able to share a confluence within a screen? It's just something to check out so it would save work on having to do that. I'm just curious. But anyhow thanks. I guess I'm done.

Rafik Dammak: Okay so maybe we can try next time as Avri said just maybe use (EDI). But I'm not sure if who well - if people can let's say scroll down the documents or and not just that only the host can do that. So...

Carlton Samuels: Okay can I just say I had asked Karla to put up the dates, the important dates to consider to keep them front and center because I thought it is important to keep those top of mind.

I still I'm of that view but of course if folks decide that they don't need to know that information and keep it front of them that's okay. It can be removed.

To the extent that we need to see the text we've always asked and the staff has always been helpful in putting text when we ask. So I'm not at all opposed to the staff doing the same thing that they're used to doing.

Many times I've had asked for them to put stuff put in the Adobe Connect and it has happen. So I'm not at all opposed to it.

Rafik Dammak: Okay thank you Carlton. Okay so we will try next time and the next call those option and to see if it works or not.

But now think no - not further comments maybe I can move to the next item. Just I want to say that maybe for to move forward I think that as co-chairs we need to send remind maybe to the mailing list ask people to okay, actually did you say something funny? I'm not sure.

So to send remind to the mailing list asking people to check the wiki about this part and to put their comments and then we need to do that, et cetera just to reach consensus and to avoid that to have to do that later at the end when if people have comments or objections or it's better to ask people to do that now and so okay.

So moving to the next item hopefully now at this time we have Elaine Pruis on the call. So she can give us an update about how the in-kind service so how about Elaine Pruis could check the last two calls and to see the comments that we had? Elaine Pruis okay you hear me?

Elaine Pruis: Yes. Can you hear me?

Rafik Dammak: Yes you have the lead for this item. And so please go ahead.

Elaine Pruis: All right thank you. I did have a look at the transcript from the meeting that I missed on Friday. And so I want to address a couple of the points that were raised on that call and then move forward with items from the email I had sent

well initially back in February and then again in June that haven't been dealt with yet.

So the first thing I just I want to talk about is I believe it was Cheryl who said she raised a concern that the $2 million dollar funds wouldn't be used by ICANN or applicants to pay registry service providers for their services.

So, you know, having that $2 million be announced just in the last couple of weeks I'd like to point out that (unintelligible) idea or concept you think would have been shorter for over a year.

Man: Elaine you're fading badly.

Elaine Pruis: All right. Your - the proposal for in-kind services is part of the working group charter since we first formed.

And it's not - this concept is not a place for registry service providers to get a grab that the $2 million fund that was just set up a couple weeks ago.

So I want to put that out there because I feel like the concept is registry service providers or (unintelligible) attorneys that will need to help (unintelligible).

And it shouldn't be excluded as something just it has to or can't from registry service providers to take something away from the applicants where, you know, I'm coming at this from the position of its actually a loss to my company to be participating network group and...

Man: That's...

Elaine Pruis: ...and (unintelligible) lost revenue. So...

Man: Alan Greenberg has raised his hand. I suspected he wants to say something about the loss of audio.

Alan Greenberg: No I was actually going to respond to substance. Everyone else's commenting on the inability to hear Elaine Pruis clearly.

I was going to comment that my taking of Cheryl's comment was not saying that the motivation of registry service providers is to provide the money so they can capitalize on it.

But in structuring the final details we should try to make sure that there are no - that it's not easily gained. So I don't - I didn't attribute it as motive but a caution as we're working out the details.

Elaine Pruis: Great. I absolutely agree with that. We've tried to work on all aspects of this to prevent (gaming). So that's clear.

But I just want to make sure that, you know, it's part of the common thinking that the in-kind services has been around for a long time and we just haven't gotten around to working on it.

Alan Greenberg: I don't think there was any assumption of ill will or malfeasance in the - in presenting it.

Elaine Pruis: Okay. The second point is that the Web site development that was discussed, that has also been in the works I think since the (unintelligible) panel resolution in - that was September of 2010.

And there was no (CFL) by the board for administrative tasks who has to go up that which I think Karla also verified on the call last week.

And then another...

Man: And she's gone completely.

Man: No she's gone completely.

Rafik Dammak: Okay so okay...

Woman: Her line is disconnected.

Man: Is - she's back, Elaine Pruis?

Woman: No not yet.

Man: Okay.

Rafik Dammak: Okay let's wait. I know things like (unintelligible) have comments now. I don't
                          see anybody in the queue but let's wait.

Carlton Samuels: On the Chat Rafik if you look at the transcript someone had raise the issue
                          whether or not we should continue to call it in-kind services.

                          Maybe Elaine Pruis would need to answer that. I think she's answered it a bit
                          but you might want to raise that is a specific response.

Evan Leibovitch: Carlton this is Evan.

Carlton Samuels: Yes?

Evan Leibovitch: I don't have access to Adobe. Can I talk?

Carlton Samuels: Yes.

Evan Leibovitch: Hi.

Carlton Samuels: Let me...

((Crosstalk))

Carlton Samuels: Rafik...

Evan Leibovitch: I have mentioned it to myself. I would join one of those that has questions about the use of the term in-kind.

In-kind is usually meant as a service offered equivalent to some kind of cash contribution. And since we're not setting any particular standard of cash contribution I don't even know why this is relevant here.

Yes it is useful to us to have a clearinghouse for corporate services offered. But in-kind to what is an issue. We're not saying that, you know, there's a certain standard of contribution for anything.

And if that's the - if that's the case then the use of the term in-kind is absolutely inappropriate here.

So by all means it is within our mandate and within our charter to investigate how to facilitate the matching of donors of corporate services together with those who need it.

But it is not anywhere near in my mind what I think of when I've - when I come to think of in-kind contributions which have normally been seen as a substitute to financial contributions.

Since we're not making any demand of corporate financial contributions I don't see how it's relevant.

If it was a matter of, you know, that that company could donate services to the $2 million pool that to me is not useful.

The Foundation Fund itself has to deal with cash and I don't see where services can be provided as an alternative to the cash that the recipients are going to need.

So while I was not the one who initiated the problem with the term in-kind I'll certainly speak in favor of my own difficulty with the term.

Rafik Dammak: Okay thank you Evan. So understanding your comment but what do you suggest instead of using...

Avri Doria: I speak to that...

Rafik Dammak: ...in-kind?

Avri Doria: ...Evan before we suggest another term?

Rafik Dammak: Sorry Avri?

Avri Doria: I'd like to speak to the issue before we decide on another term because one person is uncomfortable with the term.

Rafik Dammak: Yes.

Man: Avri wants to speak.

Rafik Dammak: Yes...

Avri Doria: Yes.

Rafik Dammak: Okay.

Avri Doria: I think I totally disagree. This is Avri. In-kind services is a term of reference for people who provide services instead of money.

We're not talking about in-kind as a contribution to the fund or foundation. We're talking about it being a totally separate thing.

So I think I mean by all means find another words if that word is uncomfortable. But it means what it says is that people are donating services.

Man: Then why don't we call it donated services?

Avri Doria: Whatever, okay fine. It's just it's a normal way of referring to things.

And as I say my main concern though is any linkage between the in-kind or service donation and the Funds Foundation because I don't know if it was Cheryl that mentioned it but I know I'm certainly concerned about in-kind services such as discounts being used as a lead in to getting funds.

And at that point I'm signing off. I'll listen to the rest on recording. Bye.

Gisella Gruber-White: Elaine's back on the call. Thank you.

Rafik Dammak: Thank you Avri. Okay we have three people in the queue. So and Elaine Pruis is back to the call I think. Okay.

Man: Can you see now Rafik?

Rafik Dammak: Yes we have Andrew Mack, then Alan Greenberg, and then Eric. Andrew Mack please go ahead.

Man: Great.

Andrew Mack: Thanks very much. I think I understand Evan's discomfort with the term in-kind services. And I think it works fine as a useful marker for the time we were - we had to this point.

But I think at this point it probably is worth looking at another term that will give us a little bit more precision.

In the sense we have we have to determine what we've got on the table, is it a donated service? If it's a completely donated service it falls into one category in my mind. If it's a discounted service it might be slightly different.

It may just be just this matching thing that we've been talking about which case it may not be a discounted service at all but just linking up the right people with other right people who need them that could be a very valuable and vital function for some sort of a clearinghouse that wouldn't be anything donated at all.

So I mean the fact is that all these services are services that have some sort of economic value.

Maybe the better function would be to focus on what those services are as opposed to I guess my point being is if there are - that everything translates on some level into a contribution that is either paid for or donated.

And so there seems to be a little bit of an arbitrary distinction although I understand where it came from. I don't myself have a - the ideal term but I do understand why it would be confusing. Thanks.

Rafik Dammak: Thank you Andrew Mack. So Alan Greenberg please go ahead.

Alan Greenberg: Yes I just think we need to be careful not to get too engrossed in the nomenclature discussions. I mean in-kind has that there are a variety of different meanings and different venues.

Sometimes it means instead of money but treated equivalent to money, you know, in tax deductions perhaps.

And in other cases, you know, it's going to have a completely different forum. It's certainly in our mind at least I think we're talking about would not be counted against, you know, as if it was a contribution to the dollar fund.

But I think we ought to be really careful. You know, if a registry says it will offer free service for five years is that the equivalent as discount because they're hoping to get the business five years from now, maybe?

You know, I think we need to now worry too much about the nomenclature right now and get the concepts down. Thank you.

Glen DeSaintgery: Thanks (unintelligible).

Eric Brunner-Williams: Thank you (Unintelligible). In the chat I put my comments, (unintelligible) in the (unintelligible) I point out that some resources other than cash are congeable. And the resource accumulated by and allocated by the agency other than the provider and a consumer (care).

So, that's really all I had to say. Thank you.

Glen DeSaintgery: Okay, thank you, Eric. Okay, still Eric, do you want your comment? Okay, I think now we can back to Erin. Erin, can you hear me?

Elaine Pruis: Yes. Berry dropped off. Can you tell me what I was saying when I dropped off because I don't know when I was lost.

Woamn: You were responding to the emails and the - no, the transcript. And some of the questions that were raised relative to your area of specialty in the transcript. And then you said you were going to go on and deal with some of

the substandard questions that you ask in February and June that still have not been answered by anyone.

Elaine Pruis: Oh, okay, (unintelligible).

Man: Elaine?

Elaine Pruis: Okay, so what's left to do then is I just have to make sure that, (unintelligible) believes that this Web site can (unintelligible)for us to pursue.

The single (mat), you know, the board has allocated an administrative fund to help with staffs already been working on it. And so that the base of it - hello?

Elaine Pruis: Sorry, so the base of it's in place. And I talked to Kurt Pritz in Singapore. And he said that they're waiting for some providers to step forward and say, you know, they're wil-, that they have services they want to provide before they launch the Web site so it gets some traction.

In response to that, I wanted to point out that last year there was a public comment submitted by Blacknight and also by NewStar saying that they were willing to provide support to (Amy Appleton's (unintelligible) Ambassador or another).

I remember NewStar saying they'd like to provide some cash to a fund. And I think Blacknight said they were willing to provide some sort of other services. So, the problem we have there or the thing that needs to be resolved is getting this information out to providers. Explaining our program and (unintelligible) that they notify the agency they need for support.

The other end of that is letting the applicants know that this is available to them. And getting them involved too. So if anybody has any ideas on how to deal with that, that's one thing I'd like our team group to consider.

And the second part is actually coordinating that assistance. So, we need to figure out if we want to be involved in any of the process type of questions about how would we - how do these applicants actually get matched.

Unless we just stick with the initial idea which I think had a lot of acceptance from the board a long time ago. That is simply a list and it's approved for people to go and see, oh, here's the Blacknight. They're willing to help me set up my IPB6 DNS servers.

And then they just contact Blacknight directly and there isn't any sort of intervention of any need.

We talk about people's ideas around that. How are these things coordinated? (Unintelligible) Thanks.

Man::   Thank you, Elaine. Okay, any comments? Andrew, go ahead.

Andrew Mack: Thanks. Elaine, what your - your points are good points. I am, obviously, administratively the easiest thing to do would be to set up a billboard. And to say without recommendation or prejudice here are people who are interested in providing service.

The question for me is whether or - two things. Number one, I think kind of a backhanded benefit of this program - if we do it correctly - would be to encourage capacity in some of these regions of the world that are - that we're hoping to support.

So, I'm wondering whether we will provide more arrows that point back to the global north. And get consulting and companies and things like that, I don't know, I'm just (brancering) on this.

And the other thing is that I - so that's on the one hand. On the other hand I think that as we get to the point where we're trying to make recommendations

then all of a sudden whoever's doing the recommending becomes an interested party. And that maybe become difficult.

So I can see it from both directions. I don't know whether there is a way that we can get people who really have specialization in working with underserved markets to them without doing recommending. I'd love to get people's thoughts on that.

Carlton Samuels: Thank you, Andrew. Eric?

Eric: Thank you, (unintelligible). Elaine, the comment I previously made to Evan I'm going to tediously repeat.

Some of the things that may be offered by third parties may be useful to more than one applicant or maybe fundable like cash. In a sense that, you think that a problematic example but just one that we just happen to know about.

There is the offer of some kind of assistance with providing a response to the technical questions. That recently came across our board notice. And that's something that can be matched to more than one applicant.

And then there are things which are like specific surfaces - specific registry hosting offers which are specific to a particular offer or may be used by one or more applicants.

So the outcome creating some form of vehicle for association which I think is part of the what you're attempting to do and what your subgroups is attempting to do.

And to distinguish between those things which are point to point and those things which are multitask. I'll stop there because.

Carlton Samuels: Thank you, Eric. Elaine?

Elaine Pruis: Thank you. I want to respond to the point that there's concern that Northern and North American companies would dominate the field when it comes to launching these new registries.

In event from my point from my (unintelligible) there, having worked with COCO which is the cooperatives of (Susie Chiles) e-operators recently was to be managed. And ultimately what a registry operator needs is knowledge. And that knowledge can only come from trial and error. Or from being taught by someone who already knows these things.

So, you know, if you - if we're concerned about all of the work coming out of the Northern countries. I think we could try to figure out a way to work CCTLB operators into the picture. Maybe they could become mentors or we could lead them to meet things.

They already know how to avoid the idea that the knowledge in the infrastructure is in certain geographical regions. And in order for that to spread somewhere else, those other regions need sort of a leg up.

And Evan, isn't that what we're doing with this program? So I hear the concern but I really don't think that that should be a reason to watch from people's (unintelligible) from the distance.

As far as Eric's concern or point that there are different kinds of (unintelligible) that's clear. So maybe what we need to do is - you know, right now there's a particular subgroup that's been pushed on with a matching idea. Maybe we should also add another function is communication sharing.

So part of this Web site could not only be showing applicants which registries to put service providers or consulting assembling to do sort of services but also to, well, here's a link out to a Wikilink and you can get templates on

these particular questions. (Unintelligible) we can make it more than one utility.

Those are my responses to those points, thanks.

Carlton Samuels: Thank you, Elaine. Eric, any formal comments?

Eric: Yes, (Unintelligible), this is Eric.

Carlton Samuels: Yes, Eric, yes, please go ahead.

Eric: Thank you. I just made my comment to the chat for those who were not on (unintelligible). An area I'm interested in is licensing terms and conditions as a possible form of resource to be made available.

The question as I moving (unintelligible) to C registry software is going to encumber and therefore available to any applicants including those that JAS qualified.

If this list can go beyond one, the request needs to be conveyed to potential interest and current license holder such as non-perspective RSPs that have not answered or the answer is if any conveyed to the JAS qualified applicants.

Thank you.

Carlton Samuels Thank you, Eric. Okay.

Elaine Pruis: May I respond to him?

Carlton Samuels: Yes, Elaine, yes.

Elaine Pruis: Thanks, well, this is for the licensing terms and conditions. And Eric, can you tell me do you mean that that particular provider has been started by ICANN as trust-worthy or?

What licensing or permissions or conditions beyond entering into a contract with ICANN be - you think would be (unintelligible)?

Hello?

Carlton Samuels: You're waiting for Eric to respond, Elaine?

Elaine Pruis: Yes, or anybody. If licensing and terms and conditions are of interest to the group let's - explore that further or tell me some more about (unintelligible) here so we can go down that path.

Carlton Samuels: Well, my interpretation of it is, Eric is saying when there are - the required software to run and support registry operations. If software is available almost as a free and open source kind of environment. I think that's what it means but Eric is on so he could explain further.

Eric: If I may, Carlton, (unintelligible) it brings up the issue of (unintelligible) and the underlying or the associated registry business logic usually implemented in software. To be addressed and really it's just a - just associating the licensing from the individual RSPs. That's all, thank you.

Carlton Samuels: Did you hear that Elaine?

Elaine Pruis: Yes, but what I mean, what I want to know is that you want to make sure that the provider is qualified and trustworthy. So are you talking about...

Eric: No, Elaine. I have no interest in the provider's trustworthiness, loyalty, and any other Boy Scout attribute. Only in the terms of the licensing position of

the software of which they have which reputedly is EPT conformant for EPP1.0 let us say or some other version of EPT.

So what...

Elaine Pruis: So you're talking about what sort of conditions they are putting on the applicant? Okay, understand. You - how do you suggest getting into the Web site we're doing?

Eric: Let us assume, just in (unintelligible)...

Carlton Samuel: Eric?

Eric: or (unintelligible) go ahead.

Carlton Samuel: Okay, so because we have Alan on the que. But if you want to still go again, you can. So, Alan, please go ahead.

Alan: I'm getting a little bit lost in this discussion between two professionals who are perhaps talking above our heads - or at least above mine.

I thought one of the questions, and not necessarily the whole question, that Elaine was asking was if this is software provided by this particular registry provider free. Who is going to take responsibility for ensuring that it's compliant with the requirements in the applicant guidebook.

I'm not saying it isn't. The question is who's going to take responsibility for that if it is to be made available to all applicants whether they're needy or not. I think that was one of the questions that Elaine asked and I haven't heard an answer to that.

Carlton Samuel: I think, Elaine, you want to respond to that? Elaine?

Elaine Pruis: Yes, that is a question that's been - I think presented by part of the group. And, you know, what I - my personal response to that is nobody really knows what they're going to get when they hire a provider.

You don't - there's no certification for, you know, (Michael Polloris) and that he can do research and when he writes response to the application questions and post them on a Wiki.

So, what I want to know is how much interest is there in the group that we pursue a (unintelligible) process for any providers that come forward and say that they're willing to launch or whatever services. Is this something that we need to keep considering? Or do we just, you know, take my personal position which is, you know, buyer beware basically. Next.

Carlton Samuels   Thank you, Elaine. Okay, Carlton?

Carlton Samuels: This is Carlton Samuels for the record. I personally - this is a personal - that if the software is fit for purpose. I'm presuming that it would be fit for purpose because either somebody's certifying it as fit for purpose or we have used examples of it. Then it becomes a part of the set of services that could be supplied.

I see that. So you have the software. It's been donated. And it's been certified as providing the services that are required to a certain standard. And there are ways to do that in the software world.

And you still put a label on it and say, well, while it is certified by (unintelligible). I think that's perfectly okay.

Elaine Pruis: Carlton, there's thoughts from people on this call about letting providers for the - make it on to a distributers list.

I want to mention that's (unintelligible) letters who have to go through a very stringent delegation system.

Carlton Samuels: Go ahead.

Erin Vivion: I don't think ICANN can be in the business of doing the testing for a provider. If someone offers a service, it's going to have to be offered with clarity as to whether this is already pre-certified and, you know, everyone can attest to it.

Or it's something that the recipient is going to have to take responsibility for. You know, there's a big difference between someone providing registry in a box software that ICANN has already put a stamp of approval on.

And one that says take it but you're going to have to be able to demonstrate to ICANN that it meets the services.

I don't think either of them is tainted. But I think when an offer is made through this, you know, bulletin board whatever that there's got to be some clarity it.

I don't think that we can specify that you can not offer it unless it's certified. You know, as you point out, you know, Michael Palage might not be certifiable, excuse the expression. In the context but someone may want to take him up on his services.

I think, you know, one simply needs to declare what the issues are and leave it at that.

Man: Thank you, Erin. I have a question, so we all have this question about software, etcetera. So, my question is, there is some - I'm not sure how to say this - some software which is really usually used by many industries.

And I guess and, the registry is a small many there is no common practice or common software, etcetera, or common standard. But is there software who are used by all those registries? So then default we can say that it's compliant to the requirement as set up by ICANN.

Maybe Eric can reply to my question, Eric?

Elaine Pruis: No one actually runs a registry according to the current requirements in the applicant guidebook. As far as I'm aware. I think, you know, a lot of developers have built out to the specification but no one's running a completely surgical list function the way they're defined.

So it's not already in place. A lot of these requirements are brand new. And they far, far exceed anything that's being thus used for generic topical means at this time.

Man: So, (unintelligible) usually many of these industries have in house software. So and then now maybe with the new requirement they need to improve that or to make some purchase...

Elaine Pruis: Yes.

Man: Okay, thank you. Eric?

Eric: Thank you, (Unintelligible). As Elaine just pointed to you, the requirements currently, in the current guidebook are actually much higher than the requirements that (Unintelligible) has to implement to operate dot com.

The rationality about them I leave to others. I think it's insane. But nevertheless, the question I want to ask or I suggest asking through the current members of the registry stakeholder group and also to the current members of the current registrar stakeholders group. But the question actually can be addressed to the larger population of ICANN practice

following - and I want to put quotation marks around following - registry operators whether they're ccTLD operators or TLD operators.

And that is ensure software - oh, excuse me - what are the terms and conditions for the licensing of your software to JAS qualified applicants? I expect some range of answers will be from it's free take it, for instance, from the dot cc registry operator.

To, just to pretend that Verisign is evil - to it's only available for cash and it's only operated out of some place in Virginia as a possible response from Verisign.

So within this spectrum of possible answers, some of the possible answers may be useful to the JAS qualified applicants. Both for the registry function and also for the registrar functions just to go to that particular spot momentarily.

So, that's just the quid of my question, Elaine, is can we acquire this knowledge through your subgroups outreach to the current registry operators that we know exist or that we think exist. And I'll stop there, thank you.

Elaine Pruis: I have a response to that. I think that's brilliant idea. I think it's really good to know, you know, you flip the box over and look at the back of it and see what the warnings, you know, warnings for use. I think that's a really good idea.

And that's very possible up to a point, right? Because a lot of times in their contract there are some things that are applicable to a certain customer or an applicant that I wouldn't be - or another if it's a applicant, length or term of the contract. Or the service (unintelligible) there's some things that are going to be particular to each individual customer. But, yes, as far as licensing and, you know, basic information that companies are normally willing to make public. I think that's a really good thing to include on our list if we develop one.

Man: I'll recognize myself, (unintelligible) as responding to. What I'm referring is not the warnings or flipping the box over but rather whether the software is available and under what conditions.

`   So, for instance, the FRED implementation from the dot cc operator is available on her creative comments license. What other registry implementations are similarly unencumbered?

                At one point in time a registry platform was available from a group of small island countries which you may be aware of. It's possible that some other instances of registry platforms are being considered by their current license holders or reducing the restrictions on licensing and making them available to have public and open source projects.

                That's the question I'm attempting to ask. Thank you.

Elaine Pruis: Okay, so Eric, are you asking that we should find these people? Specifically the open source people or. What I'm suggesting is that anybody who comes forward we put their terms publically. I guess maybe we're missing (unintelligible) I don't know.

Eric: Yes, I think we're talking across purposes. I think both questions are interesting and valid. That is my question is the software available unencumbered and your question, what is the total package of terms and conditions that go with the offer by any registry service provider.

                Thanks.

Evan Leibovitch: I have my hand up, this is Evan.

Carlton Samuels: Yes, Evan, go ahead.

Evan Leibovitch: I'm listening to this exchange and I think you're both right. Elaine and Eric, essentially I don't think we have much more of a role to play here then putting up a directory of services available. And I think one of the things that we should be able to list as part of the directory is, you know, is the software being supplied as part of the offered services open source. Is it proprietary?

I don't know if we have to go into the level of detail in the directory listing for the detailed legal things about the terms and conditions. But at least there's certain things that we can make clear to applicants that, you know, if you are JAS qualified here are a number of companies that are offering services. Here are the services. Here are the licensing terms on a general level to the software being provided.

Maybe a couple of other things. And I don't know if we need to do a whole lot more than that. We're providing a match making service. We're not signing the legal agreements between applicants and providers.

Glen Carlton Samuels: Thank you, Evan. And, okay, any further comment? Any (unintelligible) it on. So I hope we can put all this comment, tied in this item in Wiki so we can shape that later.

So, okay, now is there any other business? None, I think we action this call for today. Thank you everybody for joining. And I will ask, oh, Eric, sorry. Yes, Eric?

Eric: As a suggestion, (Unintelligible) at the close of any particular meeting, starting with this one. Calling for items for the agenda for the next meeting might be helpful. I'd like to put an item on the agenda for some subsequent call. I don't know that it'd necessarily have to be the next but for some subsequent call. So just asking for agenda suggestions might be useful. Thank you.

Rafik Dammak: Okay, so you have any suggestions for agenda items?

Eric: Yes, I have two. One is the RFP question and the other one is the registrar question. And I should be finished with the writing of the proposed graph text by Wednesday and make it available to the group Wednesday. For discussion on Friday or some subsequent call.

Carlton Samuels: Okay, Eric, can you serve those sections of the rate increase and starting with your proposal when it's ready.

Eric: Yes.

Rafik Dammak Please. Thank you. Is there any further comment? So, as Eric said, if you want to add or any agenda item please do so.

Okay, there is an echo. Okay, so heading on, I think we can adjourn this call for today. And I want to say that please, please, check the Wiki, put your comments and then we can have some text to discuss.

Thank you, everyone and we see you Friday.

Woman: Bye.

Woman: Thank you everyone.

Man: Take care.

END