SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Friday 22 July 2011 at 1300 UTC

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Avri Doria - NCSG
Alex Gakuru - NCSG

John Rahman Kahn - Individual

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

Eric Brunner-Williams – Individual

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Cintra Sooknanan - At–Large
Carlos Aguirre - Nominating Committee Appointee to GNSO Council

Andrew Mack - CBUC
Michele Neylon - RrSG
Tony Harris -ISPCP

Coordinator: Please go ahead.

Gisella Gruber-White: Hello. Good morning, good afternoon, good evening to everyone on
today's JAS call on Friday, the 22nd of July. We have Carlton Samuels,
Cheryl Langdon-Orr, Tijani Ben Jemaa, Alex Gakuru, Eric Brunner-Williams,
John Rahman Kahn, Rafik Dammak, Olivier Crepin-LeBlond, Elaine Pruis,
Avri Doria, Alan Greenberg. From Staff we have Karla Valente, Wendy Profit,
and myself, Gisella Gruber. And Dev Anan Teelucksingh has joined us, as
well.

Apologies noted today from Andrew Mack, Tony Harris, Cintra Sooknanan
and Carlos Aguirre. If I can please remind everyone to state their names
when speaking for transcript purposes.

Over to Rafik and Carlton.

Rafik Dammak: Thank you Gisela. Thank you everybody for joining today's call. The
beginning, if you have any update in your (SOI) or (DOI) please do it and at
least send it to Glen.

For the agenda we continue with two same items and we will start first events
(unintelligible) in-kind service. We will go first item about funding (models)
which will be lead by Avri and have third item about - ICANN items update
and the fourth one about request for (unintelligible).

So is Elaine on the call?

Elaine Pruis: Yes, I'm here.

Rafik Dammak: Yes. And the floor - Elaine, you can go ahead and hopefully we can finish
with this item, so please go ahead.

Elaine Pruis: Thank you. The only thing new that's happened since the last time we spoke was the - there was an email posted to the list from Fabian saying that there's another open source registry software package available that's being run by a couple of African countries. And so he put up a link for information to that.

                  That's the only new development. There hasn't been any other conversation, so I don't have anything else to report. Thanks.

Rafik Dammak: Thank you Elaine. I just have question I think but maybe it was covered before. I think all this open source tool are more used by ccTLD operator and not all of them are ICANN compliant.

                  Now, is it really possible to either send or we need to check with other maybe vendors who are working with other gTLD registries?

Elaine Pruis: Well, I know that a couple of them for sure have been developing all of the necessary tools so that they will meet the new gTLD requirements. But, you know, there are so many new technical requirements like the trademark clearinghouse. That requires some new EPP extensions so the registry can talk to the trademark clearinghouse.

                  There's also a searchable Whois. Everybody has to implement DNSSEC and you have to be able to support IPv6 according to the ICANN rules.

                  I've - as I said last week, I'm not aware of any single registry operator that has already implemented all of these rules and is (unintelligible) maybe like .CO of the Columbia registry. They're probably the one that has publicized that they have, you know, a trademark clearinghouse.

                  But of course we'll see ICANN appointed to their clearinghouse operators because they haven't been employed yet.

So anybody that's going to contract for registry services has to check; does this registry operator actually have the tools needed to pass ICANN's technical evaluation which is probably at least 18 months from today. So there's plenty of time for all of these employers to continue to develop the tools and pass them and possibly implement them on their current TLDs that they're running, but as far as I know, nobody has done that completely to this point.

So the warning was everybody has to do this check themselves.

Rafik Dammak: So if I understood correctly, so nobody is ready for the requirements and even so not really - is not be for - if the applicant because everybody is not ready for the requirements, so...I'm not sure to have that support now but maybe we need to ask about that later.

Elaine Pruis: Well my response is everyone's is in the same boat. Like the needy applicant isn't disadvantaged because they might not want to spend the same amount of money as the regular applicant. Everybody has to do that same due diligence and check and make sure that the person they're working with or the operator they're working with can do what is required from ICANN.

And not only does that applicant have to make that determination but ICANN makes that determination at the end of the application process when they do a technical evaluation. And then they do a pre-delegation test, also.

So not only do they look at your documentation, but they actually, you know, try to connect to your servers and make sure that you're responding the way you're supposed to.

So there's all sorts of rules built into it to make sure that we will work as opposed to the (unintelligible).

Rafik Dammak: Thank you Elaine. We have two in the queue. Cheryl, please go ahead.

Cheryl Langdon-Orr: Thank you Rafik. Cheryl Langdon-Orr for the record. I think what's important is that we just ensure in our text that it is clear that any such services when they are matched to any of the applicants are of a suitably high and appropriate quality to meet the ICANN criteria and requirements.

I don't think we need to worry about the fact that it's here and now or in 12 months' time, but simply that, you know, whatever is the benchmark is able to be met by who we suggest that the matching of such services is provided by.

So I don't think we need to get too concerned with the abilities or lack thereof right now, but rather that we ensure that there is no disadvantage to a gTLD applicant who goes through a JAS mechanism as opposed to an off the street with a bag money mechanism. Thank you.

Rafik Dammak: Thank you Cheryl. Alan? (Unintelligible).

Alan Greenberg: Yes, I guess I was going to say a lot of what Cheryl just said. Our only requirement is to make sure that we don't put - our only concern I think is to make sure we don't put a requirement there which invalidates all of the current potential suppliers because they don't meet the requirements - the full requirements and the full suite of requirements today.

You know, we need to put the caveats in and we want to make sure that this is one of the options that is considered and, you know, investigated and fleshed out. But I don't think we're in a position to do the certification so I don't think we need to worry about that level of detail other than to point out that it's an issue. But it's not a show-stopper issue for the reasons that have been outlined. Thank you.

Rafik Dammak: Thank you Alan. I think that Elaine wanted to reply. Elaine?

Elaine Pruis: Yes. I just wanted to ask Cheryl maybe to clarify a little bit further. We can suggest - we can say here are all of the known registry operators that have indicated they are able to meet ICANN's...

Cheryl Langdon-Orr: Yes.

Elaine Pruis: ...requirements. But beyond that, we can't really say well, you know, we recommend this one or that one.

Cheryl Langdon-Orr: Absolutely. I think that would be a huge error to go down that pathway.

Rafik Dammak: Okay. Elaine, I have another question. So (unintelligible) talk about (unintelligible) but I guess that community for needy applicants maybe you will apply vertical integration and then we need some registrar services, so maybe can - do you think that we remain part of this client service or it's not really necessary?

Elaine Pruis: Rafik, I'm sorry. I'm having a hard time understanding what you're saying, but I think you asked me about vertical integration. Can you say it again?

Rafik Dammak: I'm talking - you know, for some - maybe some maybe community basis (unintelligible) maybe applicant in developing country they have the problem of having (unintelligible) in this area and with vertical integration, they may have a registrar that they can directly (unintelligible) and then maybe they become registrar service so you think it's full service to add in-kind service for registrar service?

Elaine Pruis: Again, I'm sorry. I can't tell if you're asking me about vertical integration or maybe you could write it in the Adobe window because I just can't hear very clearly.

                     But while you're writing that, I think I'll try to answer. You know, vertical integration has already been determined.

Rafik Dammak: Yes...

((Crosstalk))

Elaine Pruis: I don't...

Rafik Dammak: (Unintelligible). I talked about vertical integration that I say - I tried to explain
                  that the vertical integration was maybe applicant may need to have a registrar
                  service that they - to implement - to implement themselves...

Elaine Pruis: Oh, okay.

Rafik Dammak: ...the registrar service...

Elaine Pruis: Oh, okay.

Rafik Dammak: ...so can we add a registry - a registrar services systems or support as in-kind
                  support because it can only have only registry service sources or assistance.

Elaine Pruis: Okay. Yes, I understand. Definitely, yes, any registry operator that wants to
                  take advantage of vertical integration and offer a registrar would definitely
                  benefit from having some knowledge or registrar package. And there are, you
                  know, registrars that to other technology basically off the shelf where you can
                  just download a registrar toolkit and then you have a registrar that can be
                  operational. And it's not a huge...

Rafik Dammak: Yes.

Elaine Pruis: It's not a huge project to undertake, so yes, I think we should add that to the
                  list of benefits that a needy applicant might need.

Rafik Dammak: Okay. Thank you Elaine. So any further comments or questions? Okay, so hopefully I think we have the notes taken and Elaine maybe you will update the Wiki and as soon as possible we will have less (unintelligible).

Thank you, Elaine. We can move to the next item about funding (models). Avri, are you here?

Avri Doria: Yes, I guess I am. Okay. Similar to Elaine in I haven't seen much of any comment since the last time. I did do some work on the Wiki in terms of taking the space that was called Final Report, moving all of the candidate text which was in-kind services, the panel selection and gaming. Let me just give you all the - let's see.

Carlton Samuels: Maybe just put the link in the Wiki.

Avri Doria: So basically within final report there's two spaces; candidate text and draft final report. At the moment draft final report is just the (MR2) plus whatever has been done to it since (MR2)'s release. I haven't touched it. I did all these as copies with the exception of Elaine's stuff since Elaine had put her text directly in that final report space. I basically moved that into a page of its own under Candidate Text.

But for all other stuff that had been in the subgroup, I moved it into the candidate text. So while you all were doing the is this text acceptable to move into the draft, it was all in one place. I suggest anyone else that has candidate text they want to recommend, put it in there so everybody can find it easily and then I'll move it, you know, or others in the editing team.

Once that is acceptable, we'll move that into the draft final doc so the next step on the candidate text I guess is for people to continue reading, talking and whatever, but I haven't seen anything in the last week.

And the next thing is to start massaging and editing (MR2) Plus into a final report. We've talked about it a little among the various folks in the editing team led by Evan and, you know, that's about all I got to say.

Rafik Dammak: Thank you Avri. Just for clarification, if someone wants to see the last version of the report with the different - it's the - if you can which we can find text and (congregate) text.

Avri Doria: The last version of the (MR2) that you sent out? I have no idea where...

((Crosstalk))

Avri Doria: ...that pure one is. What I took was under relevant documents there was JAS Version 3 Working Draft and I copied that into Draft Final Report.

Rafik Dammak: Okay. So it's...

Carlton Samuels: I don't think that was the question that he was asking though.

((Crosstalk))

Avri Doria: Oh, sorry. Then I misunderstood. Then I don't know what question is being asked.

Carlton Samuels: Yes Rafik?

Rafik Dammak: Okay, we have Tijani in the queue. Tijani please go ahead.

Tijani Ben Jemaa: Thank you. Avri, what you copied is exactly the second milestone report.

Avri Doria: Okay. I copied the page called JAS Version 3 Working Draft.

Tijani Ben Jemaa: Yes.

Avri Doria: Paid absolutely no attention to what was actually in it but I assumed that it was (MR2) plus. If it's just (MR2), apologies for misspeaking, in which case it indicates nothing has been done yet to take (MR2) to the final report other than moving it into a file called Draft Final Report.

                  The next step is, as I said, to start massaging it into something new. None of that has been done yet as far as I know. I think I'm the one holding the pen at the moment. But as I say, Evan is still the token holder for drafting team. So I have done nothing without his by or lead. Well, actually I did it first and then said is this okay.

Rafik Dammak: Works well.

Avri Doria: Okay. So that's all I've got, so it's up to you guys now. I'll start working on the draft final report sort of, you know, making sure that it's final reportish. And then at some point, I guess, we'll pass it over once we've got the text in it sort of in the place that we're happy, then I guess we'll be asking for staff help at some point to turn it into the proper thing with all the boiler plates and appendices and proper page numbers and formatting and all that good stuff which I don't think we'll be doing.

                  Also want to let people know that the first two weeks of August - and the drafting team knows, the first two weeks of August I'm taking my first formal vacation in 15 years. And while I bet I'll be on line doing something, I'm not promising.

Rafik Dammak: Thank you Avri. Okay. Any comments? Okay, so Avri, you've given the drafting team and what was done in the Wiki but...

Avri Doria: I can't understand you. I really - it's - it's that underwater problem again or maybe it's my mic but I really can't understand you.

Rafik Dammak: Okay. Let me speak slower. So you've given update about the Wiki and the drafting team but what about the funding (model) and the (unintelligible).

Avri Doria: As I said, there's been no discussion on the content, no change in the content since our last meeting. I'm just waiting on the co-chairs of this group to say it's time to start saving that stuff into the draft final report but I have made no changes on my own nor received any comments or request for change that I am aware of.

                  I see Tijani has his hand up though.

Rafik Dammak: Okay. Tijani, please go ahead. I think Tijani is not - is muted yet. Tijani?

Tijani Ben Jemaa: Do you hear me?

Avri Doria: Now we do.

Cheryl Langdon-Orr: We do now.

Rafik Dammak: Yes.

Tijani Ben Jemaa: Okay, thank you. So that's right, there was no discussion on the substance during the last week, the last few days and that's why I didn't send anything about the question that I raised last call.

                  I think that it is time now to address all of the substantive points if we want Avri to go ahead with drafting. If we don't give her alternatives when there is a problem, she will not be able to draft. So she produced text, Alan, too, and both texts for me are acceptable.

                  So there are other points that need to be discussed and I think that it is time to discuss them because we will be late after that. Thank you.

Rafik Dammak: Okay. For the point - you mean the point that related to the items made by Avri and Elaine which need to be addressed.

Avri Doria: If I can address it.

Rafik Dammak: Yes, Avri.

Avri Doria: Okay. If I understood Tijani correctly and please forgive me if I misspeak, he was basically saying that there are other issues outside the ones that Elaine and I have discussed. For example, it may pertain to the one he brought up about the adequacy of the financial - of the financial guidelines that were giving.

And we talked about it a little last time and to basically determine whether what the report has now is adequate for an evaluation panel. So for example, on things I've written I said there is an evaluation panel and they get guidelines from what we produced.

And I guess if I understand Tijani correctly, he's questioning the adequacy of those guidelines. I have to go back and reread them but I confess that I'm not a financial person so, you know, while I can read a budget and stuff, there's not a lot I can add. So I guess that is one question I think needs to be addressed and perhaps that's something where staff can help us because as I understand it and I was in my hiatus with the group while the group was deciding on the financial criteria, you all by and large had rough consensus that these were adequate guidelines.

And so it sounds like perhaps it's time to make sure, you know, by asking staff look at them and starting a dialog to make sure that you've really got adequate guidelines. I think this is a key element that came out partially in some of the stuff, you know, that Elaine is talking about. It's certainly, you know, fundamental to the stuff that I've contributed on in terms of getting the fee reduction. We always say JAS qualified.

One of the key milestones that we have from the Board and from our chartering masters is to make sure that we've got workable criteria. I personally don't know whether we do or not. I guess most people think we do. I get the impression Tijani feels we might not. And I think it may be time to sort of work with staff and others to make sure that what we've got is something they understand can be - and maybe we can do, you know, a couple iterations of we see what it means to be JAS qualified but we need more detail on D. We need more detail on G.

So perhaps - I don't know if that's what Tijani meant, but I'm jumping in and sort of saying that may be the kind of issue. Are we secure that we have given sufficient guideline for what it means to be JAS qualified to sum up all my rambling into one sentence. Thanks.

Rafik Dammak: Thank you Avri. We have Carlton then Tijani in the queue. Carlton?

Carlton Samuels: Just two small things. One, I'm fully supporting Avri's point here but, two, to go directly to Tijani, recall that Alan in the spirit of what we're trying to do, we are to fill in gaps. Alan has volunteered to put some additional content wording in the area for funds qualification which might help Tijani.

And finally to reemphasize the point, any changes, additions, queries at this time, please make sure they have visibility on the candidate text page of the Wiki. Thank you.

Rafik Dammak: Thank you Carlton for the clarification. Tijani, please go ahead.

Tijani Ben Jemaa: Thank you, yes. Avri, I wasn't asking you personally about this point. I was asking all the group to give their points. It is important now to clarify the position of each one of us so that you can go ahead with the drafting.

This question of elements of evaluation, as Alan, for example, said last time that we are unable to give anything and if we say that, that means that we say we are unable to fulfill our mission; our mission given in our charter, our mission given by the Board because after the milestone - the first milestone report, the Board asked about exactly this point.

So I don't - I am not attached with my proposal at all but I want to work with anyone who wants to find other thing - to find objective elements. Don't say stick criteria or stick threshold. I don't speak about that, but at least objective criteria, objective elements that the evaluators will use to do the evaluation. That's the point. Thank you.

Rafik Dammak: Okay. Now Alan please go ahead.

Alan Greenberg: Thank you. I don't disagree that the more we can come up with the better. I - but on the other hand I think there's no shame in saying we simply do not have the breadth of experience in doing this kind of thing to put the write words to it and ICANN should go out and find people who indeed have and there's plenty of them around the world and help flesh it out.

Now to the extent that we can do it within the timeframe, fine. But I don't think the lack of that should stop us from putting in what we can put in, and yes, it's part of our mission but if we can't do it then we need to say so and be clear with what ICANN needs to do with external help to be able to do it properly. Thank you.

Rafik Dammak: Thank you Alan. We have (unintelligible). Olivier?

Olivier Crepin-LeBlond: Thank you very much Rafik. Olivier here for the record. I just wanted to respond to Tijani's thing of saying well we need to have a specific criteria. I'm concerned about a criteria that is so specific that it involves the taking of boxes and system which therefore can be gained in a way because an applicant satisfying those specific criteria which are going to be so well

laid out, an applicant satisfying those will then be 100% legible for applicant support.

When in fact all they would have done was to game and set themselves up specifically to be able to satisfy those criteria and they're not needy at all.

So unless you put criteria that is so clever so as to be able to weed out the purpose applicants that will be game in the system, I think it's very - it's going to be very difficult.

There needs to be some elements of judgment from those people who will make the final selection. It cannot be a mechanical thing. Thank you.

Rafik Dammak: Thank you Olivier. Elaine?

Elaine Pruis: Thank you. I would like to agree also with what Olivier just said. Basically my thinking on this is that we've put up the basic ideas and we should allow staff to contact the appropriate parties that know how to determine whether or not someone meets specific criteria and determine what those evaluation tests are beyond our recommendations.

And an example of how this has already happening in the applicant guidebook is if you look at the section that has the evaluation criteria, there's, you know, 50 questions and at some point someone recommend that, you know, the registry operator should have some financial wherewithal.

I didn't see any text from the community saying exactly what that meant but if look in the applicant guidebook, the staff has very much detailed what that is and they've put up, you know, sample spreadsheets, what three different levels of expectations you should propose.

So I think the staff has proven that they're good at filling out the details of what the community recommends as some guidelines.

Rafik Dammak: Thank you Elaine. Okay. I get there is some agreement that the staff will help a lot in that matter.

Okay. Any further comments? Okay. We still have 25 minutes on this call and it looks like it's not - like maybe we are going to finish soon.

Okay, so let me see, if you have any further comments or questions for this item, please do so. Okay.

So for the third item, if there is no objection to move to the third item, I guess that Carlton can give update on that matter. Carlton?

Carlton Samuels: Okay. Thank you, Rafik. Members would have seen on the list a question as to whether or not we should have a - some kind of communication event. In this case the suggestion is a webinar that would help members of the community, other members of the community to understand the final report and be in a better position to make some decisions, get some clarity and issues or suggestions, recommendations that might be involved in the report.

And there was a bit of a back and forth as to when would this - if we were to do this, first of all, secondly, when would this be appropriate. I thought it would be useful to put it to this group to see what the thinking is.

Rafik Dammak: Okay. Carlton, sorry, when I was speaking to the third item, it was about (unintelligible) items update but I didn't think it was about the (unintelligible).

Anyway, we have Alan in the queue. Alan, please go ahead.

Alan Greenberg: I'm addressing Carlton's question. I'm not sure what we're supposed to be talking about. The issue came up in the GNSO meeting yesterday in relation to timing of when will the report be out and when does the GNSO have to approve it so that staff can finish implementation, if necessary and get it out

in time for the Dakar meeting, you know, within the publication deadline which is early in October.

And the real issue was that there was a concern that if there are questions to be raised and things that need to be understood, it would be useful to have a meeting with people from the working group and some explanatory information to make sure that people on the GNSO and their constituencies and stakeholder group aren't in a position where they don't understand something and therefore cannot approve it.

So I think in terms of timing, it needs to be scheduled as soon as possible after we release the report as possible which means we need to be preparing the content almost in parallel with the report so that it's information that people can get as they're doing their own consideration of deciding whether to approve or not approve the report from the GNSO position.

So it's got to be done as soon as possible after it's done - after our report is ready, but it really does need to be addressing the report and not a preliminary version because the information in the webinar is going to be part of the substance which will result in a go, no-go decision from the various stakeholder groups and constituencies. Thank you.

Rafik Dammak: Yes, thank you Alan. In fact, I sent the update to at least to have some discussion. So the problem that even if we finish at the end of August the next GNSO meeting will be at past September and i6t's not enough real time for all stakeholder groups and get the transcript to read, to discuss and to approve the report.

So that's why there's a idea of (unintelligible) was raised during the GNSO Council call. Alan, you want to comment at something?

Alan Greenberg: Yes, just on the timing, there is a GNSO call scheduled I believe the day before the publication deadline for the October meeting.

So technically that might be a good place to do the approval, however, if staff and various other - for various other reasons feel that it's important that there be a gap between the two, perhaps for us to make adjustments or just to get the work done, then I suggest to the GNSO they may want to consider a special meeting, you know, one subject meeting to just do that approval perhaps a week prior to that.

Rafik Dammak: Yes.

Alan Greenberg: There is no (unintelligible) meeting.

Rafik Dammak: There was a discussion about this special meeting. The first date was for the special meeting in August but it's as we - to the working group is still continuing working on the report, we don't need really a special meeting I think in September and that's why there was some discussion about possible dates.

Alan Greenberg: It's clear that the GNSO meeting at the beginning of September is too soon for us to have a report out which can be dully considered by the stakeholder groups and voted on the beginning of September.

It's the October meeting may be a little bit too late which is why I suggested perhaps an interim one, but we need to hear back from staff when's the last time the GNSO can approve and still get it published, you know, to publish with whatever stuff we need. Thank you.

Rafik Dammak: And so (unintelligible) need to discuss how to plan this. We do not have - I think can be complicated to work and presentation will be enough at the same time we are trying to finish what the final report.

Alan Greenberg: Remember, we are supposed to have additional staff support.

Rafik Dammak: Okay. I think for this maybe Karla can give an update on clarification. Karla?

Karla Valente: Yes, Rafik. This is Karla Valente. Thank you. We have on our call actually today Wendy. Wendy is going to be helping us with taking - not only taking notes but she'll be helping us with doing the issue tracking log, you know, that we can see all of the open items of things that we still need to discuss or not to discuss, where there's consensus or partial consensus.

So we're going to need your help to validate that. We started together this data, actually yesterday, and I hope to have something for next week. We're also getting additional help for the drafting of the final report. I will have more on that for you next Tuesday.

We have some people internally that are reviewing now the process flow that this group generated and can help in designing the process flow. So that's what I have so far.

Rafik Dammak: Thank you Karla. I hope that is a clarification for us and all working members.

Any further comments? Any questions? I was just had a question of how we should - the comment how we should talk about the (unintelligible).

That clarification, it was me but I explained that maybe it's not really necessary at that time and first week in August to have fresh meeting as we are still in the middle of our working.

But as Alan explained we have opportunity for the GNSO to have special meeting in September and October to approve the final report.

Okay. Any further comments? Any questions?

Okay, I guess for this call, we are going to finish earlier than usual. So if there is any other business, speak so, otherwise, you know, I will turn this call for today.

Carlton Samuels: Thank you Rafik. Okay.

Alan Greenberg: Thank you.

Rafik Dammak: Thank you everybody for joining. Thank you.

Carlton Samuels: Bye.

Rafik Dammak: Carlton?

Carlton Samuels: Yes, Rafik.

Rafik Dammak: Okay. (Unintelligible) talk on Monday, okay?

Carlton Samuels: Yes and I'll get you on the email on Monday.

Rafik Dammak: Okay and have a nice weekend.

Carlton Samuels: Yes, you too. Bye.

Rafik Dammak: Bye.

Man: Bye.

END