ICANN69 | Community Days Sessions – GNSO - IPC Open Session
Thursday, October 15, 2020 – 12:00 to 13:30 CEST

ANDREA GLANDON: Hello, and welcome to the ICANN69 IPC open session. My name is Andrea, and I am the remote participation manager for this session.

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With this, I will hand the floor over to Heather Forrest. Please begin.

HEATHER FORREST: Thanks so much, Andrea. It's lovely to have Andrea with us for this meeting—Andrea, Chantelle, and a tremendous backend support team. So thanks very much to them for getting us set up.

My job here to start is really a very easy one. It's just to introduce the order of the day and what we plan to do. So I'll say, by way of introduction, my name is, for those who don't know me, my name is Heather Forrest. I'm both, I guess, outgoing and incoming President of

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the IPC. We've got a number of the other members—I think, in fact, the full leadership—of the team here on the call. This is our first proper, let's say, open meeting of 2020. We made the decision to not hold an IPC meeting that coincided with ICANN67, which would have been Cancun. In ICANN68, we opted for a very different format, reaching out directly to our Asia-Pacific community, and did an APAC open house. So this is an IPC meeting, but not a typical IPC meeting, let's say. In light of the open format and in light of the very bizarre year that we've all had, we're seizing this as an opportunity to inform ourselves and those outside the IPC of what we've been doing and to perhaps open the floor and answer questions about some of the positions that the IPC has taken recently. I know there are a number of things that we've come out quite strongly on. Perhaps the community or even less active or prospective members might want to question us on those sorts of things.

With that in mind, we're not going to drag you through ordinary business. This would be a different format. I'm delighted to see so many new and familiar names in the participants list. So it's great to have everyone.

With that, you'll see that our agenda really has three items on it today, the first being a bit of context and place-setting. I'll turn over to Paul McGrady to talk about the role of the IPC and what it is and perhaps what it could be. We'll then spend the bulk of our time talking about the IPC level of engagement and how we engage and so forth—the actual mechanics of that—in each of the three major PDP efforts that are ongoing right now. Then, at the end, we'll turn to an open

discussion on what is actually on the GNSO Council agenda and how that will impact what we have in terms of priorities for 2021.

With that, I'll just remind everyone it is an open meeting. All are welcome. Please assume that we have folks that do not know who you are on the call, so introduce yourself when speaking. If you're not speaking, just make sure you close your mic.

With that, I'll turn it over to Paul. Paul, thanks very much.

PAUL MCGRADY: Thanks, Heather. This is Paul McGrady for the record. I'm the IPC's policy coordinator. Heather has asked me to speak just briefly about what the IPC is and how fits into the ICANN model, and talk a little bit about participation in the upcoming days. So I will just jump in here. I promise to keep it relatively short so that we stay on time.

So just a quick comment about what ICANN is and really what ICANN is not. ICANN is a California public benefit corporation. It's not the government. But it is given a very specific job to do, which is to maintain the stability of the domain name system and the IP numbering system. So we say, "Well, that seems sort of technical." It is technical. It's a technical mission. ICANN, however, is one of the most unique organizations in that the way that it develops information, the way that it develops policy, and the way that it develops implementation is supposed to be through various inputs from within its own structure. ICANN is structured into various groups, including

contracted parties and non-contracted parties. Civil Society is here. Intellectual property interests are here. Business interests are here.

The Intellectual Property Constituency is a constituency within the non-contracted party side of what is called the GNSO, or the Generic Names Supporting Organization structure, as opposed to the country-code folks, which operate differently. Also, within the ICANN structure are advisory committees like the Government Advisory Committee and the At-Large Advisory Committee. So the IPC fits within the ICANN structure. It's not outside of the ICANN structure. It's inside.

The IPC's role basically is informing the ICANN community of intellectual property concerns, explaining the real-world consequences for the various things that ICANN may or may not do—for example, launching a new round of gTLDs, which we'll talk about later—and making sure that the concerns around intellectual property, both copyright and trademark—and, to the extend applicable, patents, I suppose—are heard and understood so that we can make sure that we are keeping Grandma from being phished to the extent possible and so that artists and writers are able to pay their bills and keep food on their table. So the IPC basically participates in that space, informing the community, informing the policy development process, informing staff, informing the Board, and advocating for positions that make sense to ensure that the valuable inputs of intellectual property into our society are looked after.

What the IPC isn't? I think this is equally important. The IPC is not a lobbying group. It doesn't have a relationship with a K-Street lobbyist

in Washington. It doesn't generally, other than its interaction with members of the GAC, engage with governments directly. It certainly does try to inform individual GAC representatives of intellectual property issues, but it's not a lobbying group. It's also not a community of ax grinders. The IPC is here to participate within the multi-stakeholder model and is not here for individual axes. We certainly—those who have been around ICANN long enough—know that there are certain pet issues that each of us develop over time, but those things are handled through individual efforts and not through the IPC efforts.

What it's not also is an anti-multi-stakeholder model activist group. The IPC itself is part of the multi-stakeholder model, so we participate within the confines of the ICANN community, and we do our very best to inform and advocate that structure.

Another thing it's not is an industry group. The Brand Registry Group is an example of an industry group of folks who have an interest of what ICANN is up to, of course, but the BGR stands apart. It's not a constituency like the IPC. So, again, the IPC is not an industry group like the BRG or like some of the domain owner associations and things like that, which are industry groups.

How are voices heard within the multi-stakeholder model? There's a couple different ways. One is through our GNSO councilors. The GNSO Council is the traffic cop for policy development. They charter policy development processes and keep them on time and on track and ultimately either vote the outputs up or down. If they vote them up,

they then send them out to the Board. So, through that process, our GNSO councilors are a very important part of how our voice is heard. There is both the formal council business, where our councilors can speak to issue and can cast votes—those sorts of things. And that's a very important part of it. It's a very public part of it.

But there's also very important ways in which our councilors have our voice heard, and that's through the informal back channels that seem to develop with ICANN—opportunities to meet and discuss issues with other councilors and other stakeholders who are interested and concerned. This is really, I think, a very important thing because our councilors are tasked with not only advocating for positions at the council table but also developing relationships and good will with others participating within the ICANN model. That cannot really be overstated. A lot of problems get worked out before everybody sits down at the table, so we're very appreciative of our councilors taking that up.

Another way our voice is heard from leadership to leadership. Our leadership team, such as Heather, who is our President, and Dean Marks, who's our Vice-President, will reach out across the many aisles within ICANN and work together with other leaders from other constituencies and stakeholder groups and houses and try to put together understanding and coalitions on specific issues. So there's quite a bit of time that that takes. Leadership within the IPC is not just putting together an agenda and holding meetings. It really is a lot of outreach and a lot of being an ambassador for the IPC within the organization.

Another way our voice is heard—again, we lean on leadership and councilors quite a bit—is leadership to the Org itself. There's quite a bit of interaction between our leadership team and the ICANN Org leadership, both in the policy area but also generally dealing with Goran and others when they have questions or concerns. So our leadership team takes quite a bit of time out of every week on that issue as well, for which we're thankful.

A more formal way our voice is heard is through public comments. Public comments usually come near the end of a policy development process, or near the end of a review of those kinds of things. So, while they do have merit and they're very important—it's also very important to be consistent in our positions on public comments—the public comment process is … I don't want to discount it because it really is important, but what we're finding is that advocacy and education really has a lot of value at the beginning of these processes and not at the end. But public comments are here to stay, and you'll see us participating in those.

Also important in terms of having our voice head is coordinated but individual participation in working groups. What I mean by that is that very rarely will there be an IPC representative in a PDP working group. What it'll be is a collection of individuals who participate in the IPC generally and hold similar positions. I want to emphasize this for folks on the call who may not be IPC members. I think sometimes there is a belief that, if you're an IPC member and you're in a working group, you're speaking for the IPC. But I think, if you track us, you'll find that we're not always in agreement on all the issues within a working

group. But we do our best to stay as coordinated as possible as best we can, coordinating a bunch of folks who have their own points of view.

One of the things that I'd like to do as policy coordinator in the coming months is to develop, more clearly, IPC positions on things so that those participating within the working group structure will have a clear understanding of the IPC positions, and it'll be easier to articulate those and stay consistent to the extent the individual participants wants to do so. So I think that's very important.

Also very important, especially with the new PDPs coming down the pipeline is really that we're going to be doing a lot more reaching-out to folks on all the other sides. There's no two sides within ICANN. There's 30 sides within ICANN, right? So we're going to be doing some more reaching-out, trying to, as soon as the charters are developed, reach out across all the aisles, finding out what we can all agree on early and what we need to start working out early so that we are able to be as effective in our participation as possible within the PDPs so the PDPs move along as quickly as possible and come to really good rational results that are good for the community.

Lastly, in terms of how our voice is heard, it's through what we call non-PDP activity leadership, which is a funny thing to say. I apologize for new folks on this call (folks who may be new to ICANN); I'm using a lot of jargon. But basically [it's] volunteers or leadership within the IPC participat[ing] in other ways. For example, participation on the Nominating Committee is a great example of how the IPC has its voice

heard through that process. Also, for example, there's participating in the GNSO Standing Selection Committee. There's all kinds of various mechanisms that have grown up over the years that provide an opportunity for the IPC voice to be heard within the community. All of these ways we're committed to. We're committed to trying to find solutions, as I said, reaching out across all the multiple aisles. Very important.

Lastly—it looks like I'm on time; I'm pretty excited about that because I was worried—just in conclusion, for those who are considering participating within the IPC—the new folks that are on this call; welcome—it has really never been easier to do so. I think one of the barriers for a lot of people that I've talked to over the years who really want to dig in, understand ICANN, participate in the ICANN process, and contribute to the security and stability of the Internet for decades to come has been the travel cost. One of the side effects of this global pandemic is that this meeting and the last meetings have been online. I'm not a virologist and don't claim to be one, but, with the way that the new seems, it looks like we may be online for quite a while. So this is a great opportunity to really dig in, join the IPC, join the advocacy and education efforts, get to know ICANN staff, get to know how ICANN Org [works], get to know how the advisory committees work, and participate now. It's never been easier to do. For those of you who are new and considering joining the IPC or considering becoming more involved if you are already a member, please do reach out to me or to Heather or to any member of leadership for any resources we can

give or any kind of mentoring that you may need in order to become more involved.

Heather, I am going to turn this back over to you with an extra minute.

HEATHER FORREST: Thanks, Paul. That's absolutely brilliant. I appreciate it. Really fabulous. I think it's a good reminder—everything that you said—for both long-term IPC members, new members, prospective members, and members of the community. So, wonderful.

So it's a perfect opportunity, let's say, to springboard from what Paul has just said into, what do the nuts and bolts actually look like, how does this manifest in what we do, what is the difference between an individual and an IPC position, and how does that play out in the various PDPs? So we focused on our three major PDP efforts right now: EPDP, RPMs, and SubPro. I will turn first to Brian King, who's one of our EPDP reps, to take us through maybe, I would say, Brian, some of our more controversial and perhaps less understood positions in respect to that PDP. So, with that, over to you.

BRIAN KING: Sure. Thank you, Heather. I'm happy to do that. I don't know who I annoyed to have to go after Paul McGrady, but here we are. I'm pleased to be joined by John McElwaine today. John is one of our two GNSO councilors. John and I put our heads together on some of the procedural questions and perhaps concerns that the IPC has about the EPDP. The structure of this presentation will be the good, the bad, and

the—what did we call it?—procedural. So we're going to talk a bit of some of the substantive—we won't get too in the weeds—benefits that came out of the policy development in the EPDP and some of the things that we think are problematic and the substance of the EPDP recommendations. Then we'll talk about the procedural matters of how the EPDP wound its way through the GNSO Council process and it before the Board now.

Andrew, if we could go to the next slide, please. And then one more. The good. I thought it was fair, although we'll explain why the IPC voted no at the GNSO Council with regard to adopting the EPDP recommendations as they stand now, as a lot of us spent two or more years of our lives working hard on this, describe for IPC members and the community some of what we were able to accomplish that I think, if the policy is passed and adopted … some of the recommendations are very positive for IP owners. So I wanted to make sure that we, in all fairness, address those here.

In no particular order, having an accreditation framework as opposed to not having an accreditation framework should give some advantages and benefits to folks who are requesting RDS data. There should be (and the policy should allow and facilitate) the validation of IP rights and signed assertions, including "I promise that I will protect this data and will treat it in accordance with data protection principles." Those kind of signed assertions and validated IP rights should make it easier for contracted parties to approve more requests than they do today, when they might not know the request and might not have any idea about the validity of the IP rights in question. So

that should be an improvement if we get the SSAD that we developed. For those who are new, I'll, like Paul, apologize for using too much jargon. The SSAD is the System for Standardized Access or Disclosure of registration data that was developed during the EPDP Phase 2 policy.

There are shorter SLAs due to automation. The contracted parties, I think, really compromised down from the 30-day service-level agreement to provide either disclosure or a denial in the Phase 1 policy. So, again, every single lining comes with a touch of gray here. While five business days is not likely to be fast enough for phishing attacks and data needed [for] more technical security incidents, it is better than 30 days. So that's for perspective.

Denials. Because the contracted party does not believe in IP or thinks that IP matters should be addressed through the UDRP, those kinds of denials, which many IP owners have been used to, or not going to be allowed anymore. Now, that's a positive. Again, realistically, there's nothing in the policy to say that contracted parties could deny requests because they don't think that IP rights are important and that the privacy rights of the data subject or not outweighed by somebody else's privacy rights. That's not the same thing as just denying because the requests are related to IP. So it does give an opportunity for IP owners and it at least eliminates that opportunity or possibility of a blanket denial based on the nature of the request. So that is an improvement.

Opt-in automation. The policy allows for contracted parties, who want to, to automate requests from certain requesters. I highlighted trusted requesters here as opposed to trusted notifiers because this isn't an abuse notification system as much as it's a data request system. But having an agreement with contracted parties is now possible and can allow them to automate based on certain requesters, or certain requesters with certain purposes.

Then there's logging, auditing, and reporting. So statistics around request approval rates will be public.

Then the system is intended to evolve over time. There's some language in the report that says that the SSAD should evolve to require automation in more cases.

Now, the frustrating thing for us is that the IPC wanted what was referred to as a unified access model, which is one where disclosure decision-making was made centrally either at ICANN, probably, or ICANN's designee—very likely some organization to which ICANN has outsourced that function.

Now, what happened was that, because there were doubts about whether ICANN could take on all legal liability in such a structure, the EPDP decided—the IPC, I'll admit, was not really in favor of going in this direction—wanted to—at least some parties in the EPDP—develop a decentralized system that could evolve over time as greater legal clarity was achieved—legal clarity we expected would say that, yes, ICANN, if they made the decision centrally, could own the liability associated with making those disclosure decisions and that the

contracted parties would not be liable because they didn't make the decision. So that was the hope.

However, the language is not as strong as we would like. In fact, many contracted parties who are a part of the EPDP said that they would require another formal policy development process in order to evolve the SSAD, which is not what we were looking for.

If we go to the next slide, then we have the bad. History tells us that IP-related requests for disclosure are largely ignored or denied. If you boil down the SSAD report, most requests, especially IP-related requests, will remain at the contracted parties' discretion, and the contracted parties will tell you that they fear or they believe that they might be liable for disclosure decision-making, so the request should remain at their discretion. If that liability does lie there, that's only fair, I suppose. But the facts are what they are in that most contracted parties ignore/deny IP-related requests, and that will remain the status quo under the new SSAD.

The frustrating and potentially concerning thing about the ICANN Compliance posture here is that ICANN has said that they will not enforce the contracted parties' discretion. Again, if you put yourselves in the position of ICANN and ICANN Compliance, I do suppose it's only fair that, if the contracted party will bear—we don't know this—the risk of liability for the disclosure decision, ICANN should not be able to force the contracted party to disclose data if the contracted party doesn't want to. So, while we might disagree about what the

likelihood of liability is for the contracted party, that's the rational there.

If we go to the next slide, I'd like to have John McElwaine join in and talk a little about the procedural aspects here of what's happening at GNSO Council and maybe a brief word about GNSO Council's role in this and why we think that there are real procedural issues with the way that the EPDP went that required us to vote no at council.

JOHN MCELWAINE: Sure. Thanks, Brian, for that great background on all of the EPDP's work. As somebody who took part in it, thank you for all your hard work, and thanks goes to our IPC team that was working on it.

When this came up to the GNSO level, one of the initial concerns that we had from a procedural standpoint was that there were 20-some-odd recommendations, and each one of them had been given up a level of consensus. A big chunk of those recommendations didn't really reach a level of full consensus, and some didn't have consensus at all. So that, again, from a procedural standpoint, caused some concern to me as a council. Rather than taking each one of the recommendations and looking at them individually, they're actually split into two chunks: one that did have full consensus or some consensus and then others that were mixed. So, from an initial standpoint, we received this package as a community and as councilors where consensus wasn't reached on every recommendation. However, we were essentially being asked to vote on it as a package, and that is because of procedural rules that say, if

recommendations are interrelated, then they should be, if at all possible, addressed in one vote. So that was one of the initial concerns that we had as the IPC.

Second, I think, was that I think we had all of these minority statements coming in from … The BC and IPC submitted one, and I think you detailed some of the bad points that we raised. But additionally, ALAC, GAC, and SSAC all had minority positions put forth, and those positions summarized essentially were, "Hey, we're going to be the users of this system. We don't think it works. We don't think we might even be able to use it. So why spend millions of dollars to build this thing?"

Actually, what you did see is that the GNSO Council's part of its motion in adopting the Phase 2 recommendations did, at the end, say, "Look, we think that the ICANN organization needs to look at the financial feasibility of all of this." So, again, from a procedural standpoint, we felt that, as you identified, a number of issues were missing, and a number of the charter issues hadn't been looked at. I think one thing which you may address later … But a number of pieces that ended up being controversial actually were pulled out of the charter and have been pushed to later processes. So, at some point, we're even thinking, as a constituency, should we vote no and then require all of those issues that had been pulled out be addressed later, and should we have the recommendations that didn't receive support also be pulled out? But, in the end, we couldn't come to a conclusion on that.

I think, with that, I'll turn it back over to you.

BRIAN KING: Thanks, John. Putting aside momentarily the procedural issues, Paul suggested in the chat—and I agree-that we take a brief moment to explain what this data is and why it's important.

For those that are not familiar, registration data, formerly called WHOIS data, is the ownership data associated with a domain name in the global domain system. Ever since ICANN was created and before that, there was a directory of information. Name, postal address (mailing address, not necessarily home address or business address but just a postal address), telephone number, and e-mail have always been required. That information has been required when someone registers a domain name, and that information is required to be kept accurate and up to date. And registrars are required to remind registrants, the owners of the domain name, year over year to make sure that that information is accurate and up to date. That information helps law enforcement. It helps IP owners. It helps consumer protection agencies and others, even just consumers who want to validate who owns a domain name on which they might click a button or a website on which they might do some business transaction. It allows them to validate that the owner of that domain name is who they say they are. There are consequences for providing inaccurate domain name registration data, up to and including the deletion of the domain name from the global domain name system. So that information has long been useful and has been helpful and very important, actually for IP protection online, as well as law enforcement and consumer protection. So not having access to that

data has been a real problem and will continue to be, I think, until we can get a more robust data access system.

Andrea, if we can go to the next slide—I'm mindful of time; we have four minutes here—maybe we can just briefly touch on this [inaudible], and then I'll John to get into just a bit more of the GNSO Council procedural issues. I mentioned before that the IPC has a strong preference for what's called a unified access model. That would require building out policy around what you have to do in order to access the data. It's not a disclosure model. It's not a model in which someone decides after a request is submitted whether to give you the data or not but what it takes to get access. There is real policy development opportunity there. In fact, that's what the EPDP was chartered to do, but, when we got into Phase 2, which is the phase of the EPDP in which we were supposed to build out that access model, several other parties didn't want to and instead focused on shifting liability or shifting disclosure-making to contracted parties because there wasn't certainty that the unified access model would clear contracted parties of potential liability for disclosure decision-making. We thought it should, but others disagreed. And I admit that there isn't legal certainty around that, to be fair.

Andrea, if we could go to the next slide, please, I'd like to just touch briefly on a couple of those matters that John alluded to which were not addressed by the EPDP, although they were in the charter.

John, can I ask you to speak briefly about differentiating between legal and natural persons?

JOHN MCELWAINE: Sure. As a lot of folks know on the call, GDPR only applies to natural persons, and therefore one of the thoughts was if we could identify via the WHOIS data elements that a registrant was a corporation that needed to not be covered by the EPDP regulations in terms of the GDPR. So that was of great debate in EPDP and ended up being one of the charter questions that was removed from the EPDP team and is going to be taken up by a later what they're referring to as a Phase 2A team. Right now within the GNSO Council that's in the process of being scoped. And then, I guess, a new sort of sub-charter will be developed around that, and the EPDP will be reconstituted to address that issue.

BRIAN KING: Thank you, John. Some of then frustration of IPC members on distinguishing between a legal and a natural person stems from the fact that this was supposed to be dealt with in the first phase of the EPDP. But it was deferred at the time of the consensus call on the vote on Phase 1 to Phase 2. So the IPC was asked to accept the policy that did not make this very important distinction because it might be addressed later. Then, when later came in Phase 2, this was again not addressed by the EPDP team, although legal advice was sought and received, and an extensive study was done by ICANN Org, which the EPDP team never considered. So that's been frustrating for some IPC folks. Because that was a charter question, it's tough to accept that the EPDP's work has been done, given that it hasn't fulfilled that part

of the charter, and now we've voted and adopted policy recommendations twice on a policy that did not include this work that it was chartered to do.

Andrea, I think we're at time for this session, if I'm reading the clock correctly. We have a couple points here that just dig a bit more into the detail of … We did our citations—good lawyers do—in some of these remaining things, but we've touched on these procedurally. So that slide and the next one … I would just end with a brief word. Andrea, if we could go to one more—yes, that one, please. Yes. You were right on 10, please. There we go. On this.

So the other remaining issue is accuracy. To be clear, the GNSO Council's prerogative is to manage the policy development process and was well within its rights to remove accuracy from the EPDP's work. We don't like that. We wanted accuracy to remain on the table and is an important point of discussion for registration data policy.

However, the problem that remains is that ICANN, as outlined in an article recently by Thomas Rickert on Circle ID, has not stepped up to the plate and accepted its role of data controller. Whether it's a joint controller or a co-controller or whatever ICANN's role is, it's to be determined [and] as a factual matter that will rely in some part on the outcome of this EPDP. ICANN has used that opportunity to stop doing its accuracy reporting system work. That, I think, is an unacceptable outcome of this open question about controllership. So that's another item that has the EPDP but is a procedural issue that, I think, is problematic at the GNSO Council level, given that ICANN has asked the

GNSO Council to include this ARS work when the GNSO Council addresses accuracy, although there's no good reason for ICANN to have done that.

With that said, I think, Heather, that's our time, and I should kick it back to you.

HEATHER FORREST:
Thanks, Brian and John. That was really fabulous. I think it was really timely to have this. Certainly we've seen questions in social media and around the place in the industry rags about why did the IPC do what it did in the recent vote, and was it just the IPC being spiteful? And so on. Hopefully, this will give some sense of the rationale behind the position and what was going on.

I think what I'll do is I'll say, if one of us can put the URL—I can probably dig it up quickly in the next session—to our full comment, I think that would be useful for anybody who hasn't seen it and so they'd like to know a little more about this. Then we can link them to that.

With that, I'm going to turn over to Susan, the Secretary of the IPC, to take us through where we are with the Rights Protection Mechanisms PDP and what we will happen next there. So, over to Susan.

SUSAN PAYNE:
Lovely. Thanks very much, Heather, and thanks to all of you for joining. This is another or the large policy development processes

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that's being going on now for a number of years. We've got billing in the agenda there as being outstanding issues, but actually this one is really close to the end now. So, in terms of those standing issues, there are not so many left really. We're very close to having a final report. The initial report has already been out for public comment. The working group has been working through those comments for quite some time. We hope to have a final report on Phase 1, as Griffin is reminding me in the chat, by the end of the year, I would say. That is just Phase 1.

Phase 1 had dealt with the rights protection mechanisms that were introduced for the New gTLD Program. So that is Trademark Clearinghouse, which is the database of trademark rights that was developed, the sunrise and claims processes that ran off that and were mandatory for new gTLDs, and the uniform rapid suspension, which is a domain name dispute procedure that was, again, introduced specifically for the New gTLD Program. Phase 2, which we will come on to, probably next year, will deal with the UDRP. We have not started that work on the UDRP yet. So our discussion here is largely about Phase 1.

I'm really pleased to be joined by a couple of the IPC members who've been extremely active in that working group: Lori Schulman from the International Trademark Association, and Griffin Barnett from Winterfeldt IP. That's not to suggest that they are the only participants in this working group. It has been, as you would imagine, given that it relates to rights protections, a tremendous interest, and there's been a

good team working on this and considering this workload and these policy recommendations over the last four or so years.

With that, Phil Corwin, who is one of the Co-Chairs of that working group, has reminded me in the chat that the 25th of November is the intended date for delivery to council of the final report. So, as I said, we're close to the end on this one.

Griffin and Lori and I are just going to spend a little bit of time really letting people know where this has got to and what are the outcomes from this RPMs PDP.

Turning first to the Trademark Clearinghouse, obviously going into the policy work, there were wish lists on both sides. So those who favor enhancing IP protections and those who would like to seem them curtailed all had improvements that they wanted to see into what is protectable via the Trademark Clearinghouse.

So, after these four years of work, what's been the outcome on that, Lori?

LORI SCHULMAN: Susan, I'm pleased to report that, for rights holders, the outcome is largely status quo. We do see that as a victory simply because there was a group of stakeholders who would have liked to see some of these RPMs dismantled or diluted. In and of itself, I think having these cooperative discussions, even though it has taken four-plus years—I think we may even be going on five years—and taking the deep-dive

into the procedures and the processes and the bases for why these RPMs were developed in the first place was a good exercise.

I'm going to speak specifically now about the Trademark Clearinghouse and then, in a little while, I will speak more in depth about the uniform rapid suspension system.

For the Trademark Clearinghouse, for those of you who are not as familiar with it, those who were rights holders/trademark owners can file with the clearinghouse, which is run by a third-party contractor, proof of their ownership of their trademarks and also proof of use. Once you are in the Trademark Clearinghouse, then you receive certain rights. You have rights to by domain names in sunrise periods that match your trademarks. You have rights to receive claims notices/ copies of claim notices. So, when an applicant applies for a domain name and perhaps are applying for a string that matches your registered trademark, then the applicant receives a notice that there might be a legal issue, and the owner can receive a copy as well—the trademark owner. So this notice and tracking system has been helpful to figure out who has what rights when in terms of the launch of new gTLDs.

That being said, it's largely status quo. There's no narrowing down of the scope of protection. And it's just to the good and services covered by the … One of the issues was whether or not the scope of protection should be narrowed down to goods and services covered by a trademark registration that is filed in the clearinghouse. That is not policy. We were able to keep the extension broader simply because of

the real difficulties in terms of interpreting trademark law in complementary goods as well as specific goods in terms of scope of protection.

There'll be no opening up of the database. There was some argument, and I think the other side had justifiable reasoning behind this. I can't say that I felt that they were completely [on] full disclosure, but there was this argument that the TMCH should be open, that everything in that database should be disclosed to the public so we could know exactly what's in there and that we should know whether or not [it]'s] actual trademark as opposed to something else, which I'll go through in a minute. So there was a real debate about this because you could argue that, for transparency reasons, it might be a very good idea to have everything open.

But on the other hand, the TMCH was designed for a very strategic and specific purpose regarding trademark protection, and those who choose to file their trademarks with the clearinghouse do so based on business decisions and strategies that are, quite frankly, proprietary. To reveal strategy [inaudible] to not good actors about which trademarks are more valuable to particular owners, which might be more susceptible to cybersquatting and bad-faith registrations.

So, after a lot of debate and a lot of good back-and-forth, we came to the conclusion that, for example, trademarks that are registered are public everywhere. Registered trademarks and their information can be found on national and regional databases. So there's no [inaudible] in the TMCH.

The other big clarification unto this process is about how we would treat geographical indications. There's language in the policy for the TMCH that talks about inclusions of designations that are protected by national laws or treaties. This could be interpreted to include GIs and special marks or not. There was great debate about what the intentions of this language were initially and whether or not the scope of the TMCH should be clarified to include GIs [inaudible] registered.

Oh, I'm sorry. Can you hear me a little better now?

Susan says I need to speak up. I hope you can hear me.

That being said, there was a clarification here that GIs would not be accepted unless they're also trademarks due to the chartered purpose of the Trademark Clearinghouse. INTA has taken the position that, were GIs to be treated differently, we would need a separate PDP to discuss that because the issues of GIs generally inside ICANN transverses a lot of different areas, including new gTLDs and our RPMs.

I'm going to stop here now, and I'm going to hand the baton over to my [inaudible] to talk about sunrise and claims.

SUSAN PAYNE: Thanks very much, Lori. Griffin, I think, given what Lori has said about the TMCH scoping [being] largely unchanged, are there any notable recommendations impacting on the sunrise or the claims services, which are the two rights protections that run off the Trademark Clearinghouse?

GRIFFIN BARNETT: Thank you, Susan, and thanks, Lori, and thanks, everyone. Morning. Lori was absolutely correct in saying that there hasn't been a whole lot of substantial changes with respect to the Trademark Clearinghouse, but there have been a few notable recommendations made concerning sunrise and trademark claims. I guess, just by way of quick background, just to add on to what Susan mentioned earlier on, sunrise, again, for those who may be less familiar, is an early registration period for brand owners so they can register domain names and newly-launching gTLDs before they're available to the general public on the basis that that would prevent a lot of cybersquatting and things like that or folks coming into new gTLDs and grabbing up trademark-infringing domains. So, by providing a sunrise period, it allows the brand owners to prevent that from happening.

Then claims is a separate RPM that was developed as part of the New gTLD Program. Again, that is a two-part mechanism. The first part is during the first 90 days of the launch of any new gTLD. Any registrant or prospective registrant who was attempting to register a domain name in that TLD that matched a trademark in the Trademark Clearinghouse would receive a notification saying, "Hey, this domain name that you're trying to register at the second level exactly matches a trademark in the Trademark Clearinghouse. Here's some information about those trademarks, including the name of the owner and their jurisdiction," and so on and so forth, basically asking that person if they want to continue with the registration. So it's an

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opportunity to, again, notify them, to advise them that there may be some trademark rights at issue. Obviously, they could still proceed with the registration after receiving that notice, but they would advise them that there could be legal implications in their registration of that domain name.

The second component to this mechanism is, if they do proceed with the registration, that the relevant trademark owner would then receive a notification that that registration was made. They, of course, at that point, with that information, could assess whether it necessitated any kind of enforcement action.

Having explained those in a little bit more detail, there were a few recommendations—key recommendations, I would say—relating to these mechanisms. The first I want to touch on relates to a recommendation proposing a new registry agreement in future registry agreements for future new gTLD operators that would prohibit operating their TLD in such a way that it had the effect of intentionally circumventing the mandatory RPMs. So that would include really both sunrise and claims, although it really speaks to restricting brand owners' reasonable use of the sunrise RPM.

The impetus for this recommendation was some experiences from the 2012 round of new gTLDs, where there were a few registries—I won't say it was many registries, but there were certainly a number of registries—that operated their TLDs in a way that intentionally prevented brand owners from reasonably being able to utilize the sunrise mechanism.

The way that they did this was through certain pricing practices—discriminatory-type pricing schemes where the same domain name in general availability was priced many multiples of times lower than the same domain name was priced during sunrise. So, again, it was pricing out brand owners from actually being able to reasonably obtain that domain name in that particular TLD.

Others that we saw didn't necessarily have to do directly with pricing but, through their registration policies and practices, they essentially skirted the ability of many brand owners to register domain names matching their trademarks during the sunrise period, in some cases by earmarking them for later release or reserving them from registration or allocating them to themselves and then later releasing them to other parties.

So, again, we saw a few different flavors of ways in which certain registries in the 2012 round intentionally skirted their responsibility to run a reasonable sunrise process. So this recommendation is aimed at preventing that from happening again down the road in future new gTLDs.

One thing that we've been discussing to some length in the working group has been how does this recommendation get implemented because we heard a lot from public comments on this recommendation initially that it was fairly high-level, which is true. Some folks really called for more detail about what this provision would actually look like. So we've attempted to draft some additional what's called implementation guidance, which will help inform the

implementation review team that will actually perform the work of implementing all these various policy recommendations and to try and help guide them in terms of how to actually implement this. So it was never our intention as the working group to actually draft the operational contractual language. We obviously are operating at a higher level than that. So that's one thing that will be left to the implementation team: working with ICANN Org and ICANN staff to actually draft that contractual language. But also, we talked whether we want a specific challenge mechanism akin to some of the other challenge mechanisms that are available for other components of the registry agreement, for example. There's a specific challenge mechanism for public interest commitments. That's a whole other topic that I won't delve too deeply into, but suffice to say, there's an independent panel review option, so we were considering whether that was something we wanted to introduce to this provision. Ultimately, there was a lot of opposition to that, so, ultimately, it's likely that this provision will be left to ICANN Contractual Compliance generally to enforce it. So that's one key recommendation.

I know I'm a couple of—

SUSAN PAYNE: Sorry, Griffin. I'm going to have to cut you off a little bit, I'm afraid. The trouble is, after four years of work, there is just so much, and 20 minutes isn't enough time to talk about it.

In terms of the URS, I'll just quickly comment and say that I think the recommendations coming in relation to the URS dispute process are

very much procedural, generally speaking. Some of them are very useful, but we're not seeing anything really wide-ranging in terms of changes to the URS at the moment.

I've noted in the chat that someone asked us, what happened to the suggestion that the URS might be consensus policy and whether that's been taken forward. I would say Phil Corwin also noted a response to that in the chat.

I think it's an important topic. It's an area where a number of people are very supportive of the notion that the URS should apply to all gTLD, so that would mean also to .com, essentially, as what we're talking about. Indeed, Verisign was supportive of that notion, but there was some discussion that was needed, and it didn't get enough airtime to go forward as a recommendation at the moment. But there is a Phase 2 of this work, so we are very hopeful that that discussion can have some substance then.

I think there was a question in the chat that I've been told was particularly interesting. I'm someone else can leap in and read that one out because I think it's probably quite interesting for Phase 2 to touch on that one.

ANDREA GLANDON: Hey, Susan. Yes, the question from Nick Wood: "I understand Lori saying it is a victory that the scope of protection has not been narrowed, that maintaining the status quo is a victory, but, after all the hard work of so many over four years, a few incremental changes

makes me wonder if it was worth it. What are the lessons for us for Part 2, the UDRP review? Any chance we could start with hard data as opposed to trying to collect it during the process?

SUSAN PAYNE: Thanks for that, Nick. And I think Lori is working to express some views on this one. I'm sure we all have them.

Lori, you're on mute, I think.

LORI SCHULMAN: I'm trying to be polite and not untimely. Nick, to your point, I think a lot of this might have been addressed in the chat already. Where we felt we lost a lot of time was on the scoping and less so about the data. But your point about the data is well-taken because there was a study conducted by the group itself on the effects of RPMs on different stakeholders. INTA itself had done a study, but that study was done more along the lines for the Consumer, Competition, and Trust Review Team, and then that data was then transported over for analysis into RPMs.

But, at the end of the day, I think, if you talk to most of the very-steady working group members, including Susan herself, we really had problems [deciphering] the charter. A lot of the questions were confusing. We weren't clear of the path that we were going to be going down, and they needed to be sorted. We considered, edited, and monitored in terms of that it was tracking at least the initial intentions of the charter, and that took almost two years itself.

SUSAN PAYNE: Excellent. Thanks, Lori. I'm conscious also of time, but I see Jeff has patiently has his hand up for ages. So, Jeff, do you want to ask one quick question to close this out?

JEFF NEUMAN: Sure. Thanks. It was one the point that Griffin was raising on the provision added to the registry agreements. Although this was filed in response to SubPro, it's related here. So ICANN Org filed 60 pages of comments to the SubPro report. One of the recommendations in SubPro to address something similar, as Griffin knows, was to basically add a provision in the registry agreement that said the registries can't engage in fraudulent or deceptive practices. In response to that, ICANN Org said that ICANN should not have to arbitrate whether or not a registry has engaged in such activities, and they don't have the authority under its bylaws or expertise in identifying fraudulent or deceptive practices which are not defined. So having something really broad like that is something ICANN is going to push back on. I'm not sure that there's time to address it before it gets to the GNSO or the Board.

The other thing they raise is, why should only new registries be subject to this provision, shouldn't it apply to all registries, and wouldn't be unfair not to? It's an obvious easy answer for that one for SubPro. Just thought I would put that in there.

There's also some complaining about how broad the provision is and that they need more details.

SUSAN PAYNE: Thanks for that, Jeff. That's a perfect segue, I think, into the discussion on SubPro, if that's okay.

LORI SCHULMAN: I just want to close out with one really quick thought. What I've done is, in the interest of time, put six of the major recommendation into the chat. I put a link to the edits of the recommendations so people can take the deep dive if they choose. I agree that this is a great segue, but I did want people to know there are sources of information inside the chat.

SUSAN PAYNE: Super. Thanks, Lori. Okay, back to you, Heather.

HEATHER FORREST: Thanks very much, Susan, Jeff, Griffin, Lori, and everyone who participated in that discussion and contributed to it.

I'm now mindful of time. We of course have 23 minutes left and plenty to cover. I am happy to lead our panel discussion on SubPro. Susan is not out of the hotseat. I will have help from Susan, although acknowledging that we also have Flip. I don't think we have Greg on this call. Flip and Greg together chair our internal IPC working group

on subsequent procedures. Paul McGrady led the effort for the drafting and filing of the IPC comment in the public comment period for SubPro. A number of our active SubPro members are on the call as well. So we have a real plethora of experts here, and it really just falls on me … I should say, as well, of course, that we've got Jeff, who's an IPC member and a Co-Chair of SubPro. So we have a great wealth of knowledge and expertise here on this effort as well.

Susan, in view of the time, I think what I'll say is, why don't you and I focus first of all on outstanding issues? Maybe I'll suggest we narrow ourselves to, if you like, what I'll characterize as the four big ones. First maybe is the question of closed generics, what was PICs—now the registry voluntary commitments (RVCs)—private auctions, private resolution—that sort of stuff. And perhaps we pick up singulars and plurals depending on then time. I think what would be helpful to do, Susan, if you can help me—and those on the call as well—is to characterize what the IPC position has historically been on that and how that has taken us to this point. Thanks.

SUSAN PAYNE: Thanks very much, Heather. I'll just leap in on closed generics, just to explain without a formal definition what that is. But that's essentially operating a TLD that reflects a generic term as a closed registry model or as a single registrant model as opposed to selling names commercially and publicly to anyone who wants one. In the 2012 round, as a result of GAC advice, the concept of having a closed generic was essentially put on hold. GAC advice led to the Board

prohibiting for the 2012 round those applications going forward in that form, but they specifically asked the GNSO to make policy recommendations about this.

So, across the working group, this has been one of the most difficult topics. There are participants who have fundamentally opposed viewpoints on this. Some are completely opposed to the whole concept of closed generics. Others feel that the prohibition is stifling possible innovation by driving all applicants to an open-retail model. We don't have a single IPC position on this in truth. In terms of individually, I think we would reflect the same range of perspectives. We have, in the past, put forward as an agreed IPC compromise position in some of our comments, that we previously expressed support for allowing closed generics and allowing them to go forward, supported by some guardrails—either some kind of an evaluation process or an objection process. But, as I say, we're not aligned on this. There are extremely strong views.

In the working group before the public comment period, there were three models put forward from individuals/small groups of possible ways forward. I think we probably have at least one IPC member working on each of those. None of them got perhaps really substantive airtime, and I think there is more discussion to be had on this. We do now, from the Board, have this really clear request for the working group to come up with a clear recommendation and also potentially for the working group to define what it means to be in the public interest so that, if there is a determination that a closed generic can only go forward if it serves a public interest, then the Board wants to

know how are they are supposed to determine that or how Org is supposed to determine that.

Shall I just quickly cover the other topics as well?

Yeah. On auctions, the particular issue of interest and concern is around private auctions and private resolution. In the 2012 round, the ICANN auction was described as the auction of last resort, and there was really an encouragement on parties to resolve their contention, where two or more applicants that applied for the same TLD, amongst themselves if they possibly could. That obviously led to some private commercial settlements, generally if there were maybe just a couple of parties involved. Sometimes they managed to reach a coexistence or a deal behind the scenes. It also led to a number of contention sets being resolved by means of a private auction process, where the parties have more control over the auction, and particularly, generally speaking, where the losers took a share of the payment made by the winner.

Now, the Board and some in the community have expressed reservations about this in the past. The Board, now in its comments on SubPro, has come out and asked the specific question of asking the working group to give a rationale for why the net proceeds from the contention set should not benefit the global Internet community rather than other competing applicants. So they're basically saying, what's the justification for allowing a private auction?

In terms of the IPC position, I think, again, there may be individual IPC members who've got a different perspective, but I think, overall, we

tended to be very supportive of the notion of private auctions and private resolution. In the trademark sphere, private co-existence agreements are a very common way of dealing with trademark disputes. From the perspective of a brand owner TLD who's an applicant, it's reasonable to want to resolve the contention outside of some kind of public format in order to keep your terms confidential. That's, again, very common.

The working group proposal on ICANN auction has been to move to sealed bids is perceived as reducing the possibility of price inflation, but that means, if you go down that path, you don't know who you're bidding against, and that doesn't reflect the fact that who you're in an auction with can significantly affect the risk perceived by the other applicants, and, consequently, the price you might feel you need to pay to avert some risk. So that's, if you like, almost encouraging parties to go down the private auction path, even though that obviously wasn't the intent.

So it's still a very contentious issue. As I say, we've taken a position that it's something we support, but, more particularly, we and the people that we represent want to see a path that allows private resolution to be struck without all of the confidential terms and conditions around that having to be disclosed to the whole community and the world at large.

I think we probably do need to keep this quick, so, finally, just in relation to public interest commitments and what is now being called in the new policy work registry voluntary commitments, where they're

a contractual commitment that a registry is offering to adopt as a voluntary matter. The working group has made a number of proposals on a number of areas where there are issues of conflict or objection or contention where the adoption of some contractual restrictions around how the TLDs will be operated has been seen as a means of addressing some of that to allow more TLD applicants to forward without it being an all-or-nothing/only one person gets a particular string, or indeed no one gets a string because there's a government objection or whatever.

Now, Jeff mentioned this legal issue that the Board and Org have flagged about ICANN's mission under its bylaws and the restriction on its controlling or regulating the content or the services operated on a site as opposed to the domain name itself. There are some existing public interest commitments. In particular they relate to some of the DNS abuse provisions. They were grandfathered in when the bylaws were adopted, but the Board has expressed the view that it's possible that anything that expands on those may not be something that they can enforce. So this does need consideration. We need to understand exactly what the Board is saying, and we do need to think about if there's a way to deliver what the working group wants to deliver that wouldn't fall foul of the bylaws because, whilst it's always possible to make a bylaws change, I think that's an astonishingly difficult thing to achieve, given how hard-won all those provisions in the bylaws were during the accountability work that happened just a few years ago. It raises a really interesting issue for the current debate on something like DNS abuse, where enhanced contractual restrictions have been

things that the various review teams and the governments and the IPC have been calling for but for which we now have the Board apparently saying they may be unable to deliver.

I think I will stop there. I think we can perhaps leave singulars and plurals being a lesser issue.

HEATHER FORREST: Thanks, Susan, very much. That's really helpful. I think, again, although SubPro isn't quite as far down the pipeline or as close to the end of the pipeline as RPMs, it is getting very, very close indeed. Again, I can put the link to our public comment on that one for who are interested and haven't seen it. It captures some nuances of the issues that Susan has described, albeit not really these issues themselves because these are the open issues, and, really, the substance of our comment goes to other things.

With that, the last item in our agenda is meant to be an open discussion. Of course, it is immediately clear that 90 minutes was probably only going to get us started on any of these things. And that's a good thing. It's a good thing that we have lots to talk about.

But what I'd like to do is really just turn it over, rather than stick myself in here. Maybe I'll drop a grenade and then we'll go mainly to our councilors, John and Flip. I think one of the things we really need to think about in the IPC as we look ahead is—I speak from personal experience and I speak on behalf of our councilors—how do we go about getting clearer and, let's say, more detailed instructions to our

councilors and getting them in a timely way? I think one of the ways we need to do that is by having a better understanding within the IPC or what the council pipeline looks like because, as Paul said, if I try and connect the dots here, under the ICANN bylaws, this is what we're here for: engaging in council and trying to get our message to council. The more that we can strategically do that, the more that we can use our position in council strategically. With incoming leadership and a change in council happening, I think this is as good as time as any to try and understand.

With that, I'm going to turn it over to Flip Petillion and John McElwaine, who are our IPC GNSO councilors. Gents, over to you.

JOHN MCELWAINE: Hey. I guess I'll start because I put together this outline.

I'll ask Andrea to advance the slide, I think, once. Perfect. Heather, to address your point specifically, we have no excuse as councilors and as a constituency not to be tracking the work that the GNSO Council is doing and will be doing in the future because of the excellent job that the GNSO Council staff is doing at tracking those work streams, shall we say, and planning in the future.

Let me hit pause and see if Flip has anything to add to that comment.

FLIP PETILLION: Thanks, John. I'm, with John, one of the councilors for IPC at the GNSO Council. No, John, I will cover the next slides in a bit—half-a-minute, I think.

JOHN MCELWAINE: Okay. Given the time, I won't go into all the detail here, but what I essentially did was just dropped into this slide what is on the agenda for the upcoming—that'd be October—GNSO Council meeting. You heard some of this mentioned as we've been going along through this open meeting. We talked about WHOIS and some of the issues that privacy laws have with respect to previously adopted WHOIS requirements. Those conflicts are to be worked out in an IAG (Implementation Advisory Group) on WHOIS conflicts with local laws. For instance, that's the first bullet point.

We also heard about the fact that certain issues such as legal and natural were pulled out of the EPDP Phase 1 and Phase 2.

In this upcoming meeting, we're going to be talking about those issues and forming an EPDP or extending the EPDP/reconstituting it. Likewise, right below that, we're going to be talking about data accuracy/what type of EPDP or PDP should we utilize to address data accuracy. Again, sticking with the EPDP theme, an implementation of Phase 1 … There was an issue of thick WHOIS transition policy and its impacts with respect to the new SSAD model. So that's going to be a discussion point on the agenda.

I can go on, but we're running short on time. But suffice to say, the agenda for the GNSO Council meetings are posted in advance, and we hope that we send that out to the list, but I do think, to Heather's point, we can do a better job at being more intentional and not just giving ourselves just ten days or seven days or less but planning months in advance.

Let's go ahead and advance to the next slide. Policy issues in the pipeline. This was pulled from a broader document that Flip will be talking about in a moment, but I think what the IPC needs to be thinking about is that there's a lot of talk about abuse and having some sort of policy around that.

What we refer to in the next bullet point is that there was what they're calling a Wave 1report, which was a large report identifying all the impacts that the EPDP Phase 1 and Phase 2 will have on existing policy needing to adjust those. It has ranged everywhere from the RPM Working Group to thick WHOIS transition policy.

In the next coming months, we need to be looking as a constituency at ensuring that the Privacy and Proxy Services Accreditation IRT is reconstituted and is up and functioning. As we heard, Susan talked about that we need to be working on—and we saw it in the chat—re-chartering Phase 2 of the RPM Working Group to address the UDRP.

So these are the issues that I wanted to pull out and highlight that we're going to addressing in the GNSO Council over the next one month to probably three or four months.

Let me move to the next slide. You can't read this one, but this is essentially a document that is freely available to anybody. It's in the wiki page of the GNSO Council. It is the document I use to pull that bullet list of important policy work of the GNSO Council. It tells you what the health of it is, what the status is, and where we're looking at in terms of timing within priorities set by the GNSO Council.

Let's move to the next slide. I think this is what Flip had developed to give the tools that the IPC can used to do some future planning. So, Flip, over to you.

FLIP PETILLION: Thank you, John. Yes, I thought it would be interesting for the members of the IPC to have a tool to follow and see what's on the agenda, what needs to be done, and, to remind of us Heather's point, how actually the members can give input to the IPC leadership and the GNSO councilors in particular.

We just wanted to show you three planning tools that have been developed by ICANN staff. They did a fantastic job in preparing this. They have actually been fine-tuning this over the last year. You will have these slides. So they will be available for you, so you don't really need to take note. But here you have a couple.

The first is a project list. In the next slide, you will see a link to that list. You will see different colors. It gives you an idea of where we are in the project, how long it lasts, what has been completed, and how healthy it really is.

In the next one, the next tool is the action-decision rater that you actually saw on our previous slide—the black one with all these colors. It tracks the actions and decisions that are to be taken the council and the period within which the council action is expected. So this is a second tool that you can regularly consult to see what's going and what needs to be done and where can actually get inspiration to make your mind up on some topics and how you can inform the leadership and the membership and the GNSO and to councilors that you have at the GNSO Council.

The first planning tool is the project management tool. I would suggest you have a look at it once because it's highly complex and is typically inspired by the construction/building [role]. It's prepared in project management. It gives you, again, an overview of the steps that need to be taken in each project and also a timeline of the projects. For those who are used to using a Microsoft project management, they will love it.

What are the key changes in terms of project progress? Well, here you have, in the next slide, a small list. Some have, of course, been discussed already today, so I'm going to be very, very brief. Actually, we do regularly give you an overview, and we discuss these at the membership calls. You will find the topics are in the agenda that is set around typically two weeks before we have that IPC membership meeting. It's Heather who's sending that around, I think.

Here you see a couple of priorities, but I think I better hand it over, for the next slide, to John and Heather. Thank you.

JOHN MCELWAINE: IPC priorities. This is only meant to kick off ideas and thoughts. It's by no means the IPC's official priorities. What we see coming in the next year is a community look at ways to address DNS abuse. Particular to the IPC, we know again there's going to be a re-chartering of Phase 2 of the RPM Working Group.

The last bullet point is that a number of the important ideas and protections that were centered around WHOIS or that were being developed by the EPDP in developing the SSAD model got pulled out and/or delayed. So I've tried to identify a few of those.

With that, we're just saying this is a list for discussion. I'll turn it back over to Heather.

HEATHER FORREST: Thanks very much to Flip and John for that fantastic summary. As you can see, there's a lot here. My reference to how scary the tool is is really more a reference to how scary the amount of stuff in the tool is/ how much is in the pipeline.

I think it's a bit unfortunate, as I wrap this up, to say—not a dig at anyone or anything in particular—that councilors started off this year with a strategic planning session trying to identify its priorities for 2020. Actually, that list wasn't really finalized until July. I think that's unfortunate. So I think the real challenge for 2021 is going to be to try and hit the ground running a bit more quickly and with more efficiency, particularly given the workload.

With that in mind, I've taken us one minute over. I very much appreciate that we've had so many folks on the call. I think our high point was 59 or 58 people. That's fabulous. It's a great opportunity for us to engage, particularly given that this is our only open meeting of the year. I'd just like to emphasize again, for anyone who might have missed at the start, it's certainly not the case that the IPC has been trying to hide in 2020. Certainly—I'll speak very personally—it's been difficult for me to deal with this remote stuff when 99% of the constituency is in time zones very far away from me and likewise difficult for them to me being here. Everyone has been very, very patient. This is tough—this remote stuff. To take us back to what Paul says, we've got to learn to optimize remote participation better and not just participation in PDPs but building relationships. It's something the IPC is very keen to do in the year going forward and something I'm very keen to try to lead us in.

So all the very best to everyone. Thanks very much for joining. Thanks for our fabulous backend staff. They've done a great job, as always. Wonderful to see faces and see voices in the chat and so on. So thanks very much to everyone. Andrea, I'll let you close this out officially.

ANDREA GLANDON: Thank you. This concludes today's conference. Please remember to disconnect all lines and have a wonderful rest of your day.

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