ICANN Dakar Meeting
Consumer Choice- TRANSCRIPTION
Wednesday 26th October 2011 at 13:00 local

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Steve DelBianco: And welcome to a working group for the Consumer Choice Competition Innovation working group. This is scheduled on the calendar for ICANN as 90 minutes but we will close this promptly at 2 o'clock after 60 minutes.

And it's a working group meeting - this is an open working group so all are welcome to participate. We had its share of our working group it's Rosemary Sinclair who is in Australia and is unable to be here. She may dial in at some point and if she does we hope to hear from her.

Give you a quick recap of where we got to where we are and then we'll dive right into a brief presentation of the current state of thinking on the working group of the definitions.

The charter for this was adopted by the GNSO on September 22. But before that - long before that, long before that it has a history that started with the nation commitments in a Board resolution. So why don't we go to that first?

Next one. Okay so we were on the affirmation of commitments. Again this was documented late 2009 and replaced the joint Project agreement. And in it ICANN made commitments to any government that would sign that

affirmation - currently the US government is the only sign. But it committed ICANN to perform these affirmation reviews. And it committed ICANN to promote competition trust and choice in the marketplace.

So since that was part of a commitment there was a review scheduled as well. Can we go to the next one? Where we had it. The affirmation Paragraph 9.3 commands ICANN one year after the start the first new TLDs into the (root) in the new gTLD program to conduct a review the extent to which this new program has promoted competition, consumer trust and choice.

And it goes on to add as well as the effectiveness of the application and evaluation process and safeguards. But not all about affirmation question is before this group.

You see on the next slide that in Cartagena the Board introduced a resolution, it was by Bruce Tonkin, it was unanimously approved where the Board asked for advice from the four advisory committee and stakeholder organizations on part of the affirmation, really, the definition measures and three year targets for the competition, consumer trust and choice.

So it took those three phrases right from the affirmation and said let's take the opportunity to do this ahead of time and see if we can set up what we mean by trust, competition and choice; maybe even defining the terms inside of it and ideally even three year targets.

If we do that it will guide what management does and what the community pays attention to in the year leading up to and the year of the actual affirmation review. That way the affirmation team doesn't have to invent from the whole cloth what it meant by these terms. And ICANN will have the opportunity to manage toward these terms along the way.

The resolution that passed in Cartagena expected us to report back with advice within three months by the San Francisco meeting. That didn't

happen. It as a slow momentum pickup on the part of the four AC/SOs. But fortunately the GNSO paid a lot of attention to this and we began to meet in earnest. After San Francisco we had our first meeting in Singapore and several intervening phone calls in between.

Next slide. And let's go to the next one. The resolution - I think we covered this. I wanted to say the second bullet is we have to think of a caveat. Our working group we might do amazing things and have full consensus over what we think the advice to the Board ought to be coming out of GNSO, out of ALAC, and even ccNSO.

But that cannot and is not intended to mimic what the affirmation Review team will do. Again that team won't even be convened until a year after the first new TLDs in the root. The soonest that will be is December of 2012, call it January of 2013.

So by January of 2014 they'll convene a team that will do a review that might last for the entire year of the year 2014. So things will look a lot different then but we hope that the work we do will provide a foundation. Next.

As per our charter so far we want to produce a report out of a working group - and we'll follow the GNSO working group guidelines for the production of a report and for the achievement of consensus and good manners. And that report will not be conveyed directly to the Board.

The Board didn't ask for a working group to give advice; it asked for the four AC/SOs to give advice. We're doing our very best to do a cross community - a joint working group to come up with that advice. But the advice that we create will then be handed to the four ACs and SOs. And we hope that they will consider all, part of even none of the advice when they forward and vote formally and move the advice to the Board.

Let's - I think it's worth noting that the charter that the GNSO adopted on the 22nd of September is offered for the other AC/SOs, for the ccNSO and the ALAC to embrace. But I don't know whether there's been any action on that. It wasn't discussed at today's ALAC meeting either.

All right let's go to the next slide. And let's move to the next one. I read into it here. Good, competition is the first one. And the definition - the working definition we've got so far is competition is evident in the quantity and diversity of three things; of gTLDs, of registry operators and of registrars. And that is a very supplier-focused definition of competition.

And what I'd like to do is run through all three definitions and we'll come back and drill down with the time we have to understand whether there's further discussion and refinement.

What about the measures for competition? Next slide, Marika. So far we have three broad categories of metrics. The idea is to measure before and after the new gTLD program, the number of gTLDs, the number of suppliers, the number of registry operators themselves including the number of backend registry operators. I hope we can measure the number of accredited registrars.

And I guess we're implying - are we implying that it's the registrars that only service the new gTLDs or of all? Well when we do a before and after picture we're probably asking staff to count them all.

We also want to look at the market share in terms of registrations before and after the launch so that we can get some sense as to the number of names that are in these - number of names that are in these new entrants both in terms of the quantity of registrants in the brand new TLDs as well as the greater quantity of all TLDs.

The denominator if you include all TLDs the denominator is so large so that percentage share of the new entrants may seem very small. So we'll definitely measure it it's simply a quotient. But we want to also be able to focus on share of new entrants in the new TLD registrations divided by all registrations in the new TLDs.

Okay let's jump to the next definition. The next one are consumer choice and consumer trust. So we first had to define consumer. And I think we had a consensus that consumer were Internet users and the registrants.

And we think that is self evident but in an organization that considers itself mostly doing work through contracts we're want to be sure that this is not about contract parties. The consumers whose interests we're trying to track here are the users and registrants of the DNS.

So under there we have two definitions. The first one is consumer trust. And we have a two-part definition thus far. The first is that consumer trust is the confidence that these two consumers, registrants and users, have in the consistency of name resolution, from registrar to registry.

And the degree of confidence that we have that a TLD registry operator is actually fulfilling the purpose of their new TLD to the extent that they declared a purpose when they applied for it. And whether they declared a purpose or not we want to be sure - we want to measure the degree of confidence that they're complying with ICANN policies and applicable national laws.

So what would we measure to figure that out? Next slide is a starting point. We take a look at - remember the first part of the definition had to do with the confidence of registrations and resolutions so there's percentage of up time.

The second half of that definition dives into things like trust; very hard to measure but we do think we can work off of surveys of perceived registrant and end user trust. And I do hope we'll be able to piggyback off of some of

the consumer trust surveys that were just completed for the Whois review team.

And I believe those results are supposed to be announced this week. And ideally we could map late 2011 results from them with late 2013 results to see if there's been an uptick in consumer trust.

We also have sort of brainstormed about measures we could do there like alleged violations of registry agreements, the percentages of UDRP and URS complaints and then decisions because I realize that a complaint is not necessarily a violation, as well as any full adjudicated UDRP and URS violations.

And then finally we would ask law enforcement and GAC if they wanted to cooperate by reporting to us instances where they have concerns about these new gTLD registries and registrars complying with applicable laws as well as instances of takedowns. We don't know whether they'll reply so we can't rely that heavily on it but let's have it in here.

Next slide would be the last definition which is consumer choice. The definition here we have said that choice will be evident. It was a range of options available to registrants and users for whatever domain scripts and languages that they wished to register and use the Internet in.

And choice would be evident in that TLDs could offer choices to registrants and users not only about the proposed purpose of the TLD but the integrity of the domain name registrants. If they claim that they're only going to admit bona fide sporting organizations into a .sport and that's a promise they've made whether or not it's in the contract we want to know whether that choice that consumers made early to register there is actually it's been fulfilled.

Marika, next slide. And I think we'll - then be able to dive into a discussion. We said the metrics for choice so far would be - start with the transparency

and clarity of offerings because if the new TLD proposals are really several hundred pages as we expect them to be that's not going to offer much clarity of choice to registrants.

They're going to need to see a value proposition that a new TLD operator would be using in their marketing material. And we'd want to see are they transparent about how they're going to restrict registrants in their registry? Are they going to be transparent about the terms of use that will apply to anybody that buys a name there? And is it going to be clear?

We'd also try to figure out whether people that buy names in .sport or .bank or .bikes are they buying names for the purpose of bringing up a new site with new content or are they simply pointing to their old site? And we wanted to see if we could measure how many times it's a new registrant versus an existing registrant.

And there ought to be choice for registrants. This is an important one. So the registrant might pick a registrar and a registry that is subject to the national laws that they prefer to live under.

And by the same token they could avoid a registry or registrar whose national laws they don't want to live under because they permit say blocking or takedowns to a greater degree. So that is an element of choice both for the registrants and the users.

And finally the percentage of defensive registrations in the new gTLDs as determined by the number of unique Websites. This one is extremely difficult. The word defensive registrations triggers any number of interpretations on the part of that so we don't really know for sure what it means.

But if I have - if Nike decides to buy something in nike.sport does that mean that it was defensive? Well probably not. There's a lot of traffic associated

with a purposeful domain so I would never call that defensive even though it may point right back to the nike.com Website.

Marika are there any more slides on this or should we circle back? So I guess we should circle back if there are any questions on the charter or the purpose or the affirmation. Let's get rid of those first and then we should dive into work on our definitions and metrics.

Oh if you could go to the first definition.

Marika Konings: (Unintelligible).

Steve DelBianco: Beautiful. Let the - folks can move around on Adobe but in here we'll try to do that. Wendy, any other members of the working group want to - (Carlos), is anyone weighing in at this point?

(Carlos): Sorry, Steve. We are now a working group. We can start a discussion now again. So I think it - the competition - the definition that you give the definition - the competition, sorry, have - or are very related with consumer choice.

I think in the definition of competition you mention only register and registers. I think you need to include - you need include the (unintelligible) or we need to discuss if in this definition it is not necessary the end users or registrants; I think are very related with consumer choice definition.

I think is not one with the other. Is my contribute. Thank you.

Steve DelBianco: I would love to have you expand upon that if you could. Ron, you're next. But we recognize that early on the phone calls you were on that choice and competition - you're right, were very similarly related. And we sort of made the decision to go ahead and focus the competition one on the supplier side.

And we then focused the notion of people being able to choose among varying kinds of TLDs because if I'm a sporting goods company .com is good, .biz is good, .shop is good, .sport might be good. So I'll have choices. Dot football if there is such a thing.

So those choices will show up. And they are also evidence of competition. You're completely right that there's an overlap but we had to sort of make a decision about how to saw those two in half.

Are you thinking that there's things in that definition that belong in choice or things in choice that belong in there?

(Carlos):   I wouldn't put the - my view on the table. The idea is the discussion. I have no complete understanding and definition.

Steve DelBianco: Ron Andruff.

Ron Andruff: Thank you, Steve, Ron Andruff for the transcript. I just want to commend the working group. This is a - when we first started talking about this or when this issue was first raised metrics on these kinds of things - I think it was Bruce Tonkin if I'm not mistaken at some point.

I was quite kind of a questionable state if you could it put it that way. I wondered how could you put a frame around it. But I just really want to commend this working group; you've really defined things very well.

And picking up on what you just said now how do you, you know, split choice and competition? It's clear, it's succinct, you've balanced, you know, one side is consumer, one side is the number of TLDs there competing in that space.

So I'm very pleased to see this work I have to say. It's really monumental from my point of view because it was one of the most ethereal things and you put a nice frame around it.

Where do we go from here? What's the next step? Is this open for public comment now for a period of time? Is it going to the GNSO? I mean, what are the next steps? Thank you.

Steve DelBianco: If we could answer that before we go to Andy and Jeff Brueggeman. The charter we're operating under - and we have a wiki where all of this is available - suggests that we should follow the GNSO working group guidelines.

And again everyone is - those who participate - but we would ideally follow their guidelines as to how we would develop a report and that report would take the form of advice about the definitions, metrics and measures.

We are barely to the point of - we haven't even measured whether we have consensus today in the working group about the definitions and metrics. And we haven't done the three-year targets that the resolution asked us to do. So there's quite a bit of work left to do. And I do appreciate your acknowledge or recognition that we've done a lot already.

We had one face to face meeting in Singapore for a very brief period and we've had five phone calls since then. So my guess is that we will have multiple phone calls, meeting every two weeks, for and hour and a half. And at some point in there we're going to begin with staff's assistance. And it's Marika, it's Margie and Berry Cobb.

With staff's assistance we'll start to develop a report. And that's when you'll really discover how much consensus or lack of consensus we have moving ahead. And at that point that report is not necessarily going to be posted for public comments since our report is only provided to the GNSO, the ccNSO and the ALAC.

And I presume that each of them might be interested it posting it to public comment. That wouldn't make sense to have three concurrent public comments for three AC/SOs. So ideally - ideally they would concur that we ought to post it for public comment as each of them consider whether they would endorse all, part or none of it as the provide their written advice to the Board.

Ultimately it has to show up as advice to the Board, it's not a PDP, it's not policy. And so that's my view of where we would go but I would welcome staff or other working group members to contribute to that.

Ron Andruff: My - actually just a quick follow on to that. Is there a hard stop date? This is kind of open, right? I think you guys are ahead of the curve on this if I think from a timing perspective?

Steve DelBianco: Oh we're nine months late because the Board asked us to have it done by San Francisco. I've talked to Bruce Tonkin who made the motion and I don't have a sense as to whether there is really a deadline other than this. And the sooner we get it done, the sooner staff can begin to capture the measures, designed ways to capture measures they don't already capture and put a stake in the ground for the before and after.

So the very latest the before measurements are going to occur in December of 2012. So we've got to be locked down by December of 2012 or we won't be able to truly measure the before and after.

Andrew Mack: (Unintelligible). Okay thank you. Andrew Mack. Okay couple of things, first of all actually related to what you were just saying there is a sense of timing that jumps into my mind which is that there is - there could be some great benefits to what you're doing related to this whole new gTLD process.

So I don't know to what extent it's possible to - I understand the desire to have a before and after and I don't think that that's necessarily realistic. But if

there are some things that are coming out that are good advice for that process might be worth including in.

The thing that struck me, Steve, more than anything else probably was as you're looking at the whole sense of diversity is that we got metrics around language diversity and around script diversity because that's a big piece that's coming forward that is, you know, is often ignored; it's something that Ron and I have worked on, talked about an awful lot.

If we have diversity between .com and .biz and .sport but not Chinese script and Hindi script and some of these other things coming out are we really reaching the diverse populations as they really are around the world? I think the answer would be not enough.

Steve DelBianco: Thank you Andrew. That's a great point. And to answer your question we'd probably go to the slide on choice. To (Carlos)'s point. We did have to saw it in half; we didn't put scripts in competition, we put scripts enjoys. Look at the definition of choice please.

It says - the very first line - in domain scripts and languages. So we'd have good choice if registrants end users could pick multiple gTLDs in the native language, in a native script like Arabic. And that choice would be evident even if there was one or two suppliers.

If there's not a lot of supplier diversity behind that that's relevant because with choice in the eyes of the registrant end-user is gosh can I get the script I want in the domain I want? I want to be thinking and I need an Arabic TLD in banking to address the entire Arabic world. So there are some gTLDs that will be in Arabic that will be useless to me.

So the choice is going to end up being not just domain scripts and languages but also for the proposed purpose and integrity.

(Carlos): My idea was only put in there the definition of competition. The idea that the competition is - it's very related with consumer choice, no more than that.

((Crosstalk))

(Carlos): Mention in the definition of competition that this is very related with consumer choice. You have another question in the Adobe.

Andrew Mack: Can I also just respond to that part, Steve? We talked before in - and various different forms about the idea of incentivizing build out in languages and so that does speak in my mind to getting diversity and getting - that's where it touches the competition piece. And I think that that is meaningful if you have very few people who are offering script that's less good for the world in some ways than if you have at least the ability to give more options out there.

Steve DelBianco: Now I see the circular nature of Andrew's point. He started by asking about timing because if in fact these were adopted as metrics the timing is such that we would want to manage to meet the metrics. And right now there isn't really anything in the new gTLD program that would manage to meet the metrics of having lots of scripts and languages other than Latin. I think it's a really good point to take on board.

In the queue it's Jeff Brueggeman and then Wendy.

Jeff Brueggeman: Thanks Steve. I just wanted to share a couple of observations that we had worked with an economist from an analysis group at one point in the development of the program to provide some input. And I think we've learned a lot from thinking about some of these types of issues there so I would offer these as consideration.

One is I think as you touched on it's difficult to come up with a completely satisfying definition of any of these issues. And so one of the ways to think

about it in my mind is what are the types of data that you would want to gather and analyze indicia of each of these?

So there may not be a black and white definition of, you know, choice or competition or - and particularly with respect to the issue of defensive registrations for example. However I think you can learn a lot if you gather good data.

Steve DelBianco: Okay.

Jeff Brueggeman: So if you see that in some - with some domain names you're seeing thousands by certain companies that don't look like they have any content on the Website that might be an indication of a problem. And other cases if you're seeing, you know, more content-based that would be an example of it.

I would also say so to me part of this is - there's a data gap that needs to be addressed in order to perform a coherent review and analysis you have to have the underlying data and to have to go out and start from scratch down the road is going to be very difficult.

So one way in my mind to think about it is come up with a set of information that you would use to assess these and make sure that that is - and then think about how should that be made available.

Steve DelBianco: So, Jeff, you identified the what and the how. So I may have missed this but on each of these definitions the very next slide for each of them is our current draft of the things we would want to measure for the data. So let's take an example for consumer choice.

We thought we would try to measure the number of - it's the second bullet - the number of new registrants versus existing registrants. So in the entire new gTLD space how many registrants were first time registrants a year after

the program, had the first name in the root. Right, and the quantity of new registrants in there.

And we could also measure how many of those - the rest of those registrants were existing registrants. So that's the what we would measure. So we should have - the working group needs to come to a consensus on what should we measure but then we have to ask staff's help on how it could be measured at all.

And we're trying to pick the things to measure as a function of what we know can be measured as opposed to inventing measures that will never be able to be done.

Next in queue was Wendy and then we'll take the online question.

Wendy Seltzer: Thanks. And I think it's also helpful in framing all of these questions and metrics to distinguish between the data that we're trying to gather and the normative judgments that would be made about that data. So we're not in this working group saying that some of these things are good or bad; we're not even particularly expressing a view that more competition or less competition is better.

We're trying to establish data points by which someone applying normative views, for example those expressed in the affirmation of commitments that we'd be promoting choice and competition, would be able to draw relevant data and make - draw those conclusions.

So it would still be open to us to various parties to argue from the data that is collected that some data points are irrelevant to their normative preference of what is good competition, what are relevant dimensions of choice. At this point we're trying to be comprehensive in gathering lots of information.

Steve DelBianco: That's a great distinction. We're not being normative; we're trying to be descriptive with data that we think attaches itself to the definitions. And I realize that the three words, consumer trust, choice and competition are words that were given to us. And we're just trying to hang data and descriptions on them.

Next.

Marika Konings: Thanks. Hi, oh I think (unintelligible). Can you hear me? So I have a question online from David Cohen, the registrant from Israel. He says I hope that maybe this working group will help resolve certain existing problematic and confusing situation. Several ICANN-accredited registrars are selling ultimate root names, example given .org in Hebrew, and are doing that in the same page with the ICANN-accreditation logo.

This is certainly not helping improve consumer trust. And I think it should be addressed and resolved by ICANN. And thank you for the opportunity to participate remotely.

Steve DelBianco: It's not just .org in Hebrew there are several Chinese scripts as well where they have their own TLDs. I think that this is a measurement for the affirmation of ICANN's so-called managed root and ICANN's managed DNS.

So frankly an alternate root TLD might be available to a consumer but it wouldn't be there because of anything ICANN did. This presents us with a dilemma which is exactly what Wendy said.

You could measure consumer - remember this is late 2014 - you might measure choice and say wow there's plenty of Hebrew TLDs and Chinese TLDs but they're not actually in the root, they're in that nation's own supplemental root, they're in an alternate root so they're not ICANN's work.

We might measure that and observe it descriptively but I doubt that it will reflect positively in ICANN's new gTLD program if the choice that showed up showed up outside of ICANN's root.

So we won't resolve - the questioner asked the word resolve - I want to resolve the issue - we certainly won't resolve it. Maybe we can shine a light on it by asking staff - this is a tricky one but it says the measurements of the number of TLDs would include alternate roots. And if it did both before and after we'd have some sense of that.

But I doubt we'd ever get the number of registrations in each of those alternate root TLDs. I don't even know how we could get that data. So we'll make notes of this, look for staff's help and make sure we get it into the working group report.

But the notion of alternate roots - should they be considered in descriptions and should they be measured in terms of metrics? But I do want to note that they won't reflect well on the new gTLD program because they won't be a product of the new gTLD program.

Marika Konings: David thanks you and saying that (unintelligible) and he knows that he has much information on this and is able to share if necessary from Israel, Russia, from accredited registrars.

I also have another comment if I may from (Tobias Maller). He says I basically agree with the metrics for competition but the definition is in my view still too similar to consumer choice as has been pointed out during the discussion.

Perhaps a solution could be to align the definition of competition better with the metrics, example by including some reference to, one, competition in a market, and, two, to the market's share of suppliers in that market.

Steve DelBianco: Could you go to the definition for - oh you did. Well the definition for competition is quantity and diversity of the suppliers behind the TLDs. It says nothing about the nature of the gTLDs, their purpose, their scripts or anything else.

If you go to the next slide? Did the questioner - I think the questioner mentioned a few things that are on here, the quantity of operators and backend registry providers and accredited registrars. Is that what the questioner was getting at measuring the quantity of suppliers?

Marika Konings: Talking about aligning the definition of competition better with the metrics by including some reference to market share of suppliers in that market.

Steve DelBianco: Great news then, we've got that in there so far. It may not be what the questioner is looking for but the bottom bullet says for measuring the market share of registrations between new entrance in a space, new competitors versus existing both in terms of the new registration pool and the total registration pool.

So market share is in there and we are trying to do that. But I would welcome specifics from the caller about new metrics to put into this list. Anybody else in the queue? Anyone else want to make a comment? Anyone in the room?

Annalisa Roger: (Unintelligible).

Steve DelBianco: Please. Step up to the table.

Annalisa Roger: How about a metric...

Steve DelBianco: Name?

Annalisa Roger: Oh hello I'm Annalisa Roger. And so looking at this for a metric how about the global penetration of the TLDs, in other words the number of countries that may be adopting new TLDs as a metric?

Steve DelBianco: You said number of countries adopting but countries don't adopt a gTLD.

Annalisa Roger: Well the registrants in countries using new TLDs; perhaps that could be monitored as a metric.

Steve DelBianco: So the diversity - the geographic diversity of registrants...

Annalisa Roger: There you go, yeah.

Steve DelBianco: Okay. What would that contribute to? Choice? Competition?

Annalisa Roger: Yeah and benefits and needs for the new TLD program, right? That's what you're trying to show after the fact. So right now some TLDs are primarily used in some geographic areas but after the program it would be interesting to see which TLDs have reached a further global expanse.

Steve DelBianco: So a before and after measure of diversity...

Annalisa Roger: Right.

Steve DelBianco: ...of the geographical diversity of registrants. And we have diversity in here a few times.

Annalisa Roger: Right.

Steve DelBianco: I still don't know how one measures diversity. Is there a statistician who's got experience with diversity?

Annalisa Roger: But per TLD so the adoption rate per TLD in those geographic regions.

Steve DelBianco: The mission we have is to evaluate the program for new gTLDs. So we hadn't actually thought we would dive deeply into specific gTLDs and evaluate them because each of them lit up for a different length of time so it's really a total, an aggregate, one year after they're all - the first one is in the root. So there may at that point only be a few hundred that are actually alive.

Annalisa Roger: Right I understand. But if - maybe those few hundred stayed in Europe and the United States but didn't actually take root so to speak, you know, become useful in other areas of the world maybe that would be a measurement that you would want to know. Okay.

Steve DelBianco: Berry.

Berry Cobb: Here we go. Annalisa actually brings up a - probably take the flip side of the coin and it's definitely an issue that's probably being discussed is what about TLDs that are blocked in certain countries. And maybe that could be a metric under the choice side of things. Certainly, you know, some TLDs that aren't so popular in countries - anyway the blocked part.

Steve DelBianco: And that would contribute to somewhat lower choice if certain nations block certain TLDs our measure of choice metrics will be lower than if there was no blocking. And it's possible that a registrant might register a blocked name. They might register it with a registry that's based in another country. But neither she or her employers or users in that country could get to it; it would be ironic.

So for the most part I guess we're measuring blocking both of the registrants, for all intense and purposes, as well as the users. So that's a great idea. And if we observe that some TLDs have not achieved the metric for geographical diversity we should probably note whether and which TLDs have been blocked one year after the program is launched; that would make sense.

Cheryl Langdon-Orr who's a member of the working group just joined us.

Andrew Mack.

Andrew Mack: Thank you, Steve. Just a question related to what we were just talking about in terms of geographical distribution. There may be - let's take an example from this part of the world. If we were to create a (.howza), right or a (.ebo), the geographical distribution of it might be - might be relatively small if you consider the (Diaspara) communities in the United States and the UK primarily and in West Africa.

But I'm just trying to get a sense of how we would use the geographical distribution. That clearly makes some sense for certainly - kind of like a .sport, something that's a universal, but for TLDs that are community-based I think it might lead us actually down the wrong track.

Steve DelBianco: Well keep in mind that we're measuring the aggregate program and no single TLD so this is - I was inarticulate when I was responding to Annalisa about it. But (.howza) might achieve a reach to a linguistic community or a geographical community that heretofore not been there. And a bunch of registrations show up in a (.howza) community.

That will contribute to the overall diversity measure achieved by the program. But we would never in any way cast dispersions on a TLD if it turned out it was so tightly targeted that it itself had no diversity. The point is did its introduction to the root and the registration up take by users and registrants did that contribute to aggregate diversity?

And I hope that's what Annalisa was getting at because we want to measure aggregate not individual.

Okay it's a quarter of and most of us have to get to Council. But this is a working group meeting; we could take another five minutes if people have further contributions we want to make to refine our definitions.

Hearing no more, Cheryl and Olivier, you guys that came in, what we went through is the 15-minute blew through the slides and - to give context. And again most of the folks here are part of the working group. And then we went through and took a dozen questions.

And I think the trickiest question is timing. Ron Andruff asked us where do we go next. And this might be worth spending four minutes or so on that. If we asked the Council today, for instance, where are we going with this we know that the charter has been handed to ALAC and ccNSO.

We would invite you guys to jump on it and embrace the same charter. It turns out it doesn't matter if you do or don't you're still invited to be on the working group and help the GNSO get it right.

And when we finish our report, following this process, the question when to finish or what do we do with it; well we're pretty sure that our charter restricts us from sending anything to the Board because we do not advise the Board. All we can do is hand our report to the respective ALAC, ccNSO and GNSO. And of course we'll give the GAC a copy.

But what about public comment? When would the actual report go out for public comment? Before or after we give it to the ACs and SOs? Any thoughts on that?

Olivier Crépin-Leblond: Thank you, Steve. Actually I'd like to just come back a little bit one step - one step back about the charter. The original Board resolution, I understand, was for all of the SOs and ACs to come back with consumer metrics, etcetera.

((Crosstalk))

Olivier Crépin-Leblond:　　　And that doesn't mean - therefore it doesn't mean that the only channel to the Board is via the GNSO Council. So this was just a little - it was just, you know, for the record to put this in there. So I do believe that the ALAC will discuss a charter as well.

We would have probably wished to have it as a co-charter but it appears that since - if this is not possible then we'll just have it as a charter on our side. And of course we will be acting then as a channel.

Again I think it's very wise for the working group not to address the Board directly because of course that's the usual thing. So chartering organizations will do that. And I expect that the charter will look pretty similar to the one that the GNSO Council accepted so.

Steve DelBianco:　Olivier, if the charter comes back, again, it'd be great if it was similar enough that we could stay united and work on one project. And again it's not essential because I hope we still work together on it.

Cheryl Langdon-Orr.

Cheryl Langdon-Orr:　Thank you, Steve. I just wanted to counter the question you actually asked which is when we should go to public comment. My view is because public comment often means that we need to look at our text and have it online - there's an interesting aspect moment - it would be far wiser to have that be done and perhaps have modification or further consideration in whatever we put through. So I'd like it to be before it goes to any of the ACs or SOs.

Steve DelBianco:　And Ron was the one who had asked that question. You are nodding. I think it makes more sense as well. We probably - if we came - if the working group came to the belief that we wanted to have public comment on one document

we'd want to lead the vanguard of a joint cross community working group we'd probably need to get consent from our respective ccNSO, ALAC and GNSO to do that.

And it would be in the spirit of trying to keep it as a joint community improving the product before we each hand it for endorsement. I hope we can go that route. I see a lot of nodding heads. Thinking that way. I hope so too. Olivier.

Olivier Crépin-Leblond: It sounds creative - Olivier for the transcript record. It sounds creative but we like creativity.

Steve DelBianco: Can staff clarify when GNSO debated and voted on the charter was there any discussion of when the working group report would go to the public comment?

Man: Not at this time but I'll - I'll table it and get back to you.

Steve DelBianco: Ron.

Ron Andruff: I just know we have more members of the working group here. I just wanted to say that the - this has probably been one of the most effective working groups I've seen in a long time. It's smooth, it's clean, it's well - very clear definitions. And I think that when it does come to the community don't be surprised if you don't see too many comments because it's a really good work product. And I just wanted to bring that forward. Thank you.

Cheryl Langdon-Orr: Yes all you may be inciting more criticism of the report by your effusive praise.

Olivier Crépin-Leblond: Thank you, Steve. Olivier for the transcript. That's because it's had time to mature. It's like a wine isn't it, you just leave it and it gets better with time. And I think there's been enough time to be able to turn those - well what we have on the screen and so on again and again and refine it.

And I hope that it's going to continue this way without of course saying that we've done such a great job. We're not going to pat ourselves on the back. But I certainly have noticed that there's been a great deal of thinking for each one of these words that are on there so.

Steve DelBianco: Thank you, Olivier. Let's all acknowledge Rosemary Sinclair has played a huge role in keeping this moving ahead. She's been great. Jonathan Robinson also contributed early on, John Berard, Philip Sheppard. Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Thank you, Steve. I just wanted to take the opportunity to suggest that some of us, even though we're members of the work group, have also pitched this particular slide deck at our respective communities. And it may indeed be happening in constituencies or sub groups in other parts of ICANN.

I was rather hoping that the work group might have the intelligence to have a space which - I know we've got a wiki space but we have a little space for people to put that in as a repository now. This is not a public comment but we had a 45-minute workshop on this in the At Large Advisory Committee and Regional Leadership workshop and there was aw awful lot of comment and ideas. It seems a pity not to capture it and put it somewhere.

So perhaps it's an action item on all of us as members of the work group to make sure that we grab any of that valuable data because it was a vibrant room, I mean, it was a great room to work. And there was a lot of comments and a lot of discussions. And we may benefit form having access to that.

There are recordings, there are transcripts. Perhaps if we go through some of that material and extract the delightful bits to anything I don't say and what they do say.

Steve DelBianco: Why don't you and I volunteer? You do the ALAC summary and I'll do the GNSO summary. Did ccNSO discuss this at all? Do we know?

Cheryl Langdon-Orr: I do know because I was actually talking to the Chairman of the ccNSO instead of sitting here on the topic of this exact matter. So, no they have not. Yes they have brought it up at their agendas. Yes they are - the Council is aware of the charter. And in fact it was tabled at the last ccNSO Council meeting.

Lesley indicated that she would ruminate on what their reaction may or may not be to perhaps an endorsement of or sending of a liaison to or some such. But there has been no formal briefing on it in their agenda because their agenda was already predetermined and very, very busy.

That's not to say we cannot perhaps take the opportunity - you're never going to get that many ccTLD operators in a room. It was an opportunity lost. But there we are.

Steve DelBianco: On Sunday morning during the joint session between GNSO and ccNSO gave a brief summary - John Berard and I gave a brief summary of what we've done. And it wasn't immediately apparent to the ccNSO members there why this would be relevant to them. After all the affirmation is in the G program.

But we did surface what came up Saturday morning the notion that some of the momentum of the new gTLD program will have favorable spillover effects in the CC and choice in terms of registrants and users may be evident in an uptick in both registrations and queries on the CC side.

I didn't get any nos from the audience. So I'll capture that at least and put that in the report. Now where would we put this report? Margie had been keeping an Excel sheet, for instance, with all the best current thinking. But where can we put a public commentary on the working group wiki? Wendy.

Wendy Seltzer: This is Wendy. And I apologize but I will no longer be able to contribute my intelligence or lack of to the front of the room as I have to run to a GNSO Council meeting on the stage in the tent.

Steve DelBianco: Any other comments today? All right thanks everyone. Please join the working group if you haven't already. And we look forward to moving this ahead. Thank you.

Man: This concludes the session. And, Operator, stop the recording please.

                                    END