ICANN86 Seville | PF – GNSO: RrSG Membership Work Session (2 of 2)
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TERRI AGNEW

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OWEN SMIGELSKI

Thank you, Terri, and hi, everyone. Welcome back to our second meeting of the day. We'll jump right in here because we've got a packed schedule, and I apologize for eating, but I had meetings throughout the entire lunchtime, so now it's my lunchtime. So with that, I'm going to introduce Humberto Carrasco, who will be

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speaking to us about assistance for domain name holders with UDRPs.

HUMBERTO CARRASCO

Thank you so much. I appreciate being here with you. I would like to talk about a project that we are working on. This is about how to help end users in UDRP procedures. This is a project that started last year.

KATHY KLEIMAN

If I might, this is Kathy Kleiman, and I just wanted to introduce the panel that's here so that you know you're talking to four law professors. So we've got Xavier Mestre from Spain. Chris Reed from the UK. Humberto Carrasco was not just a law professor; he is now Dean of the Law School at Catholic University of the North in Coquimbo, Chile, and the organizer of this project. And for reasons I don't quite understand, I've become a law professor in the United States. So now you have the floor.

HUMBERTO CARRASCO

Thank you so much. I apologize because I had to do it before. Okay. At the Catholic University, we started our legal clinic in 2010. We worked together with NIC Chile .CL and they realized 80% of the -- because there is a special local dispute resolution policy in Chile -- they realized 80% of the owners of the domain names lost in the domains in a domain name conflict, and only 20% were successful at that time. We started our project, and after that, not only our

clinic, but also another clinic from other universities. We changed the situation. After that, 62.5% of the owners of domain names won the cases. Go ahead.

KATHY KLEIMAN

My job here is to add color commentary. So if Margarita Valdez were here, who we all know from GNSO, the long-time general counsel of NIC Chile, she reached out to the law schools in Chile because she was spending so much time in .CL getting small businesses and entrepreneurs to register their domain names. And then they were facing UDRP actions in the country code and getting taken down very, very quickly. And they were good-faith registrants. So Humberto started the clinic eight years ago in .cl, but he's now going global into the Gs.

HUMBERTO CARRASCO

Oh, yes. That is the idea because we have been dealing with more than 700 cases in these eight years. We won 62.5% of those cases. And most of them were small and medium enterprises. So, people who are starting new businesses. You know, we're fighting against the big companies. This was our reality. So we thought maybe we can amplify or maybe globalize our clinic. And that is the reason that we applied to the ICANN grant funding last year, and we were successful.

And what happened with the 8%? There is the last statistic. Well, this statistic is about two weeks ago. It's a whiteboard statistic.

Only 8% of the current domain name owners are successful in a domain name dispute resolution. So would you like to add something about that?

CHRIS REED

If I can just say, the reason I think this is a problem is because it's very important for ICANN to maintain a high reputation for its domain name resolution system. At the moment, it has the highest authority in the world for resolving these things, higher than national courts have. So I know everybody's getting excited about the de Boer case, but the judge there only has strong authority in India. In Spain, for example, people look at it and go, well, it's interesting, but I don't know whether I'll obey it.

But ICANN has authority globally. And partly that's because it has legitimate authority based on the quality of its dispute resolution system. If there is a problem that SMEs just cannot understand or afford to represent themselves, so they lose their domains without a fight, that's a challenge to the long-term legitimacy of the ICANN system. So I think it's very important that this assistance is made available to keep the UDRP system going.

HUMBERTO CARRASCO

Excellent. And this is about balance. What we offer. After one year of working on this project, we are offering a free legal clinic. But this legal clinic is not only about lawyers, but also law students. We have been training more than 250 law students around different

countries. Now we have eight law students practicing in our clinic. And of course, this is an open legal clinic.

So if there is someone interested from any place in the world, they can apply. They are going to take an online course. It lasts about three or four weeks. And after that, we are going to give them a certificate from our university. And if they want to continue, they can participate in the legal clinic with real cases. And the next step, we are preparing an artificial intelligence legal assistant tool, because I think it's a good way to solve some of the issues of the domain name holders.

KATHY KLEIMAN

But the AI legal assistant, if the questions are good enough, will ultimately route to a person. And that's what's beautiful here, is Humberto has students standing by for your domain name registrants if they wind up in a UDRP, and they want to write a response, the students will do it for them and work with them. And in the process, we're creating great lawyers, guys, IP attorneys who know both sides. And so this is a win-win all around. It's a great idea.

HUMBERTO CARRASCO

Exactly. Thank you very much, Kathy. Well, what we have right now, it's two websites. One is in English, udrpdefense.org, and there is another one in Spanish. It's a mirror, one in English and the second one in Spanish. You can find different topics about the

project, but also open resources about domain names and uniform dispute resolution policy. The last one is a legal block. This has been developed by our students. And I think three times a week, at least two or three times, we publish something. When I say we, actually, there are our students who are publishing. We are working with them.

Well, this is a part of the example of the work we have been doing in the last year. On the left, you can see the current law students working for free in our clinic, and you can see Kathy, Xavier Mestre, Chris Reed. I have plenty of different pictures with many, many students who are really interested in this kind of experience, particularly because this is a global experience. It's not only about what happened in one country, but also what is happening around the world.

And this is the last one. And I think this is the reason we are here, because we need your help. We think we are doing a win-win offer for everybody, but unfortunately, not everybody knows about the project. So not everybody knows that we have a free legal assistant to help with the issues related to the UDRP procedures. Would you like to add anything else, Kathy?

KATHY KLEIMAN

Just that Humberto really just launched this clinic in the last few months. So if you could help us get the word out. And I don't know if there's a moment or two, Zoe and Owen, just to get any suggestions you have for us about ways to let people know, or

materials you might need to help refer people to us if you think they should be. And thank you so much for providing time during such a busy meeting. We truly, truly appreciate it.

CHRIS REED

And just to say maybe the obvious, it seems obvious to me that these registrants won't be thinking about legal advice until the problem arises. So if you tell everybody now, they'll have forgotten by the time it happens. On the other hand, if there is a way of telling them at the same time they receive notice of a dispute, that's the time they need to know about the resource.

HUMBERTO CARRASCO

That's all. Thank you so much.

OWEN SMIGELSKI

We have a queue here. So just real quick. Sebastien?

SEBASTIEN DUCOS

Thank you. I'm Sebastien. Because you're missing a key language in your bilingualism, the most beautiful language, as far as I'm concerned. I'm French. So it is French. Can I strongly suggest that you go and contact AFNIC, who not only probably have that sort of thing going, but have a whole network in Africa, where in underserved regions, they would absolutely need your help. Thank you.

KATHY KLEIMAN You'll help us with that contact, right? Thank you.

OWEN SMIGELSKI That was for those who couldn't hear. Sebastien said he would assist. Next up is Michele.

MICHELE NEYLON Thanks. Michele. I think this is great. Look, I already got a presentation about this from you. I can't remember when it was. It was a couple of years back. I thought that back then it was a fantastic concept, and I think it's great to see it evolving. In terms of people and entities to talk to, I mean, obviously, talking to us is a good idea. ccTLDs, I think EURid, it'd be nice to see them have a bit of balance since they seem to be terribly IP-friendly. Nominet is another one that you might want to talk to as well. They have their own version of a dispute thing.

But maybe the thing to do is to talk to some of the UDRP providers. They love to tout their numbers. I'd love to see it being a little bit more balanced. That would be great. Because we've seen so many instances where the mere threat of a UDRP means that the registrant hands it over because they can't afford the legal fees. Thanks.

OWEN SMIGELSKI Thanks, Michele. And yes, I'm going to follow up afterwards and get you in touch with the law school I went to. I was inspired by the UDRP to become a lawyer. It's good to see that we'd be able to train people who are registrant-friendly as opposed to IP interests-friendly. Marta?

MARTA BAYLINA MELE I work for Core, but I'm speaking on my own capacity here as director of the Intellectual Property Law LLM in ESADE, Spain. I think that's a great idea, and I understand I can really share this with my students, right?

HUMBERTO CARRASCO Yes, of course, that is the idea. It's open to everybody around the world. I apologize. If you see these slides, we are looking to have partners, particularly if there is a university. For example, we can --

MARTA BAYLINA MELE Work together. Okay. So as I said, I work for ESADE Law School, Universidad Ramon Llull, and as the director of the LLM program in intellectual property, that's a really good initiative. So I'm looking forward to talking to you later.

HUMBERTO CARRASCO I'm happy to do it. Thank you so much.

MICHELE NEYLON

Michele, again. I mean, this goes a bit to, I think, something that I was talking about in one of our earlier sessions, because we're constantly talking about abuse. This is the thing that we should probably be pushing, that idea of a charter of rights for registrants, levels of service, and assistance in dealing with frivolous UDRP rubbish.

OWEN SMIGELSKI

It's certainly something to take back. Well, we're at time, but thank you very much. I really do appreciate that. This is a good thing to learn about, and certainly, we are here on behalf of registrants as well, not just for our companies, but whatever we can do further moving forward, certainly we will be in touch.

Okay, so back to our slides, continuing in the UDRP track. Zoe told me we have to have polls, so we're going to start off with a couple of polls here. So the first one is: Has your registrar received fake emails claiming to be from UDRP providers? Your choices are Yes, No, or Other, only because who knows.

Okay, a couple more seconds left. Can we see the results? So we've got 25% Yes, 70% No, and 5% Other. Do we know how many people voted? I'm kind of curious. Twenty. So out of that, we've had, I think, five registrars who have seen fake stuff. So I admit I voted Other. We have not received it, but we have encountered it as well,

too. They are going between registrars as well, so certainly it's a concern.

MICHELE NEYLON

I'm a bit confused. What does Other mean to you? Because my thing is either you received it, or you didn't. I know some of us are aware this has been happening, but surely whether you received or not is binary. You either did or you didn't.

OWEN SMIGELSKI

We did not receive it; another registrar did, and we were involved with a transfer regarding that. So we did not receive it ourselves, but we were involved with the transfer.

MICHELE NEYLON

Okay, so you're the other registrar.

OWEN SMIGELSKI

Yes. Do you think the UDRP communication process should be more secure? Yes, No, or Other. Because I know we all have thoughts and opinions. A couple more seconds. All right, let's see the results. We've got 90% said Yes, and 10% said No. Happy to hear anyone else, if you've got any feedback you want to say, especially the No. Michele, is that you?

MICHELE NEYLON

Well, first off, yes, that's my hand. No, I was not the No. I'm actually a little bit gobsmacked that somebody would say no. And I would love to hear the rationale as to on what planet is doing something more insecurely being seen as a good idea. I'd love to hear that. More seriously, the big concern I had was how on earth can we live in a reality where it's possible to make the URS more secure, but not the UDRP, when the vast majority of domain disputes are handled via UDRP or something similar?

Now, in terms of what the actual security mechanisms around that end up looking like, I think that's something we really do need to have a look at, because not everybody has the same systems, and I think there should be a conversation around it. But I think we need to have it for exactly the reasons of the fake thing, but just in general. Because if you think about what can be involved, it's mad.

OWEN SMIGELSKI

Thanks, Michele. Eric, you've got a hand up?

ERIC ROKOBAUER

Yes, thanks. This is Eric Rokobauer. Completely agree. I'm not the No either. I stuck to Yes. Make sure I got that following Michele. But completely support Michele. And I think that's one of the things I want to understand, especially for Squarespace. We were doing a little digging and just trying to understand what can we do. I feel like ICANN should be looking more. So how can we give that to ICANN?

One of the things we saw just from the emails, like the DMARC and SPF records, looking at some of these providers, some of them don't have anything. So even if we try and confirm this is the email, there's no guarantee that it's not going to be spoofed. So it's just, how can we have the conversation?

I think a good start was we get to ICANN, get their tech team to start, and have a conversation with those providers and see, like, hey, what are you doing to be more secure? And if you need some feedback or additional support and commentary, talk to the registrar. So we're going to have to do that. Thanks.

MICHELE NEYLON

I think there's one thing Eric raised there, which I hadn't thought about right now, because the focus had been on the encryption angle specifically. But it should be very, very easy to say to the UDRP providers, "Yo, SPF, DMARC, I can't even send a frivolous newsletter to most people if I'm not using those."

So they should, at a minimum, have that in place. And if they don't, what the hell are they doing playing in the sandbox? They should go back to doing something else. And I don't think it's unreasonable to expect them to do it. And I suspect some of the larger ones wouldn't have an issue with doing it.

OWEN SMIGELSKI

Sure. Thanks, Michele. And then also, I said we saw an email. It also happened to be a domain registered through us. We went

ahead, and we have now blocked strings like WIPO from that just to try and reduce the opportunity for people to register malicious domains because we saw more than one using that string in there. Which secure options would you prefer for UDRP communications? Encrypted Email, Secure Website Login, Carrier Pigeon, Other? I know we've heard some other ones there, so certainly that. And don't need to take too long to discuss those because we've got another slide after this. So get your votes in.

All right, let's close the poll. Oh, wait, I didn't vote. It is. Let's see the results. Okay, so we've got 75% would like Encrypted Email, 50% Secure Login. Looks like one person likes Carrier Pigeon and, oh, three like Carrier Pigeon, and then three like Other. So I know we discussed some stuff, Other. Do we have others who are options in there? And keep it brief because, again, we've got a next slide. Michele?

MICHELE NEYLON I think we should be having the conversation. That's why I went with Other because I'm not sure which technical solution is the best. But I think we definitely need to be exploring them.

OWEN SMIGELSKI Great. Thank you. Appreciate that. Carlos?

CARLOS BECERRA Yes, I think the bigger risk is email in general. It's an antiquated system to something that's so serious. I think we need some sort

of platform where they log in, it's all recorded, and it's all detailed. I think lookalike domains are the biggest risk. I mean, as you pointed out, that's what we were seeing. It's not necessarily spoofed. It was actually a lookalike domain with records. So, yes, I think we need a better solution.

OWEN SMIGELSKI

Great. Thanks. And also, the domain names that are involved in these things aren't just random things. They were three-character and four-character domains. So the bad actors are going after some serious stuff here. Volker?

VOLKER GREIMANN

Yes, thank you. I absolutely agree. Email is becoming less and less of a useful tool. Just to give you some background, we probably took down a couple of domain names three weeks ago, and somebody thought it was a good idea to get revenge on us. So they started, probably, an AI bot to basically sign up all of our email inboxes for abuse intake, and my personal company email address, and a couple more to everything that presents an autoresponder and newsletter sign-up, account confirmation email.

We're getting about 2,000 to 5,000 a day. On good days, it's just 100 or 200, but that's what we're currently dealing with. And it's very easy to lose the signal in the chaff and delete or spam filter those emails that might actually be valuable. It's a fight at the moment,

and it's something that probably many of you will see in the near future as well.

JC VIGNES

Question for you, Owen. Did you say you blocked the WIPO string from being registered?

OWEN SMIGELSKI

We took a look at what was going on on our platform. We saw some concerns with the strings and acronyms related to that. Yes, we decided to do that only just because, at least for a temporary -- we don't want people registering things that have acronyms that could very quickly trick somebody. And that was a decision we took internally.

JC VIGNES

Got it. You're not worried about the precedent you're setting? If you're able to block one string, why not another one?

OWEN SMIGELSKI

I think we can take this discussion offline. There are certainly things that I think could be blocked, but that was just something we did for this particular thing. Michele?

MICHELE NEYLON

Yes, Michele. Just addressing Jean-Christophe's thing. I mean, we all use our own internal processes, rules, and levels of comfort and

discomfort when we decide who we allow to be a customer. You do not have a God-given right to be my customer because that's not how the internet works. So as a registrar, we have those competitions. It would be different if I were a registry. So we definitely block certain strings from being registered.

But I'm not going to tell you what they are. We definitely monitor certain strings when they're registered. And again, I'm not going to tell you what they are. I will tell you that we have to block entire countries from order forms. But that's just a cost of doing business.

OWEN SMIGELSKI

Thanks, Michele. How fast do you think your registrar can implement a secure method for UDRP communications? And this is email or web form or whatever. Less than one month, two to three months, four to six months, or more than six months?

MICHELE NEYLON

So I'm just putting up my hand there. I mean, I think it's impossible to answer that question without knowing what the secure thing is. It's not a good question. Because when we are asked how long will it take us to implement policy X, and we know what we have to do technically, I can give you an answer. But if you're saying to me, how can I solve world hunger or something else -- it's a hypothetical -- we haven't actually got a solution.

OWEN SMIGELSKI

So the takeaway is I should not be writing these poll questions when I'm severely jet-lagged. So yes, appreciate that, Michele. Apologies. So, just for pure entertainment's sake, let's see what the results are. So we've got 22% less than a month, two to three months, 50%, four to six months, 11%, and then more than six months, 70%. So getting to the meat here, as we know, there have been some issues ongoing for several months with this. As you saw, I think it was last week, there was an email that ICANN sent out a notification to registrars with regards to these fake emails.

Yes, there were some registrars who expressed concern for the delay and the timing in that. I did raise that with ICANN, and it was just more of a lack of understanding of the seriousness of the issue and taking back internally that when there are certain things, it could be better to over-communicate something like this, which could have a significant impact. And so as we move forward and see things like this, certainly have a dialogue with ICANN on that.

Number two is that ICANN does have several efforts underway. With this, for those of you who are on the gTLD tech group mailing list, a call went out for participants to look at securing the URS as well as UDRP communications. So you can join that. That was also shared with TechOps. So you can also put your hand up to begin participating.

And then very tentatively with ICANN, because some of the things we're talking about, like making emails more secure, are not prohibited by the UDRP, then it is something that we, in theory, can

do. So it's not that ICANN has given us its blessing. They're still checking this, but what I said I would do is I would reach out to UDRP providers to start looking at things, how we could make these secure now faster, not necessarily a full system change or implementation.

So again, I only found out -- we only had these discussions in the last day or so. So I'll start reaching out, and we should see something soon from me on that. But we'll be looking to coordinate, and hopefully get all the UDRP providers, have ICANN involved as well, too, so that we can get something sooner as opposed to waiting for one of those solutions, which might take a little bit longer to do tech-wise.

So I'll pause here to see if anyone has anything else to add. Eric, go ahead.

ERIC ROKOBAUER

Support, yes. I think coordination with UDRP providers is the way to go. Happy to help with that. Question, the gTLD tech group, I forget how. How do we join that? Does someone have a link accessible handy?

OWEN SMIGELSKI

ICANN, drop that into the chat. It's already in the chat. Thank you, ICANN. Yes, there it is. Sorry, you've got to scroll up a little bit. Francisco posted it in there. All right, anyone else? I think we are done. Now, with this, Ashley, it's over to you for one topic.

ASHLEY HEINEMAN

Hello, everybody. Ashley Heineman with GoDaddy. So first of all, I have to give credit where credit is due. Ms. Sarah Wyld put these slides together, and I thank you so very much because I was out of my mind coming into this meeting. So, yes, thank you, Sarah.

Okay, so SSAD Supplemental Recommendations. For those of you who are not yet aware, the SSAD recommendations, they didn't work out so well, based on what happened with the RDRS pilot. And as a result of that, thanks to our colleague, Sebastien Ducos, and his group, they looked at the findings of the RDRS pilot, and they put together this wonderful report.

Also, ICANN staff did an assessment of how things went. And basically, the gist of it is, the SSAD recommendations needed to be fixed. So this group, the supplemental group, was put together. It's a weird thing. It's something that we haven't done that often. But basically, it's a group within councel with subject matter experts.

So from the registrar stakeholder group, we've got our counselors, which are Hong-Fu, Volker, and me, as well as Sarah and Owen. Am I forgetting somebody? Well, Seb's not part of our group. He's somebody else. So Seb is not part of our group, but yes, he is on the bigger SSAD group, just not as a registrar. So anyway, sorry, Seb.

So basically, what is happening, this group was put together. It now exists. We've been meeting as of Sunday. We met all day. So

some of the stuff you're going to see in these slides is a little bit dated based on those conversations, and I'll just flag them when we get to them. But this group, we're tasked to propose modifications to the SSAD Recs based on the report that we got out of Seb's group.

Also, we had some input provided by the board. They had some things they wanted us to consider, including mandatory registrar participation and mechanisms for requesting non-public registration data. So, whether or not we are required to participate in whatever the system is that comes out of ICANN. How to use the SSAD for underlying data for affiliated privacy and proxy domains. I know some of us were already doing that within RDRS, but not all.

Inclusion of response timeline for urgent requests from authenticated LEA, which I believe has already been decided, but I will put that to the side. And also an authentication mechanism for law enforcement authorities and a phased approach for federated authentication for other user groups to facilitate urgent request responses.

I have to admit this last one's a bit fuzzy based on information that we have with respect to whether or not only LEA will be able to respond, or will have the opportunity to request urgent requests. Go ahead, Sarah.

SARAH WYLD

I might have made a mistake on this slide. I think I did. I think I squished together the "facilitate urgent" should go with the "law enforcement," and then the "phased approach" is "other groups later." Sorry.

ASHLEY HEINEMAN

This is why I gave credit to Sarah early on. So if there are any mistakes, I could blame Sarah. But thank you, Sarah. Roger, go ahead. You have your hand up already.

ROGER CARNEY

Thanks, Ashley. Just to be clear, the registration data policy does not specifically say LEA. So if you qualify what the registration data policy needs, then you technically don't have to be LEA, though. No one has brought an example forward of anyone else that would fit that. So thanks.

ASHLEY HEINEMAN

You are correct. There is no distinction in the policy itself. But information to date seems to have forgotten that. So I will get to that a little bit later, what I'm talking about, just to keep you on a cliffhanger. So, yes, that's what the board wants us to consider. And so the SRT is now going through these recommendations, starting with, I won't even say easier ones, because nothing is easy in this space, reporting requirements, terms and conditions, and then getting into ones that will require more changes, such as authentication, priority levels, and response SLAs.

And just so you know, we have touched on all of them already as of this week. So we're going to start with the poll, which is going to guide our discussion. So the original SSAD Recs were written for contracted parties, but the SRT is asked to consider revising them to be for registrars. So just so you all know, the way this group is being handled, which I personally like, is ICANN staff has drafted a straw person proposal. So we're responding to texts that they have drafted. And in the texts that they provided us, they changed contracted parties to registrars.

And I'm not going to give away what we already talked about and are close to deciding, but in your perspective, should the SSAD Recs be directly targeted at registrars or should they be targeted to the contracted parties? Five seconds. Survey says contracted parties. Well, that was what we thought too, going into the conversation, and we brought that up as did -- there was some other agreement within the room when we met that this should be contracted parties.

That being said, there is recognition that not all contracted parties would be fit for purpose here because not all of them are thick registries, but there are some who are, and there are some who definitely want to have that responsibility as well. So we're going to look at changing the language in the straw person, but that is where we're heading at this point in time.

All right, we're sharing you this text to kind of tee you up for the next poll question. So, before we got to lovely Seville, this is some

straw man text we had. And just to be clear, this was listed not as possible new policy language, but as implementation guidance. And it has to do with developing technical standards and administrative requirements for user authentication. So if there are different user groups who want to set up their own authentication processes, this was offered up as implementation guidance.

So I'm not going to read it word for word. You guys can be reading it as I talk. But basically, things like they should have a definition of eligibility requirements for their user group. They should have an overview of authentication procedure, authentication credential management policies, authentication credential revocation procedures.

So they need to have certain things in place to be an authentication body. Poll question. What should the SRT's role be in developing the technical standards and administrative requirements for user authentication? Should we develop implementation guidance, such as you just saw in the current draft? Should it be high-level tech and admin requirements in the policy recommendations themselves? Should there be extremely specific requirements in the policy recommendations? Or other? Please choose an answer now. Three seconds.

Oh, this is interesting. The majority of you said develop implementation guidance as you currently saw, while 25% of you said develop some high-level tech and admin requirements in the

policy recommendations themselves. So on and so forth. So this is interesting.

As the team that went in to start the process of negotiation, we came up with the idea of lifting this text and making it a policy recommendation, only because we wanted to make sure there was some baseline criteria for how these authentication groups are formed, rather than just groups coming together collectively saying that they've authenticated themselves, and we have no idea on what basis.

A good example is being able to prove that you can process information safely and securely, that sort of thing. Or you have to tell us what jurisdiction you're in, just some basic. So what we did, and tell us if you think we were wrong, we began conversations in this team to move this text up into policy. And we are now discussing what should be high-level criteria for an authentication body.

We have not reached resolution on what that criterion should be. But we have reached preliminary agreement that it should be a policy recommendation. Does anybody have any thoughts on that? Should we reverse course? I hope not because we would look silly. But I'm happy to consider. Take any thoughts, questions? Luc, please go ahead.

LUC SEUFER

Hi, it's Luc. Do you have to do admin and tech? Can't you just do admin and leave the tech to the techies? So that it's not in the policy. It's something that can live outside of it and can evolve with the technology.

SARAH WYLD

Thank you. This is Sarah. In terms of tech, it's things like we need some token that shows that they really are authenticated. But what kind of token? That goes to the tech team to figure out. So it's very high-level.

ASHLEY HEINEMAN

And we're not even at that level either. It could be something even more generic. So I think this is an opportunity where we can think about what we as a group would like to see as the criteria. We haven't made a decision on that. So that is good feedback. And we can continue having that conversation. Roger, please.

ROGER CARNEY

Thanks, Ashley. And I guess I'm going to follow up on what Luc was saying. I don't know that the SRT has the personnel to get into some of those technical discussions. So that's why I picked A. If it's going to be at an extremely high level, maybe there is enough expertise there. But my concern was there's just not the right people that can drill into this and make it specific. But as far as being requirements, better, right, so that it does follow through. So, thanks.

ASHLEY HEINEMAN

Thank you, Roger. This is all great input. And I think we are thinking very high level. And I think based on the conversation so far, we need to really talk about what that is and make sure we don't go too far down any path. Theo.

THEO GEURTS

So I haven't followed every discussion on this topic, what was just being presented. So everybody who sees somebody's going to die can request the data. That's what a policy says. It doesn't specify who can request it. That also means that everybody can send in a request for authentication. So that means there's going to be a separate system. I heard the law enforcement agencies are setting up an authentication system. And apparently, there will be a different one for everybody else. And it's not law enforcement, but fits the policy description. Is that the current thinking here? Thanks.

ASHLEY HEINEMAN

That is the current thinking now. From what I understand, other groups could pull from the experience of LEA. I doubt LEA would want to have them be part of their system. This will not be a system within ICANN. So the expectation is that user groups will self-identify and set up their own authentication authorities. That is the current thinking. Sarah looks like she has something to input here, too.

SARAH WYLD

Thank you. I just want to add, and I don't know if I can put a screenshot in. I can't send a file to the chat. We talked about having two possible paths for a user. So somebody can only have a credential to log into the system, as they do today with RDRS, which, on our flowchart, we call it non-authenticated. And there they log in, they make the request, and then it gets evaluated, like today.

Or they can get authenticated as being part of a user group that would come with some set of criteria that we are now talking about developing, and that's what this question is about: the minimum technical and administrative standards. And if they're authenticated that way, then we have more information that we can use when making the disclosure request to help us trust that they really are who they say they are.

So, in the context of an urgent request, I think they would have to be authenticated in that second manner so that we know that they really are law enforcement or somebody who can be aware of a situation that falls under that definition of what is urgent. Thank you.

ASHLEY HEINEMAN

Okay, hopefully that answered your question, Theo. Sebastien, you're next.

SEBASTIEN DUCOS

So just one little precision. I am on that SRT, but in my own capacity, technically as a liaison in the council, but more realistically to sort of bring the history of that group. A year ago, when law enforcement started talking about building a system, I strongly invited them to go and talk to our tech group, TechOps. And I think it would be a good time to do it again, because progress has been made. It's important for us not to be blindsided by what they're doing. And I wouldn't be able to describe it because it's not at that level of discussion.

ASHLEY HEINEMAN

Thank you, Seb. And I won't put any LEA that's in the room on the spot, but I do have some other information to share later. Roger, is that a new hand?

ROGER CARNEY

New hand. Thank you. Thanks, Seb. Zoe just reminded me that that would be a good idea for not just the LEA teams, but this SRT can ask questions to TechOps, and TechOps can bounce those around and think about best ways to do that, or provide some more, maybe not detailed technical, but a good understanding of technical requirements that can be added. So I think that is a great idea. Thanks, Seb and Zoe, for that. And I think that was it. Thanks.

ASHLEY HEINEMAN

Thank you, Roger. That's good to know, or at least a good reminder for those who already know, that we can pose questions to TechOps. Any other questions before we move on?

Poll question. Response timelines and phase two SSAD Recs are different than the registration data policy, Phase 1 Recs. Should they be the same? Options are: keep each one as is, so they're different from each other; they should be the same (update the SSAD to match the registration data policy); something else. So select your answer now.

Good, we got this one right. They should be kept the same. Who said something else? I'm curious to know. Maybe it's something we should keep in mind. Okay, Luc, what do you have?

LUC SEUFER

I was also posting in the chat. It would depend on the set and if it's slowing us down, how it's coming out. Then we need a different timeline. If it's arriving directly to our mailbox or support, or whatever, it's fine. If you have to go to log in and you have to rely on something else, then you need more time.

ASHLEY HEINEMAN

I think you're cheating. Did you sit in on the SSAD discussions? Just to give you some insight as to what we were talking about. So, originally, we came in talking, as registrars anyway, insisting that they be the same. And I think what the straw person text said was

14 days. And then we went around and around and around with respect to what should the timing be.

And Becky Burr, as reasonable and thoughtful as she is, said, "Why are we even talking about this now? We don't know what the system looks like." And in fact, there was one individual in the room who said we should start over. I bet you can guess who it was.

So, particularly in that case, why would we commit ourselves to an SLA at this stage if we don't even know? So it's pretty much been tabled for now. I think that the common thinking now is that it will be what it is in the registration data policy, but we'll revisit that as we have a better idea of what the system is going to look like. Good job, Luc, you win. So, before we go to Sarah, just a couple of other things. And this one's going to be confusing because I'm not 100% sure I'm getting it correctly.

So, as you may know, we have two board liaisons participating on the SRT in the form of our very own Greg DiBiase and also Wes Hardaker. And Wes was at this meeting, and he gave us an update. And I am looking to Sarah, Owen, and maybe some other people about this to keep me honest and make sure you can fill in the blanks if I miss pieces, but the board is going to be creating a group that is essentially taking the LEA work to date and making it more public.

And it will look very specifically at LEA authentication as it pertains to urgent requests. And that group is going to kick off very shortly. Outside of that information I just shared with you, I don't know

anything else. So people might have other information they'd like to add. But I did want to share that. Owen, please.

OWEN SMIGELSKI

Sure. Thanks and apologies for having to step out. I had to go talk to Greg real quick. I do want to highlight, actually, I think you covered that well with regards to the board liaison. But I do think one of the signs that was really good was Wes was there. He missed the board sessions to be with us there on Sunday. And to his credit, he wasn't just listening. He was actively participating, asking questions, engaging, and stuff like that. And so I think it's really refreshing and a good sign to see the board being engaged in such an early process, which leads to, hopefully, down the road, an easier way for that to be implemented and approved by the board.

ASHLEY HEINEMAN

Thank you, Owen. Any other questions or thoughts on the overall issue as presented? Because otherwise, we'll move on to Sarah. Oh, Roger. Go ahead.

ROGER CARNEY

Thanks, Ashley. I heard from earlier sessions that there's a probability that the ADC and SRT may be getting close to the same timeline. And I wanted to see if there's any verification in that because our ADC check last session showed an initial report in February, which means not a final report until probably May or

June or something like that. But I wanted to see what the SRT timeline was looking like.

ASHLEY HEINEMAN I don't have it in front of me, but it is pretty close, from what I recall. I don't know if it's in the same month, but it's definitely early next year. And we can clarify that, and we can circulate the timeframe. Sarah?

SARAH WYLD I do know. February. We're supposed to be done by February, which feels really soon.

ROGER CARNEY Done, as in final recommendations to counsel?

SARAH WYLD I don't know. I heard the word "done." But I guess so.

ASHLEY HEINEMAN Who's ever done? Okay. All right. Thank you, everybody.

OWEN SMIGELSKI Thanks. Next, we'll go to Sarah with a 15-day verification window.

SARAH WYLD

The theme of my day. Hello, friends. So I'm going to say some stuff. I'm going to wait for Sebastien.

SEBASTIEN DUCOS

Because we're going into a different conversation, I wanted to add a little something here. So again, in that SRT, I speak in my own voice, I know I caught the SRT member by surprise, and I didn't mean to. I had a bit of a fruity on Monday. I think it's the technical term for it.

Because I want to make sure, and particularly with law enforcement authentication, and I've seen Janos in the corner there, I want to make sure that we have absolute clarity, and everybody has absolute clarity, about what we're getting from that service and that nothing is oversold. And I can say it a bit calmly now than I was on Monday morning, but I personally -- I know that other views are in this room -- I personally don't want SSAD to be a failure.

I don't want SSAD to turn into a no-machine. I don't want any of that because it makes us look bad, and it makes ICANN look bad. If SSAD should be that, then it should stop immediately, stop spending another $5 million on it. Let's kill it in a different way. But, build something for that much money that will serve no purpose is not good for us, for anybody around the table, but anybody at ICANN. I misunderstood on Monday what we would be getting from the system of law enforcement. It is just an

authentication that the person that we're being in contact with is a law enforcement officer.

Still, for us, absolutely to define what we do with the jurisdiction, etc. I'm not accusing Janos in any way because I think that they're being pretty clear. I wasn't there on Monday, but they're being pretty clear. But I know that it's also understood, and particularly from governments, who I happen to liaise with, liaison, Michele. I know that they see this as being the key for law enforcement internationally in participating.

I am an American registrar. It is not because I have that token that I have any more right to go and send data anywhere around the world outside my jurisdiction. It's the same. So I want to make sure that everything is clear about this, that this is an additional element of information that we'll get in our decision-making. It's an interesting element, but it's only an element in that the reality is that very, very present, possibly, it's not going to make a difference in our judgment because we already have those contacts with local enforcement, most of us. We already have, just by knowing the people that we're talking to personally, we already have that authentication.

We're just going to make it a fancy electronic thing to do it, but it's not going to change our lives. And the result will continue being, no, I can't go and send my data on the other side of the earth. No, I can't do this for that. So I just wanted to make sure that we're all clear on this, because it was a fruity on Monday, I will go absolutely

spare if we spend another five years on this and another $10 million on it to create a new machine. That is a horrible sight. Thanks.

OWEN SMIGELSKI Thanks, Sebastien. Michele?

MICHELE NEYLON Yeah, thanks, Michele. Sebastien, I think when this came up previously, quite a few of us echoed those exact sentiments. The authentication is lovely. The authentication is great. We love the authentication. That does not mean you get a free pass and access to anything. And I think the concern is one that needs to be articulated very clearly to the GAC, the board, the PSWG, and on the portada de El País. Not that you're going to get anybody to talk about domains on the El País, but I don't think that all of them will understand that, because they just won't.

SEBASTIEN DUCOS We don't need to tell the PSWG because they know that very well, and they keep on repeating it. I think it needs to be made clearer, possibly, in the GAC, and PSWG is part of it, but I'm hearing echoes, definitely in the community in general. I don't think that the board needs to be educated about that too much, because I think they got it, too.

MICHELE NEYLON So, Sebastien, who needs to hear it?

SEBASTIEN DUCOS In general, in the community, in the way we communicate. The PSWG is doing a fantastic job and very collaboratively. I just want to make sure that in our own communication with the rest of the community and in the way this is going to come out to inspire, possibly not in the policy, but attached to it, and so on, that this is very clear. This is only an additional piece of evidence. Thank you very much. Not going to change the world.

OWEN SMIGELSKI Okay, we need to move on. So Ashley, really quick.

ASHLEY HEINEMAN Yeah, really quick. I'm not sure. I mean, the PSWG recognizes this. The GAC has recognized this. We're going to put some text in the recommendations that makes it very, very clear that authentication is not equal disclosure. So I agree, but I feel like we've got it covered and we'll continue down the path that we've already identified. So I appreciate the concern, but I think we've got it. We got it.

OWEN SMIGELSKI Thank you. Back to Sarah and on to 15-day verification.

SARAH WYLD Thank you. Hello, friends. So I'm going to share a little bit of information and then, without poll questions, regrettably, see if we

can get some insight from the room. There is an idea to remove our Whois verification timeframe of 15 days, maybe shorten it, or maybe just get rid of it entirely, such that a domain name is not activated until after it is verified. The idea has been presented for new domains or for all domains. So it's not been made clear whether or how that could apply to renewal, update, or transfer, as well as new registration. And we know that our current requirements are to verify new contact sets at certain triggers, which are registration, transfer, and contact update or notification of inaccuracy.

So the idea is make it so domains don't work until after they're verified. No more 15 days. The hope or assumption is that this would effectively reduce DNS abuse. Would it? That is the question. Some registrars have published some data, and thank you to those who are participating in doing so, including myself. Some registrars already require verification before domains are activated, and I understand they still have DNS abuse. So maybe we can get more information to help us better understand the problem space and the potential effectiveness that this change would present for addressing DNS abuse.

So where are we with this now? We had a very large GNSO Council Issues Report on DNS abuse-related issues. There were, I think, 23 potential topics of work. The council worked along with, I believe, the other SO/ACs to prioritize those topics and put that one pretty low, the 15-day verification window, not high up on the list. More recently, the GAC requested an info session at ICANN86, which

happened before lunch, and Owen, Ashley and I, and Jen and Susan, presented some information to the GAC about our experiences with this topic, the history of the policy requirements.

And the GAC has requested, not a dialogue, but a trilogue with the council and the board after ICANN86. So that's our context is the idea is to get rid of the 15-day window. The RrSG should have a position, I think, on this topic. It would be helpful if we all had a shared opinion. And so I'd like to hear what do you think? Thank you. I noticed that Michele's hand was up earlier. Is this a continuing hand?

MICHELE NEYLON

It's a new one. Okay, so this is Michele again. I suppose there are two parts to this, possibly three. One is the timeline around email verification. One is delegation of a domain. And the third is pandering to the GAC and/or others. So the current timeline is something that was agreed based on God only knows what criteria during the negotiations of the 2013 RAA.

Speaking on behalf of my own company, I really couldn't give a damn what the timeline was. If it was shortened significantly, it would have absolutely zero impact on us because we already do a sign-up. If you go to sign up with us, we're sending out the account verification, and we trigger that thing straight away as well. So, don't care.

Is it going to impact DNS abuse or not? Do you know something? It's actually irrelevant. It's not important. Because if it's something that people are asking for, and it doesn't cost me anything to give it to them, fine, let them have it. But when it comes to whether or not the domain should be delegated or not, that does open up a whole other can of worms. Because once they start getting into things like verification and validation of a domain for renewal, verification and validation of a domain, a transfer, then we're into huge issues around critical infrastructure, both nationally and transnationally.

And here, I think the people asking these questions really need to have a chat with people who have a better understanding of the implications of what they're asking for. Because that is a hill that I will die on. New registration? Sure. Maybe for some business models, we would not like to have to verify them at the moment of registration, but moving that timeline a little bit doesn't have a massive impact.

For renewals, I mentioned this because it came up in the NIS2 paper that was presented about two years ago. My finance team collectively went, "Is this an April Fool's joke?" There's no way this scales. There's absolutely no way this scales. We will literally end up taking down banks, half the bloody government, and loads of critical infrastructure globally will just go dark. This was not what people should even consider. Thanks.

SARAH WYLD

Thank you, Michele. Just two quick thoughts. I made a similar point about renewals. And the response I was given was, "The conversation has not yet considered all the nuances." So that's my new favorite phrase. We're going to use that moving forward. And in terms of it doesn't cost me, what it does cost us is policy work time at the expense of working on other policy that would have, I think, a bigger effect. Okay, Owen.

OWEN SMIGELSKI

I agree, Sarah, with that last part wholeheartedly. I think if we're going to spend time and effort, the development cycles, ICANN cycles, stuff like that, let's do something that has a bigger bang for the buck and will actually fix DNS abuse. Namecheap was also one who presented there, and we found that a domain involved in abuse, if it was verified before registration, during the 15-day window, or after the 15-day window, had basically the same level of DNS abuse. There wasn't any difference; it wasn't like they were all being done at one certain point. It was statistically the same. So making this change, yes, like Michele said, not much of a big lift, but it's not going to do anything. And so that's my concern.

Yes, you can show that you're collaborating and doing whatever, but like Sarah said, it's that effort there that you're missing. I think part of the concern is that the GAC would like information; at least they say they would like some more information. We've had some registrars who have presented information. If there's a way to have more information, I think that could be beneficial.

Caveat, though we presented information, and it was suggested that perhaps we're biased with the information, the data we're presenting. We're not transparent, we're not letting people check our work, because we have -- not my words -- perhaps an incentive to register more domain names. I tried pointing out we don't want abuse on our platforms, but I'm not sure if that went that way.

While I can understand the desire and the need to share more data, get more data, tell our story, is it going to be listened to? I mean, it's not an insignificant effort to get this type of data. And if we're going to gather it, hopefully, people will listen to it and consider it. Thanks.

ROGER CARNEY

This will not help. This will not prevent DNS abuse. And I think everybody knows that. To Michele's point, to me, I think there is a cost, and it's to the good users of the system. Because if they accidentally have bad typing skills and type in a bad email address, they will have to wait to get anything to move. So it's going to cost good people, good registrants that can't get verified. Yes, it will, Michele.

MICHELE NEYLON

That's already happening, though, Roger. I mean, the thing is this, I'm not saying don't delegate without verification, that's not what I said, actually. I oppose that in general, but the registrants who are using incorrect email addresses are already having issues

elsewhere across the entire system. I don't see that making any difference.

ROGER CARNEY

Possibly, but that doesn't mean they can't sign up for web hosting and for email and everything else. That's their email contact. It's not what they're trying to achieve later. So if they buy a domain and they want to set up web hosting on it, if we have to verify it first, they can't do that. It has to be verified first. And if you give them two weeks' time to come in and fix a fat finger email address or phone number, then they can still do things. So there is a cost to the registrant.

And my last point is, do we really care? I mean, the GAC is taking this to council, which I think is the appropriate thing for them to do. I mean, the council already made the decision to prioritize this low. If the GAC has a problem with that, they can ask council to raise it up or council provides them with something that says, "We're not going to change it." So, just my thought. Thanks.

ASHLEY HEINEMAN

I just wanted to give a little flavor with respect to the dynamics of the conversation that we had today. This is not going to go away. They feel very passionate about this. They did not like our data. I think it's incumbent upon us to try and figure out what we can do. We explained all these arguments to the GAC, and there was absolutely no sympathy towards it. I agree with Roger in that it's

pretty much up to council now to decide whether or not they want to reprioritize. But they're looking at other options, not just a PDP. So I just wanted to flag that.

I know that a number of us have already started conversations internally within our companies to see, can we reduce the time? But I think it came across very loud and clear that they're not interested in a reduction of time. They want it to be active upon verification. So that is what they want. And from their perspective, based on their experiences with their ccTLDs, which I know is not the same as a global TLD, but based on their experiences from ccTLDs is that this is not a cost and it's easy to do, and any impact, whether it's 1% or less, is impact. So we just need to think about it in that context. Thanks.

VOLKER GREIMANN

I've given it a little bit thought. If this is something that we cannot evade, maybe we can use it to trade some horses here. Add a minor pain point and give them activation on verification. And for that, we get the removal of suspension on transfer and suspension on update. We probably will need to have some alternatives there, some alternative verification process that kicks in if the verification fails at those stages.

But those are the verifications and suspensions that really cause harm. Those are the ones that cause customer feedback and annoyances, and people getting mad at our support teams because

their domain went down after five years when we transferred it in. If we can get rid of that, many prices will be worth paying for.

SARAH WYLD

Thank you for the thought, Volker. We will now move to the AOB of this session. And I think Andee has something to share with us.

ANDEE HILL

Andee Hill, ICANN staff, for the record. Yes, just wanted to call out that all of you primary contact people will be getting an email from ICANN tomorrow, letting you know that the register fee vote is open, and we encourage you to vote. It does end on the 10th of July. So I know we're all traveling right now, but thank you.

OWEN SMIGELSKI

So we've got just a couple of minutes left here. I would like to, before we close, recognize our soon-to-be departing Roger, who has been with us for a while. He is going to the dark side, the registry side. So we'll be seeing him, but it's also nice to know that we are going to have a liaison or a rep or an advocate at Nominet for the registrar. So, thank you for everything, Roger. Jody's got some big, tall shoes to fill, but Jody's also big and tall. So we'll see how that goes. But thank you again. And we'll see you on the other side. Anyone have any other business? Do you want to say something, Roger?

ROGER CARNEY Just thanks. I'm not leaving, so you guys still have to put up with me. You'll run into me in the halls, and I'll still be very active on the registrar side of stuff because they are our customers. So, thanks.

OWEN SMIGELSKI Thanks, Roger. Anyone else in the closing seconds? All right. Seeing none, we can end the meeting. Thank you, everyone. Enjoy the rest of your week.

[END OF TRANSCRIPTION]