



Report of the

36th Public ICANN Meeting

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Prepared by the CENTR secretariat



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Executive Summary

The highlight of the 36th ICANN was the approval of the IDN ccTLD implementation plan. The introduction of the new gTLD process seems to have been slowed down. ICANN staff released more information on the signing of the Root.

IDN ccTLDs: The application process for IDN ccTLDs under the Fast Track Process will start on Monday November 16th at 00.00 UTC. This procedure is only available for countries or territories that have a non-ASCII based official script. The only remaining issue is the restriction on variants. Financial contribution is not mandatory but recommended. Some form of contract will be required. The online form will provide for three options.

New gTLDs: In Seoul it became clear that there is no longer a date for the start of the application procedure for new gTLDs. Even with the key elements of the IRT proposals for rights protection mechanisms rejected in the DAG v3, the IP community seems well positioned for the next phase in the debates as there is now a very strong commitment to solve all IP issues before new gTLDs are introduced. At the end of the meeting, an initiative to start a “pre-application process” received a wide support. In this process future applicants would make themselves and their strings known and the initial steps of the application process would be taken. This would save a lot of time at the official start of the process and increase the credibility of the applicants. The Board has tasked ICANN staff to prepare for a call for “expressions of interest”. This is not yet the pre-application process that was suggested by the community. The “High Security Zone” verification program described in DAG v3 will be open to all interested TLDs. It is currently awaiting community input in the DAG v4 round. There are no new elements in the registry/registrars separation discussion.

ccNSO meeting: Key issues on the ccNSO agenda were: the use of geographic names in the new gTLDs, the IDN ccTLD Policy Development Process (i.e. the procedure that will replace the Fast Track), wild-cards and redirection, ccNSO input in the ICANN Strategic and Operational planning cycles and a session on ccTLD marketing initiatives.

Root Server Operators have made several comments on the risk of introducing all planned changes (DNSSEC, IDN ccTLDs, new gTLDs) at the same time and warn that a limited introduction of 100 new gTLDs might be a maximum in a first stage. For DNSSEC user uptake should be carefully monitored.

DNSSEC: dates have been confirmed: December 1, 2009: the root will be signed. Full production is scheduled for June 1, 2010. (.COM will be signed in Q1 2011)

ICANN Board: Roberto Gaetano – having reached the end of his term – stepped down from the ICANN Board and is replaced as vice-chair by Dennis Jennings.

GNSO: Avri Doria – having reached the end of her term – stepped down as chair of the GNSO. Chuck Gomez (Verisign) is the new Chair.



ccNSO Meeting Reports

Financial update and Expense Area Group Discussion

Kevin Wilson (ICANN – CFO) presented an overview of the current state of the budget and overall financial position. Fiscal Year '09 is ending June 30th. ICANN has no debt and a financial reserve fund of 44 Million USD. Expenses and revenue are close to budget. The target for the reserves is one year of operational budget, but this number is not carved in stone. Revenue is currently being budgeted in USD and that is not going to change.

The level of detail and the quality of reporting has significantly improved from the previous years. Based on community input, ICANN is working with a model where the budget is allocated along expense areas and functional reporting. As this was for quite a few ccTLDs a condition to consider financial contributions to ICANN, it can be expected that the new way of budgeting will spark the debate on mandatory contributions. Currently the ccNSO community is contributing 1.5 Million USD out of 9 million USD attributed through the expense area budgeting mechanism.

An important element going forward in tying the strategic plan to the operational plan is the survey that the ccNSO SOP Committee launched earlier this month. It gives an excellent overview of what the ccTLDs believe to be ICANN's priorities and how that should be reflected in the operational budget. The SOP Committee is however NOT giving input to ICANN directly. It merely provides the ccTLDs with the information and overview to allow them to send in input directly.

Presentation: <http://sel.icann.org/meetings/seoul2009/presentation-finance-update-27oct09-en.pdf>

ICANN Board Update

Peter Dengate Thrusch (ICANN Chair), Michael Silber (ccNSO delegate to the Board) and Rod Beckstrom (ICANN CEO) gave a brief overview of the key issues on the Board's agenda. Highlights are the growing concerns on the IP aspects of the new gTLD program and the review process that has been put in place under the Affirmation of Commitments. Peter DT underlined that there is a strong perception amongst some Board Members that the ccNSO is not paying a fair share of the budget. And that the expectation is that this should be addressed in the near future.

The key issue that was discussed during the Q&A was the problem of geographical names that could be applied for under the new gTLD process as it stands in DAG v3.

Annebeth Lange (Norid) asked what happened to the input from ccNSO (since 2007) that names of country and territory should be considered as ccTLDs and should not be part of g-space. The GAC made some statements that were not taken into account. The combined advice has not been withheld. PDT replied that we probably don't want them to be treated as ccTLDs. There are no rights for a country to the use of its name. Anyone can open a New Zealand pub. Chris D. stated that the issue is not that they should be ccTLDs. They just don't belong in gTLD space. Hilde Thunem (Norid) explained that they would be subject to different rules. I.e. a registrant under .norway would be subject to different privacy laws than a registrant under .no. Hilde asks the board to explain what interest they are prioritizing. There do not seem to be any plans for a geographic new gTLD application, but still the DAG v3 seems to favour the potential plans of a new gTLD applicant over the combined advice of the ccNSO and GAC.



Lesley Cowley (Nominet) translated this into a question of balancing user interest and public interest.

In the aftermath of these discussions, it became clear that when the ICANN Board realizes that this is about post-delegation issues, they will probably take a different view on this issue. The ccNSO community will send in (again) comments to be taken into account in the DAG v4.

Byron Holland (CIRA) followed up on the issue of financial contributions and asked what would be the right balance when it comes to financing ICANN. Michael Silber replied that some Board members think it is unfair that cc's are not paying a contribution and still saying "we want more".

IANA update

Kim Davies gave an update on the key three issues that IANA is currently working on:

- Documenting IANA processes
 - Technical requirement documents
- Root zone procedure documentation
- improving delegation requirements documentation
- Workflow automation
 - Parallel testing week of ICANN Sydney (all requests run in parallel: manually and automatically). A flaw was identified affecting minority of change requests. Resulting in a mismatch between IANA database and root zone.
 - see slides for tech details
 - testing will resume after the root is signed on December 1st
- Root zone signing:
 - Public testing Dec 1 2009, Full production 1 June 2010
 - Key handling actions somewhat deviate from ITAR practices
 - ITAR continues to run
 - Keys in ITAR will not be automatically transferred to the root nor the other way around.
- IDN cctlds
 - Two phase process
 - Phase 1: does a string represent the country/territory name (1-2 month process)
 - phase 2: classical evaluation process (same rootzone process that we use today) (takes about three months)

Presentation: <http://sel.icann.org/meetings/seoul2009/presentation-iana-27oct09-en.pdf>

IANA Business Excellence Plan

Leo Vegoda presented the IANA business excellence plan.

Goal is to improve IANA performance

Timing to be in sync with ICANN SOP process

Presentation: <http://sel.icann.org/meetings/seoul2009/presentation-iana-business-excellence-27oct09-en.pdf>

WHOIS Session

Lee Bygrave (Norwegian research center for computer and law, university of Oslo) presented the report Legal Issues Regarding WHOIS Databases.

<http://sel.icann.org/meetings/seoul2009/presentation-legal-whois-databases-27oct09-en.pdf>



Zoran Vlah (.HR) gave an overview of the recent changes in the .HR whois system. <http://sel.icann.org/meetings/seoul2009/presentation-whois-hr-27oct09-en.pdf>

Dave Piscitello (ICANN) presented on the display and usage of Internationalized Registration Data.

In the course of the meeting Andrei Kolesnikov (.RU) announced that in the IDN domain for .RU the data in the whois database will be available in ASCII.

Patrick Jones gave an update on the gNSO registry continuity program. <http://sel.icann.org/meetings/seoul2009/presentation-contingency-planning-27oct09-en.pdf>

Working Group updates

New format: the reports are published online. Updates are restricted to the most important point.

[GAC Working Group Chair Report - Keith Davidson, .nz](#)

[ICANN Regions Working Group Chair Report - David Archbold, .ky](#)

[Meeting Programme Working Group Chair Report - Ondrej Filip, .cz](#)

[Incident Response Working Group Chair Report - Norm Richie, .ca](#)

[NomCom Representative Report - Margarita Valdes, .cl](#)

Due to miscommunication there was no joint meeting ccNSO-GAC in Seoul, but as of next ICANN meeting this becomes a standard. Martin Boyle will be appointed as vice-chair.

SOP Working Group

Byron presented the results from the SOP Committee survey (30 ccTLDs participated). The survey aimed at prioritizing ICANN Strategic objectives from a ccTLD perspective and tying those with the operational budget.

The summary will be made available here: <http://ccnso.icann.org/workinggroups/sopiwg.htm>

Theresa Swinehart (ICANN) is taking over the strategic and operational planning cycle management from Doug Brent.

Patrick Sherry walked us through the key areas in the ICANN Strategic plan:

DNS Security and stability

Excelling IANA and core operations

Maintaining ICANN's role in the Internet ECO system

There will be a 30 day period for public comments at the end of December – beginning of January.



ccTLD News Section

[Issues in Implementing a Domain Registration System at the LK Domain Registry - Gihan Dias, .lk Abstract](#)

[Expected launch of ENUM under .jo - Fahd Batayneh, .jo Abstract](#)

[Implementing Cyrillic IDNs in Russia - Andrei Kolesnikov, .ru Abstract](#)

2.4 Million domains involved in IDN Fast Track. Application forms completed, financial requirements accepted.

November 2 – start accreditation

November 25 – priority registration Cyrillic TM

Until March 25

April 12, 2010 – auction

EPP – enhanced security, stop-list

[EPP implementation under .cr - Louis Diego Espinoza, .cr Abstract](#)

[Latest developments in the .au registry - Jon Lawrence, .au Abstract](#)

Regional Organisations Update

[AFTLD Update - Eric Akumiah](#)

[CENTR Update - Peter Van Roste](#)

[APTLD Update - Ramesh Kumar Nadarajah](#)

[LACTLD Update - Erick Iriarte Ahon](#)

ccNSO Review Update

Marco Lorenzoni provided an update of the preparatory phases of the review of the ccNSO leading to the selection of the external contractor. "Items International" from France is selected after the call for tender. He also provided an overview of the timeline of the upcoming review: starting of operations, interactions with the community, data gathering, validation activities, final report of external reviewers, activities of the review Working Group. Their final report will be presented in Brussels, June 2010

<http://sel.icann.org/meetings/seoul2009/presentation-ccnso-review-27oct09-en.pdf>



IRT debate chaired by Lesley Cowley

Nick Wood (COM Laude, UK) and Zahid Jamil (lawyer from Pakistan)

Nick gave an overview of the process that led to the IRT, the composition, its goals and the proposals. He addressed the following issues in detail:

IP Clearing House will only be used to identify rights holders during the sunrise.

The concept of the globally protected trademarks was not withheld from the IRT proposals.

Uniform Rapid Suspension: domain name frozen in case of blatant infringement. If it is decided that it is infringing the DNS records redirect to URS process page. There is no redelegation to the complaining party.

Post delegation dispute resolution mechanism: what if registry operators change their statements of purpose made during the new gTLD application procedure.

Whois (check slides)

The introduction of universal standards for proxy domain name services (for whois)

Zahid Jamil gave an overview of how these proposals evolved in the current version

IP clearing house is not in DAG 3 but changed to TM clearing house

GMPL: rejected by ICANN Staff (without proper research) – the problem of defensive registrations still stands

URS: not in DAG 3, ICANN staff asks to use URS as best practice

Post Delegation: DAG 3 has very different models than those proposed by IRT or WIPO – DAG3 removes ICANN from the process – there is no contract enforcement mechanism in place. So if the original application for e.g. .apple excludes subdomains in the IT sector but only allows fruit related second level domains, there is no mechanism if the gTLD manager decides to change that policy after the delegation.

Conclusion: Very few concepts from the IRT are reflected in the DAG v3. While at first this seems a defeat of the IP interests within the ICANN Community, they are very well positioned for the upcoming discussions. First there is a strong commitment on a political level (even in the AoC) that the application process for the new gTLDs will not start before the IP issues are resolved. Secondly, with the IRT proposals, the IP community has provided a constructive contribution. Now the initiative seems to be at the other side.

Incident Response WG

Overview by Norm Ritchie (CIRA). The group has updated its charter.

<http://ccnso.icann.org/workinggroups/irp-wg-charter-25oct09-en.pdf>



IDN session

Hilde Thunem summarized why the issue of geographic names in the new gTLDs is important.

<http://sel.icann.org/meetings/seoul2009/presentation-wg-geographical-names-28oct09-en.pdf>

ccNSO Council members shared some reflections on meeting with the Board. It is clear that there is a need to focus on the post-delegation effects. The ICANN CEO does not seem to support our concern as he has stated repeatedly that it is the governments responsibility to object if needed. Most Board Members we spoke to seem to understand the concerns when it comes to the post-delegation effects of the current regime for geographic new gTLDs. We need to send new submission to ensure that ICANN staff and community realize that we care very much.

An adhoc group will be formed to draft a new submission. The bottom line of the submission will be that Geo names should not be gTLDs. Keith Drazek pointed out that it is important to use ICANN-speak - use the right terminology: the word "Reserved" names has been used for a long time in gTLD contracts and could be helpful in finding common ground.

Fast Track is expected to roll out mid November and the only open issue is on the use of variants:-
type I: visually identical type: in Arabic script, there are occasions where character can be composed in two different ways (half of the Arabic speakers would use a different character to write the same)

- type II: orthographical identical: In traditional and simplified Chinese (two different scripts) are considered variants as well

The key problem is that the rule "one language, one script" makes it impossible to allow a country to have both variants of one script.

IDN Policy Development Process (PDP)

Bart Boswinkel and Chris Disspain gave an overview of the PDP process so far and highlighted some of the open questions.

By Nairobi the first attempt by the WG to answer these questions will be up for public comment.

Marketing session

- .mx - Nancy Ortiz
<http://sel.icann.org/meetings/seoul2009/presentation-mx-28oct09-en.pdf>
.MX increased market share from 43% to 50% through an intense banner campaign.
- .ph Joel Disini
<http://sel.icann.org/sel/presentation/presentation-marketing-ph-28oct09-en.pdf>
Joel walked us through some interesting campaigns (one award winner at Cannes!), and great study material (good and bad). Check out the ppt. Interesting details on business case cebupacific.ph.
Some pre-studies of a planned marketing campaign provoked a strong reaction (even rejection) from the room. Another perfect illustration and reflection of the diversity of ccTLDs.
- .se - Matias Vangsnes
<http://sel.icann.org/meetings/seoul2009/presentation-se-28oct09-en.pdf>
Matias presented some of the wonderful .SE marketing campaigns. Very nice interactive work.
- .za - Vika Mpisane



Vika presented the awareness campaign that aimed to explain the public what the benefit of owning a domain name and website could be while stressing the importance of having a .ZA.

➤ .cz - Pavel Tuma

<http://sel.icann.org/meetings/seoul2009/presentation-cz-marketing-28oct09-en.pdf>

Pavel explained the interesting co-marketing idea (if fulfilling specific requirements, .CZ pays 50% up to 20k Euro). He also presented on the Dobradomena.cz campaign and its impact.

➤ .nz - Debbie Monahan

Debbie gave an overview of the campaign: .NZ is our home. An awareness campaign aimed at unifying the three organizations that form .NZ under one brand. The campaign features nine users explaining why they did choose the particular second level domain under which they have their website.

Wildcard session

Presentation by Ram Mohan (Afilias, SSAC and ICANN Board)

Stressing this is not just a http:// issue. DNS does not equal web.

DNS was and should remain a neutral layer.

<http://sel.icann.org/meetings/seoul2009/ssac-ccnso-redirection-28oct09-en.pdf>

Sharing Session

Ondrej Filip, Lesley Cowley and Wim Degezelle presented on opportunities for ccTLDs to share knowledge and experience.

<http://sel.icann.org/meetings/seoul2009/presentation-centr-28oct09-en.pdf>

<http://sel.icann.org/meetings/seoul2009/presentation-cz-28oct09-en.pdf>

DNSSEC at the Root

Richard Lamb (ICANN) gave a presentation of the process that will lead to the signing of the Root.

<http://sel.icann.org/meetings/seoul2009/presentation-dnssec-root-zone-28oct09-en.pdf>

He also highlighted the auditing process, the key management and the High Security of the system.



GAC Meeting Reports

GAC meeting IDN ccTLD Fast Track.

2 topics:

- IDN ccTLD Fast Track
- IDN ccTLD principles for the IDN CC PDP

IDN ccTLD Fast Track

Introduction by Bart Boswinkel, followed by Q&A with Bart Boswinkel and Kurt Pritz

Overall, the GAC representative were very positive about the proposed IDN ccTLD fast track implementation plan and looked forward to its adoption by the ICANN Board. The Communiqué would, however, urge ICANN to explore the possibility to allow single character IDN ccTLDs and solve the issue with variants.

Main discussion points:

- It was confirmed that there is a minimum 2-character requirement for IDN ccTLDs, for technical and policy reasons. This could be changed in the future.
- Kurt Pritz expected that after the launch of the fast track on 16 November, it would take several weeks to process the requests after which they have to be sent to IANA to start up the normal delegation process which takes about 3 months. The first IDN ccTLDs will be delegated before the first new gTLDs. ICANN expects around 50 applications under the fast track during the first two years.
- It was confirmed that fees can be paid in the local currency
- Kurt Pritz confirms ICANN's willingness to find a solution to delegate the two variants of the Chinese .IDN (traditional and simplified Chinese)

IDN ccPDP

The GAC's agenda foresaw the final discussion and adoption of the IDN ccTLD principles, the GAC's input for the IDN ccPDP. However, on request of the ccNSO, the GAC delayed the adoption to allow the ccNSO to comment before adoption. Adoption of the principles is now foreseen for the Nairobi meeting.

As the document had been discussed several times before (first discussion 18 months before), the discussion focused on minor changes to the text.

Main discussion points were:

- special mention in the text that the European Union is eligible for an IDN ccTLD;
- suggestion to include IDN ccTLDs proposed in the fast track in an informational column of ISO 3166
- reference to the latest available version of Unicode;
- deletion of a paragraph that could be read as a suggestion that a subsequent PDP would also be applicable on fast track ccTLDs.

The Draft GAC Principles on IDN ccTLDs were attached to the GAC Communiqué.



New gTLD Applicant Guidebook

The third version of the new gTLD Applicant Guidebook was introduced by Kurt Pritz.

Main discussion points:

- introduction of categories, in particular geographical names
- administrative scalability
- stability of the DNS with the introduction of new gTLDs at the same moment of DNSSEC, IPv6, IDNs
- need of mechanisms to take a TLD out of the root, e.g. in case of security and stability threat
- mechanisms to slow down or speed up the introduction of new TLDs depending of the security and stability of the root
- support for applicants from developing countries

Discussion with the IRT (Implementation Recommendation Team).

Kristina Rosette gave a presentation on behalf of the IRT on trademark protection in new gTLDs. She gave an overview of ICANN's commitments, but concluded that the new gTLD implementation plan as described by the third version of the guidebook, did not adequately address the issue of trademark protection. She criticized that the uniform rapid suspension system, proposed by the IRT was included in the guidebook only as a best practice.

She also noted other initiatives proposed by the IRT such as the IP clearing house, a globally protected marks list, which had not been included in the last version of the guidebook.

WIPO presentation

Eun-Joo Min was invited to present WIPO's views on intellectual property rights and new gTLDs. She gave an overview of the different proposals WIPO had developed.

Generally she stated that WIPO doubted that the mechanisms proposed by ICANN were insufficient to address the concerns with regard to trademark protection and stressed that brand owners should not be troubled with a large number of unwanted defensive registrations. She noted that right holder protection mechanisms were not there to facilitate the implementation plan and criticized ICANN for adapting the proposed mechanism what could undermine their effectiveness.

After the presentations several GAC members expressed disappointment about the state of implementation of the different proposals and urged ICANN to look into the IP-related issues. It was noted that IP infringement and cyber squatting was not a 'new gTLD' problem but also a problem for existing TLDs.

Law Enforcement Agencies

The GAC was briefed on abuse of domain names by criminals by Robert Flaim (Department of Justice, USA) and Adrian Koster (Swiss Cybercrime Coordination Unit).

Some highlights:

- existing abuse in the DNS should be solved before moving forward with new gTLDs
- validation of registrar data required
- IP protection, but also consumer protection
- proposal by several international law enforcement agencies introduced: (1) assure that registries and registrars are legitimate businesses and not hiding or advancing criminal



- activities; (2) need of a public and accurate Whois in compliance with the national law; (3) assure transparency and accountability in the DNS
- good registry policy (both ccTLD and gTLD) is of major importance in the fight against abuse

GAC - GNSO meeting

New gTLDs

- The GNSO Council pointed at the 'watering down' of the uniform rapid suspension system by ICANN by making it optional for new gTLD registries and informed about the GAC's opinion on whether the URS should be mandatory.
- Janis Karklins concluded that the GNSO and the GAC in general shared the same concerns with regard to intellectual property protection and that the IRT proposal, even though not perfect, was the best possible compromise of different views
- The GNSO Council was asked to express an opinion with regard to categorization, but answered that the topic hadn't been discussed. GNSO still saw categories as something that maybe could be determined in the future when looking at the then existing gTLDs
- The GNSO further considered spending energy on categorizing and the development of a fast track gTLD process useless with the normal new gTLD process being launched in a few months
- The GAC was asked if it was expecting a further delay of the gTLD process, and therefore was exploring the possibility of a new gTLD Fast Track and categorization
- Members from the business constituency expressed in favour of the introduction of categories

AoC

- the GAC was asked how it saw its new oversight role as described in the AoC. Janis Karklins reacted that one should not overestimate the importance of the reviews and was only a part of the review team and not reviewing itself.
- it was noted that the GAC hadn't discussed the AoC yet at that moment. Several members expressed themselves positively about the AoC and called on their colleagues to have an in depth discussion

Role of the GAC and institutional evolution of ICANN in light of the AoC

This discussion was held behind closed doors.

In its Communiqué, the GAC 'recognizes that it has a key role under the new agreement'. The GAC pointed at the very tight timetable of the first review process and advised that it had had an initial exchange of views but had not yet come to any conclusion as to the format of the review teams or methodology.

Other News

ICANN Staff:

- Donna Austin changed her position as GAC liaison for the position of Chief of Staff of the ICANN CEO
- Massimiliano Minisci (operational support) and Tome Dale new supporting staff
- 54 GAC representatives around the table