

**Adobe Connect: 13**

Alan Greenberg (ALAC)  
Alan Woods (RYSG)  
Ben Butler (SSAC)  
Chris Disspain (ICANN Board Liaison)  
Diane Plaut (IPC)  
Emily Taylor (RrSG)  
Farzaneh Badii (NCSG)  
Georgios Tselentis (GAC)  
Julf Helsingius (NCSG)  
Kavouss Arasteh (GAC)  
Kurt Pritz (Chair)  
Margie Milam (BC)  
Matt Serlin (RrSG)

**Audio Only:**

None

**Guest:**

Gina Bartlett (CBI)

**Apologies:**

None

**View Only Adobe Connect:**

22 joined

**Staff:**

Berry Cobb  
Caitlin Tubergen  
Daniel Halloran (ICANN Org Liaison-Legal)  
Marika Konings  
Andrea Glandon

**AC Chat:**

Andrea Glandon:Welcome to the EPDP Small Team A call held on Tuesday, 08 January 2019 at 14:00 UTC.

Andrea Glandon:Wiki Agenda Page: [https://community.icann.org/x/-wj\\_BQ](https://community.icann.org/x/-wj_BQ)

Kavouss Arasteh:dear Secretariat

Kavouss Arasteh:I am waigting for bcall

Kavouss Arasteh:Pls advise to dial me

Kavouss Arasteh:Dear Andre

Marika Konings:Kavouss, can you confirm that you want to join small team A?

Kavouss Arasteh:I am lost since last 20 mints

Marika Konings:You will receive your dial out shortly prior to the top of the hour when the call will start

Kavouss Arasteh:Pls dial me iup to advise what tyo do

Marika Konings:The meeting has not started yet - the start time is 14.00 UTC (in 40 minutes from now)

Kavouss Arasteh:Kavouss

Kavouss Arasteh:Pls tell me what is the A or B ?

Marika Konings:This is the AC room for small team A and we have your call out request down for small team A - is that correct?

Marika Konings:On the screen you will see which topics each team is expected to cover. Make sure to consult with your GAC colleagues on who is covering which team as each group has been asked to assign a lead rep on each small team.

Kavouss Arasteh:WheN and How it was decided to divide the works between two teams .I havde received no message

Marika Konings:Each group, so in your case the GAC members, have been asked to decide amongst themselves who will be joining which team.

Marika Konings:as you asked for a dial-out in response to the call details for small team A, we assumed that you were joining that team, but if that is incorrect, please let us know.

Kavouss Arasteh:I have NOT freceived any mesageR

Marika Konings:Kavouss, please see the message on the screen here that went to everyone in the EPDP Team yesterday, specifically point 1.

Kavouss Arasteh:This ios an order unilaterally ddecided without being discussed andc agreed upon.

Kavouss Arasteh:Hi kurt

Marika Konings:which order do you mean? The list of topics for small team A and small team B? These were randomly selected.

Kavouss Arasteh:Pls clarify the arrangmdent I hear now,

Kurt Pritz:Hi Kavouss

Kavouss Arasteh:Whden you discussed that ?

Marika Konings:This has been discussed on the mailing list starting off with a first message from Kurt last Friday.

Kurt Pritz:I sent the email above on Frida. Then it was discussed via the email list

Kurt Pritz:\*Friday

Kavouss Arasteh:I was travelling Friday aynd Satureday and did not receive that,

Kavouss Arasteh:Anyhow let us stop this useles conversation and wait for dial up

Kavouss Arasteh:GNSO beCAME A MILITARY SCHOOé

Andrea Glandon:Kavouss, I will have the operator call out to you shortly.

Kavouss Arasteh: TKS

Kavouss Arasteh:PLS ADSVISE THEM THAT after one hour I will dfrop as it would be verry late for me to continzue in Korean time

Andrea Glandon:Thank you, Kavouss. Once you hang up you do not want to be called back, correct?

Andrea Glandon:Also, the operator is calling to you now

Andrea Glandon:Wiki Agenda Page: [https://community.icann.org/x/-wj\\_BQ](https://community.icann.org/x/-wj_BQ)

Emily Taylor:Kurt - are you chairing both calls simultaneously :) ?

Margie Milam (BC):Can you post the links to the docs we are looking at

Caitlin Tubergen 1:The methodology is in the notes pod.

Alan Greenberg (ALAC):Can we have a pointer to the list of staff summaries?

Kavouss Arasteh (GAC):HI Kurt again, could sec, sends these summaries to us before the start of the meeting

Kavouss Arasteh (GAC):where we fi<nd tghese summaries?

Caitlin Tubergen 1:@Kavouss - we will displaying the summaries shortly.

Emily Taylor (RrSG):Kurt - thanks for that. I'm sure that CPH would be happy to organise a call with you and staff to discuss working methods, and unpack our concerns a bit more if that is helpful

Margie Milam (BC):I cant find the summaries either in email

Julf Helsingius (NCSG):Note that observers can't scroll AC

Emily Taylor (RrSG):I couldn't either, but I think I've found the documents on the EPDP wiki pages!

Emily Taylor (RrSG):But it would be great if staff could mail out the summaries so that we are all working from the same documents.

Julf Helsingius (NCSG):Emily +1

Diane Plaut (IPC):Important point Julf

Emily Taylor (RrSG):What is PCRT?

Kurt Pritz:<https://community.icann.org/display/EOTSFGRD/Public+Comment+Review+Tool>

Emily Taylor (RrSG):Thanks Caitlin, it was just the acronym I was struggling with!

Caitlin Tubergen 1:I understand!

Alan Greenberg (ALAC):We wouldn't be doing our (ICANN) job if we did not invent new acronyms regularly.

Caitlin Tubergen 1::)

Andrea Glandon:There will be silence for about 4 more minutes.

Caitlin Tubergen 1:Question for team: which concerns merit group discussion? Specifically, do any of the concerns present new information the EPDP Team has not discussed during its formulation of this purpose or recommendation?

Kurt Pritz: "substituting thewordings "Doe complaint" with "complaint against an unidentified Respondent"

Kurt Pritz:Substituting the wording "Examiner" with "Provider":

Diane Plaut (IPC):Alan those changes make practical sense

Alan Woods (RYSG):exactly. It caused a procedural issue for them . so we should listen! :)

Margie Milam (BC):both are ok

Ben Butler (SSAC):Agreed. Those changes make sense and are more accurate as to the process.

Emily Taylor (RrSG):OK by me

Andrea Glandon:Apologies for the interuption

Farzaneh Badii (NCSG):I agree with Emily . we are talking about disclosure now and we shouldn't

Alan Woods (RYSG):+1 emily

Diane Plaut (IPC):+1 Alan G

Diane Plaut (IPC):Kurt et al - as reported in advance of the call, I must leave the meeting now to conduct a company legal training. thank you, Diane

Caitlin Tubergen 1:Yes, there is.

Farzaneh Badii (NCSG):I think it should be discussed in RPM review

Caitlin Tubergen 1:I am taking to mark how all of these comments are handled.

Alan Greenberg (ALAC):Remember, the URS was a mandatory part of the new gTLD program. If it has been crippled, we need to address it. but not before we discuss the access issue.

Alan Greenberg (ALAC):Alan W's voice very choppy and hard to understand.

Farzaneh Badii (NCSG):is this suggestion GDPR compliant? a group has to find out and I don't think we should consider it...

Andrea Glandon:finding the line

Alan Woods (RYSG):hahaha ... closest to the oscars ill ever get

Farzaneh Badii (NCSG):then UDRP process has to change! and that is for the community to discuss

Alan Woods (RYSG):no A domain name ..... not domain names. lets not throw out due process

Farzaneh Badii (NCSG):it doesn't matter if it's not complicated Margie. you can't just punish people for all their domain names because you think they have violated in one instance. but this discussion doesnt belong here...

Farzaneh Badii (NCSG):data mining I'd say Margie. not multiple look up.

Alan Woods (RYSG):+1 Farzi

Ben Butler (SSAC):While I completely see the suefulness of a reverse whois in these cases (as well as those of other types of abuse), we should remember that reverse whois is technically a "new" function from an ICANN standpoint. RPM seems like a more appropriate place for discussions of improvements. If we are going to talk about it in epdp, it has to be in the Access part.

Ben Butler (SSAC):(usefulness)

Alan Woods (RYSG):we are discussing the issue for getting the key issues for wider discussion i thought.

Alan Woods (RYSG):sorry if I misunderstood

Matt Serlin (RrSG):i'm not sure if I'm allowed to chime in with Emily being our "main" RrSG person, but 100% agree with Ben's comment above

Farzaneh Badii (NCSG):agreed Ben

Georgios Tselentis (GAC):@Kurt can I ask when this discussion regarding the access model is scheduled according to our updated time line?

Emily Taylor (RrSG):I agree with Ben's point (and Matt's agreement with Ben's point!)

Alan Woods (RYSG):+1 Emily, Ben and Matt.

Farzaneh Badii (NCSG):phase two has to consider whether it should discuss it. we can't decide for that phase.

Farzaneh Badii (NCSG):yes Caitlin I agree with that framing ..

Margie Milam (BC):Yes-- it is important that we have an access timeline

Margie Milam (BC):its an issue because the Temp Spec though

Margie Milam (BC):it was allowable under ICANN policy before

Alan Greenberg (ALAC):Much about WHOIS is not "policy" as it pre-existed prior to ICANN. But it is part of the WHOIS environment under which the URS (and UDRP) was created and lived.

Alan Woods (RYSG):ICANN policy before was not compliant with the law.

Matt Serlin (RrSG):Reverse WHOIS was a third party service offered by data harvesters who obtained and maintained data against the WHOIS terms of use...not sure it was "allowable" to be honest

Alan Greenberg (ALAC):We are here to beuild compliant policy. That is a given. We cannot recreate a completely open reverse lookup. We know that.

Ben Butler (SSAC):reverse whois was previously only available because 3rd parties (domaintools, etc) and were made possible becasue mass data mining could happen. That can't be allowed as it was before.

Ben Butler (SSAC):+1 Alan G.

Alan Woods (RYSG):that's the entire problem here. A system was created without due regard to the law ..... entire industries misusing data arose. I understand, chage dfrom that will be difficult ... but again ... it's about compliance ... not back to the waythings were.

Matt Serlin (RrSG):+1 to both Alans!

Emily Taylor (RrSG):Agree with the Alans

Emily Taylor (RrSG):and the ben

Alan Woods (RYSG):[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_www.circleid.com\\_posts\\_20180712-5Fdomaintools-5Fsued-5Ffor-5Fmisusing-5Fnew-5Fzealand-5Fdot-5Fnz-5Fdomain-5Fwhois\\_&d=DwlFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4!5cM&r=k7uKdjSb7\\_ZjItyVqrCYH\\_o\\_rKms9SFxImbYEJqG-](https://urldefense.proofpoint.com/v2/url?u=http-3A_www.circleid.com_posts_20180712-5Fdomaintools-5Fsued-5Ffor-5Fmisusing-5Fnew-5Fzealand-5Fdot-5Fnz-5Fdomain-5Fwhois_&d=DwlFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4!5cM&r=k7uKdjSb7_ZjItyVqrCYH_o_rKms9SFxImbYEJqG-)

[y9I&m=VQdXeGSjBDlrLvjtKe9vYe0IE1I8TZzF51oYnxigZ1I&s=bc2oFEopMmw0GzWdtmNT68LysFO-FAakL2ERhMa2CU4&e=](https://www.icann.org/committees/privacy-and-publicity/2014/01/14-privacy-and-publicity-comments-01-14-14-en/)

Alan Woods (RYSG):lets not forget the successful cases agaisnt that use of data?

Margie Milam (BC):that case isnt finished yet - Alan W

Alan Greenberg (ALAC):But because we cannot recreate what was before does not mean we cannot create something that will address (all or part of) theidentified problem that is compliant.

Andrea Glandon:There will be silence for 4 minutes.

Farzaneh Badii (NCSG):really astonishing ... this is a true case of data mining and some are still advocating for it. anyhow I shall be silent on this as it is a topic for the future...

Emily Taylor (RrSG):Agree Kurt -

Emily Taylor (RrSG):They are either relating to access issues (out of scope for now)

Emily Taylor (RrSG):Agree with what Margie says - not just George Kirikos, but also Tucows makes a similar point on open justice, as did the UDRP provider

Farzaneh Badii (NCSG):I think George's comment can be treated at some other point and it is not really related to this recommendation

Alan Woods (RYSG):So the publication should be part of the URS process / UDRP process. We need to clear that the Registrant, as part of the regsitration agreement, should agree to be bound by the RPMs - the RPMs is where the publication should be discussed and justified.

Alan Greenberg (ALAC):@Margie, yes, we are talking about agreements with ICANN, but I was asking if that really gave Rr the right to disclose information to them.

Alan Woods (RYSG):so I don;t think it's in our wheelhouse

Alan Greenberg (ALAC):@Alan W, ok, I can live with that.

Matt Serlin (RrSG):+1 to Kurt...leaving as is

Alan Woods (RYSG):+1

Ben Butler (SSAC):agree. leave it as is

Emily Taylor (RrSG):Agree with your proposal to leave as is, Kurt

Farzaneh Badii (NCSG):+1

Emily Taylor (RrSG):Having taken careful note of the public comment

Farzaneh Badii (NCSG):sorry what is Margie's recommendation?

Emily Taylor (RrSG):What is Margie's recommendation?

Alan Woods (RYSG):hold on. I had closed. so trying to reopen

Margie Milam (BC):end the recommendation at specifically addressed.

Caitlin Tubergen 1:I believe Margie's recommendation is to amend Rec. 18 to: The EPDP Team recommends that ICANN Org must enter into data processing agreements with dispute resolution providers in which, amongst other items, the data retention period is specifically addressed.

Margie Milam (BC):yes

Matt Serlin (RrSG):I just don't think the notion of publicly available UDRP decisions is in this group's remit

Farzaneh Badii (NCSG):agreed Matt...

Ben Butler (SSAC):agree Matt

Julf Helsingius (NCSG):agree

Alan Woods (RYSG):agreed Matt.

Georgios Tselentis (GAC):everybody agrees to that so why keep the last part of the recommendation

Farzaneh Badii (NCSG):so Margie suggestion is to remove the publicly available decision. I think that is ok.

Farzaneh Badii (NCSG):she is right. it is not related to WHOIS. DPA has to be in place for other reasons

Caitlin Tubergen 1:Note: panelists do have the discretion to redact.

Daniel Halloran (ICANN Org Liaison - Legal):Is the word "this" intended to relate to data processing agreements, or to the data retention period?

Farzaneh Badii (NCSG):I have to talk to NCSG but I think they agree with me about this

Ben Butler (SSAC):I have no problem taking the last part off. It's arguably unclear and clearly out of our scope

Matt Serlin (RrSG):seems fine to me...

Alan Woods (RYSG):TBH, the main point in this for me is the Agreement recommendation.... so i'm ok either way.

Emily Taylor (RrSG):Fine by me.

Georgios Tselentis (GAC):+1 Kurt Pease go on

Andrea Glandon:There will be silence for 5 minutes.

Farzaneh Badii (NCSG):so we didn't define the data elements and still refer them to data elements in our recommendations? interesting :)

Farzaneh Badii (NCSG):I agree , should be sent to the plenary

Emily Taylor (RrSG):Dear colleagues - I have to drop for another call. See ya.

Matt Serlin (RrSG):I think this is a topic for the larger group and time during our F2F

Farzaneh Badii (NCSG):oh by plenary I actually meant F2F

Georgios Tselentis (GAC):thanks

Farzaneh Badii (NCSG):rec 6 is going to F2F isn't it? I think we should leave it at that

Margie Milam (BC):ah ok

Margie Milam (BC):thats fine

Alan Woods (RYSG):sorry got kicked. back on now

Alan Woods (RYSG):silly 2 hour phone call limit

Farzaneh Badii (NCSG):I really think we need to discuss the data elements and the comments related to data elements at F2F

Alan Woods (RYSG):yes! :)

Matt Serlin (RrSG):Seems right to me!

Ben Butler (SSAC):good plan

Farzaneh Badii (NCSG):yep

Alan Woods (RYSG):no the dial in drops after 2 hours... i had to dial back in! ;)

Farzaneh Badii (NCSG):I agree with GoDaddy

Farzaneh Badii (NCSG):oh sorry are we in 4 minute silence period?

Margie Milam (BC):I need to drop off and drive to work so I wont be online -- I'll be listening in but can't read the recommendations

Matt Serlin (RrSG):I'd agree with Sara...this isn't really a policy recommendation

Farzaneh Badii (NCSG):we need to talk to GNSO council about this? and it is not a policy recommendation

Matt Serlin (RrSG):agree with Kurt

Ben Butler (SSAC):Certainly is important, but as an action item or process. Not a policy recommendation

Farzaneh Badii (NCSG):no we didn't have to. we haven't started the access discussion at all

Matt Serlin (RrSG):sounds reasonable

Alan Woods (RYSG):fold it under phase II and delete as a recommendation. Agreed

Georgios Tselentis (GAC):Community just request from us to consider the opinion of relevant stakeholder (the how is procedural and I leave it to the staff more knowledgable with GNSO procedures). This is process we can just do it and just remove the recommendation.

Matt Serlin (RrSG):that sounds right Caitlin

Georgios Tselentis (GAC):+1 Alan and Caitlin

Ben Butler (SSAC):+1

Andrea Glandon:There will be 4 minutes of silence

Farzaneh Badii (NCSG):seems like we need to postpone this recommendation and not add it just yet

Matt Serlin (RrSG):seems like we're all in agreement here that it's too premature to get specific on this

Farzaneh Badii (NCSG):we cannot finalize the wording now so it should not be included yet. we can consider it for the final report. also what is the GNSO procedure for reviewing policies?

Farzaneh Badii (NCSG):can just EPDP say start reviewing and updating these policies?

Georgios Tselentis (GAC):I read this recommendation as a list of policies for caution for possible data protection spill-over effects to other policies. Nothing wrong with it. In reality we will have to deal with those issues when implementation occurs

Ben Butler (SSAC):Agree with Farzaneh. It should be that simple.

Matt Serlin (RrSG):agree as well

Julf Helsingius (NCSG):agree

Farzaneh Badii (NCSG):so what's the conclusion?

Farzaneh Badii (NCSG):? we did?

Caitlin Tubergen 1:Could the group agree to: The small team agreed to revisit the text of recommendation 22 following the finalization of the Final Report?

Alan Woods (RYSG):I like that Caitlin!

Matt Serlin (RrSG):i'm fine with that Caitlin!

Alan Woods (RYSG):like even

Farzaneh Badii (NCSG):yes

Georgios Tselentis (GAC):+1 Caitlin

Julf Helsingius (NCSG):sure!

Ben Butler (SSAC):Agree with Caitlin's text

Caitlin Tubergen 1:Yes, I can definitely add that in the notes.

Julf Helsingius (NCSG):audio wery quiet

Farzaneh Badii (NCSG):we can hear Dan!

Farzaneh Badii (NCSG):yes

Caitlin Tubergen 1:much better!

Alan Woods (RYSG):sorry guys I have to drop!

Caitlin Tubergen 1:yes

Ben Butler (SSAC):Thanks everyone.

Farzaneh Badii (NCSG):thanks

Georgios Tselentis (GAC):thanks bye everyone

Julf Helsingius (NCSG):thanks!