

# **Intellectual Property Constituency**

Thursday, August 3, 2006, 1:00- 2:00 PM EDT

## **MINUTES**

### **1. Introductions/Agenda Review/Appointment of Scribe**

Steve made introductions and J. Scott Evans was appointed scribe.

Attendees: Steve Metalitz, Caroline Chicoine, Mike Heltzer, Mark Bohannon, Shelley Jones, Hector Ariel Manoff, Victoria Carrington, Mark Partridge, Jane Mutimear and J. Scott Evans

### **2. Pending ICANN Public Comment Periods**

#### **a. New Registry Agreements for Info/Biz/Org**

Comments are due on August 28, 2006. Steve suggested that we have volunteers review the new registry agreements. Hector Manoff and J. Scott Evans agreed to serve on an ad hoc task force that will review these agreements and put together a report for the IPC by August 20, 2006. Hector and J. Scott will get together off-line as to times they can speak via email.

#### **b. Initial Registry Agreement for .Asia**

Comments are due August 31, 2006. Steve highlighted our previous concerns of that .asia is supposed to be a sponsored TLD, but the potential pool of registrants is very large and loosely defined. Jane Mutimear volunteered to see if some in her AIPPI could review this agreement and prepare some comments for IPC review by August 24, 2006.

#### **c. Initial report on new gTLDs**

Comments due August 18, 2006. IPC GNSO council members have had an opportunity to input into this policy recommendation. Caroline Chicoine and Mike Heltzer will work with the INTA Internet Committee to put together comments on this paper. Caroline will coordinate with our council members to ensure that our message is consistent. Shelley Jones agreed to assist in this effort and will attend

the INTA DNS subcommittee call on August 10, 2006. Caroline will have a draft prepared for IPC review by August 14, 2006.

### **3. Update on Whois developments**

Big topic in Marrakech meeting. Government Advisory Committee is taking a much more active role. Assurances were given that the definition that has been adopted is much broader than originally interpreted (e.g., Bruce Tonkin's presentation at the Marrakech meeting to the GAC) though others disagree. Two proposals are continuing to be closely looked at by IPC members and others. . The first is the OPOC model being promoted by the registrars. Lots of questions still remain with regard to this model. The second model is based on the Dutch registry (.nl) which is the 9<sup>th</sup> largest ccTLD. The WHOIS Task Force is looking for a draft report to be posted in October and a final report presented for action by the GNSO council at the ICANN meeting in Sao Paulo, Brazil.

A question was raised about tiered access. Steve mentioned that tiered access is not favored by many sectors such as the registrars and law enforcement. Mike Heltzer mentioned that INTA's Internet Committee has put together an advocacy piece on tiered access. Steve requested that INTA submit this to the IPC for review and consideration. Congressional hearings are rumored to be scheduled on ICANN. Steve suspects that these hearing may focus on the MOU, but WHOIS could develop as the focus at any point.

Steve also reported that IPC members are working with the BC, ISPCP, the financial industry, the hotel industry and other (both inside and outside the typical ICANN circles) to develop policies on WHOIS. Steve reported that he has specifically asked registrars what is their main problem with the current system. Additionally, the group is looking into how a new WHOIS system would be funded. Currently, there is no credible information on the cost of running the WHOIS system.

### **4. Update on DOC-ICANN MOU developments**

MOU expires September 30, 2006. There was a public meeting on the transition from government to ICANN or an ICANN-like entity. Most speakers at the meeting stated that they did not believe that the time was right to turn over full management of the Internet to ICANN. Steve is planning to prepare a report on how ICANN has done on certain issues that are of particular concern to the IPC. [www.ntia.doc.gov](http://www.ntia.doc.gov) is the web site where

you can go to see comments that have been submitted. Question whether public access to accurate WHOIS information should be one of the milestones by which the DOC should judge ICANN's success. It was reported that ICANN's main focus at present is on the VeriSign settlement because ICANN is in need of the influx of cash that the settlement would provide.

## **5. Review assignments/adjourn**

The meeting was adjourned at 1:38 PM Eastern U.S. Time.