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>>Komathi Ale: A very good morning, everybody, distinguished guests, ladies and gentlemen. Welcome back again to the 2nd Asia Pacific Regional Internet Governance Forum 2011.

We will go straight into our first plenary for the day, first session for the day, and that is: ICANN and new gTLDs. It will be chaired by Prof Mary Wong from the University of New Hampshire.

APPLAUSE

>>Mary Wong: Thank you and welcome, everybody.

Thanks for coming so early and I think that's probably because we have an extremely distinguished panel whom I'll introduce in a minute. First, I would like to say this session is being transcribed and it's also going to be web cast, which also means our speakers have to behave themselves a little bit. I guess we're in for a very feisty session.

Before I begin, I thought if I could just take

a couple of minutes for the benefit of those who were here yesterday and also for the record, to maybe make a couple of clarifications, due to some confusion that may have arisen from the IDN panel yesterday evening.

Although there's a lot of problems with IDNss and with saw some of those identified yesterday and clearly there's a lot of great work that's ongoing on IDNs, I think there was some confusion that arose over what happens when we talk about IDNs in the generic top level domain space, specifically, that in relation to the string similarity evaluation during the application process, the similarity that the panel will be looking for when there are competing strings is a visual similarity.

So that will rely in part on an algorithm that's being formulated by ICANN, as well as in part on findings by an expert panel.

Subsequent to that, there may be other issues with regard to similar strings, in all these cases, the test really is confusing similarity. In other words, are the two competing strings so similar that if they were both delegated into the root, there would be a high probability of user confusion.

As I said on the string similarity part, the comparison there is visual.

Subsequently, there might be other contests, as I said, there might be objections by legal rightses holders, there might be objections based on other factors and that is a different discussion, but I wanted to get that out there, in case any confusion arose.

That's kind of a nice way to segue into a broader discussion of generic top level domains and specifically, the perhaps forthcoming launch of an expanded top level generic domain name system by ICANN as we have said in the write up, the ICANN meeting is starting tomorrow and there is a special board meeting of the ICANN board of directors on Monday, at which it may be announced that the new generic top level domain program that we have all been working on for it seems like forever, but it's probably four years, which in the internet is forever, so there's a lot of anticipation that's building around this weekend and so this panel is extremely timely.

As I mentioned, we have a real expert panel and we think that having coordinated somewhat, that it makes sense for the order to be as follows. Mr Adrian Kinderis will speak first, and I won't read everybody's bios, they're actually on the website, so you can take a quick look at them, but Adrian is the CEO and cofounder of Aus Registry International, which is

a leading provider of domain name registry services.

Adrian will be followed by Richard Tindal. Richard is an entrepreneur and businessman who has been very involved in the domain name industry and certainly in terms of helping out with feedback to the applicant guidebook for the new gTLD program. I believe he's now involved with a venture that would apply, will be applying or plans to apply for a new gTLD, should that come to pass.

Richard will be followed by Prof Hong Xue from Beijing Normal University. She's a professor of law and the director of the Internet Law and Policy Institute at that university, who will speak to some trade mark issues that remain with the new gTLD program.

We will then have Mr Stephane Van Gelder. Stephane is the general manager of INDOM, which is one of France's, if not the leading definitely one of the leading providers of services with domain names in France and Stephane speaks multiple languages, he has also been very heavily involved in the domain name industry. He will be speaking on how this relates to the multi-stakeholder model that we are investigating, both at ICANN and at the IGF.

Definitely last but not least, to bring us home and to draw all these threads together, we have Cheryl

Langdon-Orr, who is very familiar to many of you.

Cheryl is very experienced, having done a lot of work in academia, in industry, with government relations and she's also very experienced with the at large community in ICANN. She is currently the Vice-Chair of ALAC.

That will be the order of speakers and without further ado, if I could invite Adrian to lead us off.

>>Adrian Kinderis: Good morning to all and welcome.

Today I will endeavour to at least set the scene, going first. I'm sure my esteemed colleagues here will no doubt pick holes in every argument I have and shoot me down, but at least until I finish, I will try and create a world of positive new gTLDs and explain some of the benefits.

I'm calling my presentation don't try to beat Wal-Mart, because I believe if we're going to see success in domain names and new gTLDs, that trying to take on the Wal-Mart or dot-com is not necessarily the right way to go, but we'll investigate a little bit of that.

Looking beyond the event horizon, I see that there are two big questions that need -- that inevitably will be answered. One being how will consumers and businesses be impacted by the introduction of new gTLDs

and how will we judge the success of the program?

When we gaze into that crystal ball at some time in the future, how will we know whether the program has been successful or not?

As I said, what are going to be the impact of new gTLDs and how will we impact the big players in the market, if at all?

I guess the first impact is a relatively easy one. We're going to see more domain names, both at the second level and at the top level as a derivative.

With that, there's going to be no doubt confusion. There's going to be confusion from end users, from business, as they try to grapple with what we all live and breathe, each and every day, which is new gTLDs and their introduction.

How do we overcome this confusion? We have a couple of things in our favour. Number 1 is for the brands that are going to go forward and secure a dot brand, the price points that are involved in the program itself, the hundreds of thousands of dollars and in fact sometimes millions of dollars that will be required in order to participate, you can rest assured that many of those brands are going to want to see some return on their investment and these big brands have big budgets, so those that do participate are the ones that we will

see on bill boards and we will see an active marketing campaigns as they activate their new gTLDs.

I think that's one thing in our favour, we're going to start seeing a bit more mainstream.

As I said, return on investment is a great driver. If you have gone and spent a couple of million on securing your TLD, whether you're a brand or a generic term, you're going to want to make sure you get something back, so your marketing campaign and everything else behind that is going to want to be significant.

Most importantly, this is going to take time.

Many of the discussions we have had with clients and prospective applicants is it's not about switching over from day 1, from your existing on-line entity to this new space. It will be done over time. This really is a case I believe of a rising tide raising all boats. If it was just one brand going about trying to change the world, you would struggle to do so, no matter how big you were. Given that we are seeing a number of folks participating or at least putting forward an expression of interest to participate, we can expect that that notion of community there will get in the front of mind of everybody.

With respect to marketing, I believe that the

generic terms must be aligned with the market that they portray.

This clearly -- I'm speaking here about not an equivalent of .com, although we may see some, we may see a .web or so on and so forth. But if you want to overcome confusion, the generic that you choose, should it be, for example .golf, you're going to want to align that in some way, shape or form, with the golfing community and be able to market directly to them, once again to try to illuminate them to the fact that there is a .golf TLD and increase usage.

Finally, the last fact that I think is in our favour is by the very nature of the internet and what we as internet users have come to know, is that we're used to innovation. A couple of years ago, none of us would have heard of the word Twitter and a few years before that, none of us would have had Facebooks. So we're used to being dynamic and whatever the new bit of technology or application is, we are continually evolving our usage patterns and playing. I don't think this would be any different with respect to new gTLDs.

Impact number 2 is I believe a significant one. There's going to be choice.

With respect to a business, there will be more relevant domain names to your business. If you were in

sporting goods, register under.sport maybe more applicable to you. As a business, you will be able to align yourself more closely with what you -- with your on-line presence. However, I think the key here is building trust.

Trust needs to be built within that generic top level domain, so people know if I go to a .sport, that that website I go to is about sport and not leveraged into something else.

As far as end users are concerned, we can return back to more intuitive navigation. Hopefully being able to rely back upon the use of the address bar when we want to go somewhere, understanding that going to a .golf website will indeed take us to the golf sport rather than somewhere that we didn't want to go.

Once again, that relies on trust being built with the years

Of course, there will be availability, with the onset of new gTLDs, in all different new spaces and flavours, we'll have more choice.

We should hopefully be able to secure a better name, if indeed we have had to put up with one because of the potential saturation within.come, potentially you missed your.com and now you want to get it in another variation.

But in doing so, you could argue are we adding to the problem?

If there is a problem.

And search certainly holds our hand at the moment, because of the volume of domain names within .com, so are we by generating new name spaces just adding to that clutter and confusion.

Ultimately, I believe the market will decide. In this case, those that are able to promote themselves better, those that are able to get better domain names or find niches for themselves, they will be the ones that succeed and prosper and that's the way it's always been and ultimately, I did add in here that the courts will also no doubt have a fair say when it comes down to deciding who has which name.

Particularly to this audience here, I thought while we have choice plus I'm calling it. That was kind of the way on the plane here that I thought of that.

Choice plus. This is a photo taken in Saudi Arabia and for those of you -- I use it regularly within my PowerPoint decks, but I think it explains greatly as to the requirement for IDNs, you can see the entire billboard is written in Arabic, with the exception of the URL.

The other interesting point about this when I took

it to the Saudi Government was I pointed this out to them and said this is exactly why we need IDNs. They said that's not the only thing. If you try and look at a keyboard and find a capital "A" and now try and find a lower case "a" so someone can try and follow this in, you can't even do that. That was pretty significant and a bit of an epiphany moment for myself.

What does this mean to us? Largely, as non-native or non-English or non-Roman character scripts, we usually rely on search. Many people within the region have Google saved into their favourites and type in their native script into Google.

Hopefully, with the onset of new gTLDs and the availability or opportunity of registering internationalised domain names within that, we don't have to rely on search. That's pretty significant. You can imagine if every time you use the internet, you had to rely on a third party telling you what where you meant to go. Now you can go directly into direct types in as to where you want to go and that's significant.

As I say, we'll see end to end native navigation. What that mean is IDN.IDN. This is long overdue.

As I say, for end users and I'm dealing with the last point here, I expect that with the next billion users of the internet, those as we start to reach the

outer rim of the major cities and we start to get into some of the poorer areas with the penetration of the internet, I believe this will be significant and hopefully speed up and expedite that introduction and penetration of the internet into those areas.

Lastly, I think that the only unfortunate part about the IDNs is there is going to be a little bit of a lag behind applications, so that such areas as just using Outlook and being able to type an email address end to end in a script other than ASCII is a little way off, but hopefully the more that users push for that, the more incentive there will be for application developers to do so.

Impact number 3 is navigation. We have talked a little bit about this. Here I really just want to pose some questions, because even with my ego, I still don't have the answers.

I think it's going to be interesting to see what happens to search and what are the implications for search with relation to new gTLDs? Will we either need it more or less?

As I said, with intuitive navigation, that means no search. If I want to go to Nike, I know that I can go to `www.nike` and end up there if I want to go to that particular store or `computers.ibm` if I am looking for

one of the bigger brands.

So I can rely on the fact that if that trust line is built into that, that search is not a part of my daily routine any more.

However, I should say also that if we have authoritative name spaces, by that I mean let go back to the brand example again. If I can tell you that something ends in .hsbc that it must be the HSBC Bank, then there is a layer of verification.

How will search treat those? If I type in HSBC into Google. Will it put a .HSBC domain name up as a higher ran conditioning. That has huge implications to search engine optimisation.

Largely, open name spaces, that are taking on the Wal-Mart, as I said earlier, could simply be contributing to the problem and making us require or have a deeper need for search and the fact that we need a hand stepping through the quagmire.

As I said, earlier, because n users won't be taking up new gTLDs at the fire of a again, at one point in time, search has some role to play going forward.

But as I say, as we stair into the magic 8 ball, it's going to be interesting to what the implications to search to our day-to-day live also.

Impact number 4, innovation.

Domain names, I think I no longer just be pointers. They have been for a long time and they have been sort of one dimensional in that respect. The important part to understand is if you own your new gTLD, you are ultimately in control.

You author your own policy, you decide how that domain name gets use. We call it left of the dot thinking. Starting to get into some ways that you can use the domain names, either by controlling content or just getting a little bit clever with your business model, rather than just putting it out there for \$6 and hoping to sell a couple of million of them. We are hoping to see some new business models and once again, intuitive use of domain names.

I will speed through what I believe some of the parameters for success will be when going forward.

How do we judge it? When we look back on this new gTLD program and the next year that's in front of us in a couple of years from now, how will we whether whether we have been successful? Will we do that through the number of applications through the new generic top level low main name programs? It will be through the number of approvals, the volume of registrations that are under each TLD that we judge success?

What about the number of UDRP disputes at the second

level once people start potentially infringing other marks? What about will it be the amount of money made by registries or the amount of money that's built into the economy, the domain name industry economy, what about the number of jobs created?

Internet usage. Will the if domain name support internet usage, the increase in internet user, will that be a parameter that we will measure and largely will it come down to DNS queries within each of those domain name spaces. There you have a list, a league of different parameters, by which I don't think any one on its own stands alone to how we will deem the success of the program and indeed the impact to end users.

Lastly, a successful TLD will be about solving problems, not creating them.

I have a theory here and I'll just quickly finish off on this.

Number 1, for a successful TLD, you want to create trust and that's trust with your end users, and trust with those that are going to participate in your top level domain. You can do that by being targeted, by building in some sort of verification or indeed being a dot brand that is authoritative.

Secondly, you need to be able to support innovation, allow left of the dot thinking and some creativity

within your top level domain. You have to allow for efficiency of interaction. If you can get that intuitive navigation happening again where people don't rely on search and put you in a competitive environment, you are more likely to be successful.

Lastly, you need to reach and interact with those that have not had this opportunity before and I think that that is most poignant in the Asia Pacific region.

I believe that's all I have.

Thank you very much and I hope that was helpful.

APPLAUSE

>>Mary Wong: Thanks, Adrian, for setting the scene so successfully and you were allowed a little more time.

Richard, would you like to give us your thoughts?

>>Richard Tindal: Thanks, Mary. I'm going to sit here and I don't have slides. I'm just going to talk. I would like to address three things. Firstly, the benefits of new TLDs to consumers, the economy and internet governance, secondly, the importance of what I call light handed and timely rule making and lastly, anticipated implementation schedules and issues.

I'll keep it short, so that we have lots of time for questions and discussion.

Firstly, the benefits. I think we'll see quite a few material benefits from new TLDs. It's going to

give domain buyers in greater choice and value that they need for their on-line identity. Users will be able to obtain names, I believe that better reflect who they are and the content that they our.

Also, new TLDs will be required to operate to far higher standards than existing TLDs in terms of protections against various types of on-line crime, including trade mark infringement.

So given this, I think we'll find that new TLDs will be safer places for consumers than existing TLDs.

There will be some innovation in terms of innovative uses for domains that Adrian mentioned, some new TLDs will introduce new business models that use domains in nontraditional way.

Models that make the domain part of an overall new service from the registry.

As Adrian mentioned, the registry operator has the latitude under the rules to do that.

You can say this is how I intend to operate, these are the requirements and uses that my customers must use.

We have seen that a little bit in TLDs introduced so far, .tel, if you are familiar with that, has an innovative model. I think we will see more of that sort of thing in this round.

Successful new TLDs will also generate economic growth and employment. In fact, if you have time, I won't touch on it now, because it's a bit lengthy, but the Austrian registry, the .at registry recently did a study of the economic impacts in the Austrian economy of domain name registration. I think a very interesting study and it shows a very clear correlation between economic growth and domain name registration.

Finally, I think that the governance process itself will benefit. New TLDs are going to result in a lot of new parties participating in the ICANN policy development process.

For example, there will be numerous new registry operators. Some of these operators are going to be quite well established, resourced and known organisations, whether they be commercial or non-profit, so I think we'll find the participation of those entities in the ICANN process will be felt. I think we'll see a broader and richer level of participation in policy when we have these new players involved in the process.

Second point I wanted to touch on was -- after the first point.

I like to use the traditional method.

What I called previously the importance of light

handed and timely rule making. I think one of the key reasons for the great successful of the further is in most countries, we have seen a very low level of regulation and I think this regulation of the internet, with what I'll call a light touch, has allowed the internet to grow and innovate rapidly. This openness has encouraged people to explore and develop models that work and discard the models that don't work well. I think this is the general principle we have seen in other parts of the internet, this light handed touch of regulation.

I believe this general principle should apply to the DNS addressing system as well. I think we need to encourage innovation, choice and growth and one way to do that is to not burden the process with unnecessary or marginally effective rules.

I would make an argument that we should keep the rule making process and the governance model as light handed as pel and we also need an environment where rules can be made quickly.

I'm not arguing here for no regulation, some rules are obviously required for stability, for technical stability and to protect consumers, but I am suggesting that if we overly bureaucratise the process, the management of the domain name system, we could was it to

get left behind as the rest of the internet grows and evolves.

I think to some extent, this is already happening. We have had years of fairly restricted supply of gTLDs and I think this is this has shifted consumer demand to other addressing spaces, such as alternate roots repurposed country code TLDs and proprietary social networks. Consumers have been diverted to these other addressing spaces that are in fact outside of ICANN's purview and without the protections that have been built into the new TLD process.

What I'm arguing for is a structure and process that keeps a light touch. Only implementing new rules where there are clear and compelling reasons to do so and when we make rules, let's do it in a timely manner.

Third and final point is the implementation schedule and some implementation issues.

If you have been following the debate of new TLDs, you'll see that concerns have been expressed that there will be too many TLDs happening too quickly and that this will overburden ICANN, overburden DNS infrastructure and confuse consumers.

I have a different view to that concern. I think that in fact the process will be quite careful and deliberate. If you look at all the steps involved in

the process, the required steps between applying for a TLD and being introduced to the root, it's going to be a very deliberate and slow process, the absolute minimum time it will take is eight months and more likely we are going to see TLDs introduced between an 8 and 24 month period into the root. I think that that timetable will give ICANN and other parties time to understand and add just to changes as a result of new TLDs introduced.

I think it's also important to note that while all that is happening, the policy development process is not static, even while TLDs are being produced, after they have been applied for, there is certainly the opportunity for rules to be adjusted and changed. That happens all the time now through the processes of ICANN. I think that will happen for new TLDs as well.

The point I'm really trying to make here is that we don't have to think that when the applicant guidebook is approved, that every single detail has to be exactly right. In fact, the process gives us the ability to adjust things and change them as we go for and I believe that that will happen.

Finally, as for consumers being confused about too many TLDs, to me that's the least of my concerns. I think that consumers are pretty good at understanding choice and variety and I think that consumers will

choose the products that they prefer to work with.

I'm not concerned at any level about consumers being overly confused by too much choice. I think that's a great thing.

In the interests of time, I'll stop that there and we can have some questions later.

Thank you.

>>Mary Wong: Thank you, Richard, for that real world view.

Both Adrian and Richard alluded to some issues that might actually impact some legal disputes. On that score, Prof Hong Xue would like to make a presentation on one of the legal issues that many of us who have been involved in the ICANN community have been grappling with for a while, with is what do you do with the dot brands and trade marks in an expanded new gTLDs space.

>>Hong Xue: Thank you, Mary and thank you the colleagues on the panel. Your presentation is very much inspiring and insightful.

What I'm going to talk about is trade mark measures in new gTLD program. As Mary our chair has kindly suggested and instructed, that we shouldn't be foe kussing on the details of the guidebook. It's not a reading session for the guidebook. What we should do is to be focusing on the governance issue, as the other two wonderful speakers did.

OK, I fully agree with them.

So I try to summarise what would the governance be involved in the trade mark. Don't worry, I'm not going to talk about -- only 15 days for a defence to submit in the URS, not 20 days. There's not the details.

What I will start essentially following what Richard just said, that is not to overburden the process, to have a light touch approach in ICANN.

Even though I'm a trade mark lawyer and law professor, I don't believe ICANN should implement too many IP protection policy to protect intellectual property interest, to the extent it could burden the whole process to implement a new gTLD.

I have three points to present in my 7 minutes left.

The first one is ICANN has a difficult interface with trade mark law, not only domestic, but also international law.

I won't repeat the cliché that ICANN's DNS system is a global medium, global platform and trade mark has always be and can always be a territorial right.

There is no such rights called global trade mark rights of the it's never happened, it's simply imagination.

Our international trade mark law could provide

minimum standard for the member states to implement the trade mark protection, but it never create a really global right, global regime to protect trade marks, so what you complain is your trade mark based in certain territory, recognised by certain jurisdiction.

But in the DNS system, obviously it is very difficult to calculate how many jurisdiction we can put it together, because it's uniform, it's really uniform platform, this is first time in human being's history we got such a global medium to present our information, product and services.

Of course, you won't or with me this UDRP has been so far so good. It is on uniform platform, on a global medium and to enforce trade mark rights, it's working well.

I have to tell you, it's not working very well, there's a lot of problems, not going to specific details, one of the vision at least. UDRP was designed to address those apparent blatant cybersquatting. So misuse of the other's trade mark, such as you register McDonalds and selling hamburgers to people, but it's never worked well on the borderline case.

For example, you have trade mark registered in Sri Lanka and now you claim your rights against a domain name registered in Columbia, hypothetically under .com.

Of course, under UDRP, what you can do if you are a respondent, you can claim I don't have the bad faith. It seems to be gatekeeper to prevent the misuse of proceeding.

However, if you are really a a trade mark professional, you can think about, does the claimant have the rights in the first place? You have a right registered in have I LAN da, why are you claiming your rights against me? Actually, it can be denied in the first criterion. However, in most of the case, in UDRP cases, we are all panellists, we only believe that as far as the trade mark registered in any jurisdiction, OK, you satisfying the first criterion that you have legitimate rights in trade mark or service mark.

That's actually a wrong interpretation of trade mark. That's not the original meaning of trade mark protection.

That's UDRP.

It's already show the tension between the territorial trade mark enforcement and law and this global domain name system enforcement. The second point, whether the ICANN's new gTLD trade mark measure is actually creating a new body of law through these bylaws.

ICANN is not a treaty organisation. It is has no

power and there's no mig, there's no mandate to create any international law. That's obvious.

Can you see any member state? No, only stakeholder groups in ICANN. Legally, ICANN has no rights to make any law, let alone international law, but ICANN is implementing policies. Policies are implementable on its global media, through its domain name system. It's treatment measures is three categories, clearing house, basically information depository services.

The second one is uniform rapid suspension service, suspension regime. This system is like a provisional measure in legal proceeding, it is quickly notice and take down, we call this notice and domain system. If someone claim against your domain name, it could be taken down temporarily, but of course it is subject to appeal and more complicated procedures.

Mary is an expert on this. She's an expert on many things.

The third one is called post allegation dispute resolution. I'm not going to explain the detail of this,.

But, first, for the clearing house, the clearing house, the purpose of clearing house is for the registries the new doors to be approved to implement some rights or trade mark claim services. Previously,

some rights or trade mark claim services actually voluntary are now can implement this service or not implement, but now it seems they should implement this policy. What is interesting is that no matter some rights or trade mark claim also create a new understanding to trade mark law. Look at trade mark law, whenever a trade mark is claimed against somebody to be infringing, they need to prove that. This is trade mark use first. This is a use of mark for commercial purpose, in commerce. But when the trade mark honour is claimed against and an applied string of domains, it has not been used, it has never been used, for EDRP, it has been used, well, possibly, for some purpose, but when I apply for string, there's only a string, it's not been used for whatever form. That's very interesting.

Another observation is PDDRP. It seems really creating a new intermediary liability, especially if the new registry, a new dot fail to effectively discipline or police this system. Those are widespread, cyber squatting, so many people register say.home for cyber squatting, then you should be punished and it's a key which should be turned on, you take away your dot. That's very serious punishment, to my understanding.

The very last point is that what is the impact of

this new body of law, the bylaw, to the international law system?

We have to think about trade mark as impacting ICANN, it has been affecting ICANN policy. Think about the other way. Whether the ICANN's policy is affecting the trade mark law is influencing the law making domestically and internationally. That will be very perspective. Especially look at those developing countries, they don't have much experience, don't have much say in international law making and we can see in most cases, they simply copy and paste international treaties in their domestic law, irrespective of their own situation and conditions.

Think about this international. It is global bylaw developed by ICANN. Will they be learned as well by those developing countries and copy in their own laws so they believe trade mark should be protected, designed and implemented, enforced in that way. That will be real dangerous and I don't believe that will be interest for the development of these countries.

Finally, I still believe these trade mark measures deserve careful scrutiny. Of course, I am not suggesting to change it. We don't have time. On Monday, a due days, I do hope this process could launch, people has been waiting for so long time, especially as

an IDN user, waiting for that sincerely, but in implementation, I do believe we need to keep the appropriate balance and not to overstress the system and do unnecessarily regulate the market.

Remember, too many regulations means fewer freedom and choices for you.

Thank you.

APPLAUSE

>>Mary Wong: Thank you, Hong Xue. As Richard and Hong have both warned us of the dangers of overregulation, especially on the internet, Hong has alluded to the potential mission creep of ICANN if we actually go overly much into the regulatory sphere and she's also alluded to the overlap therefore between ICANN's mission, the dynamic policy making that's ongoing that Richard spoke about and how that relates to the broader issue of internet governance.

On that note, I'm going to invite Stephane to give us his thoughts.

>>Stephane Van Gelder: Thanks very much, Mary.

I just wanted to talk about what we might have learned from the process so far. We have heard from previous speakers on specific issues with regards to the program, the benefits it could bring, the implementation details, but we haven't yet discussed what the program

means for ICANN in general, what we have learned from the ongoing work that is being done on new gTLDs.

First of all, let's look at the length of time that it's taken to get this far.

Mary mentioned earlier on that four years was a long time. Actually, I don't think four years is a long time at all for a program like this. This is a major program that could change a lot of the way people use the internet, the way people interact with the internet, the way people search on the internet.

It feels like a long time, because we have been talking about it for four years, because it was announced, it was development process that came out of the GSNO 2007 that was ratified by the ICANN board in June 2008.

Since then, there has been so much talk. Really, ICANN itself has pushed people to get on board, to take an interest, to look at this, to develop business plans around the program.

There has been a lot of effort. But four years isn't that long, really, for a government body like ICANN to design a brand new set of rules that are as far reaching as the new gTLD program is. It is worth keeping that in mind.

If you look at the international governance sphere,

four years is really minimal in terms of program development.

What have we learnt in those four years?

First of all, let's look at what we have learnt as far as gov governments go under that interaction with the community in this program.

We have learnt that they actually do believe and support the bot top up multi-stakeholder process, up to a point.

But they have actively engaged in discussions with the rest of the community. We have seen that for those of you that follow the ICANN process, a little more closely, we have seen that lately with specific GAC and ICANN board meetings and we have seen the GAC work very hard during those meetings to try and come up with, I was going to say some compromise, but let's just say some solutions to the issues that they have found with the program as it's currently stated.

They did some very impressive work in the meetings that they had with the board in Brussels and more recently in San Francisco at the beginning of the year.

But there is something that the rest of the community has picked up on, is the fact that the GAC has come in very late in this process.

That's another thing that adds to this perception

that the whole program is taking so long.

The GAC has come in late and some people in the rest of the community feel that they're come in and in some way, sidestepped the rest of the community, the rest of the multi-stakeholders model by just coming in and having allowed a voice on everybody else.

We have also learnt that bottom-up policy development process does take time. One example of this that we have been speaking a lot of in ICANN circles, you may have heard of, is the issue of registry, registrar separation, which was -- it wasn't handled in the best possible way. I'm trying to be as diplomatic as I can here.

One of the issues was that people felt that the ICANN board stepped in, set an initial expectation for policy, then sat back, let the GNSO which is ICANN's policy making body for new gTLDs, let the GNSO get to work on this and once the work had been done and no consensus had been reached, stepped back in and decided that they would determine the outcome.

This has been sensitive to many people. There was a group that was formed, the VI working group, that worked on this for a long time. We have the co-chair of that group in the room.

It was an example of the actual policy development

process there being sidestepped and it is a problem, because if you don't accept the policy development does take time, there's always that temptation to come in and finish the work early, force the work to be finished before it has actually been completely looked at by the community.

Another principle that may have been shaken somewhat by the length of time this has taken is the fact that in the ICANN world, in the basic ICANN concept, is that this multi-stakeholder model every stakeholder has an equal voice and everyone does have a voice and it's an equal voice.

As I was mentioning earlier on, what we have seen with the GAC and board interactions is that maybe some stakeholders have more of an equal voice than others.

As people try and find their place in this model and this is still a young model, we found that people's positions are -- you can say that everybody is right in this process. The GAC is right for saying that there are things that governments cannot abide by in this program, as it was presented, the board is right for trying to bring this two completion as soon as they can.

The work has been going on for a number of years.

The community is right for not wanting to just be left out the bottom up process, as it stands at the

moment.

We're all right and we're all learning. The board is learning to talk to governments and not dismiss what they're saying. The GAC is learning that they have to play with others.

The community is learning that the principles, the buy I laws, the structures of ICANN are actually quite important and this program is a good way of highlighting that, because if we do get to the end game on Monday, it will have been because we went through mostly went through the process.

We're also seeing the beginning of change in the market as well. This program will have a strong impact on the business community that I come from, which is the registrars and most registrars today are asking themselves: what strategy should we don't? Some have already decided, some haven't, some are sitting on the function, but what strategy should we adopt for new gTLDs? Just saying that sounds easy, you should change your business models to take account of new gTLDs, but is it that easy for registrars?

Registrars have very varied bunch, there's a lot of business models out there and we can expect, if the program is approved on June 20, if the first round does come to light at the end of this year, we can expect

next year for registrars to have to adapt to a high number of new gTLDs.

That means implementing them in their systems, in their front and back offices, putting new services on-line for their customers. How will they be able to process that? Group NBT, the company that I now work for and that acquired INDOM last year, has chosen to start by working to help our customers become new gTLD applicants. That's a kind of consultancy function that we're helping our customers with.

Then you have to ask yourself: do we become actual gTLD operators for our customers? We service corporate customers. They may not want to do it themselves.

What about more generic TLDs? How do we integrate them? How do we work with -- we have just seen a new gTLD recently launched, .xxx, which I am sure you have all heard of, which is giving some registrars quite a lot of headaches, because the registry has implemented new systems and different ways of doing things, which fit with the model that they're defending, but which means that registrars have to change their systems.

All that is something that we have to look at and just like everybody else, we're adapting to these new circumstances.

Just to come back to what I was saying earlier,

let's not forget that this model that we're all working in is very new, just over 10 years, 1998, when ICANN was created by the Clinton administration, so let's give the model a chance. We have heard a lot of criticism in the past few years, some people saying the program has taken too long, others saying it's not taking long enough.

But let's give the ICANN model a chance, because if you look at other governments bodies elsewhere, you'll find that they take a lot longer. Sometimes their results aren't as conclusive.

Let's give people time to find their place in the model. You can see from the interaction that I have described that so far, everybody is kind of jostling for position, trying to find their place in the system, the GAC, the community, the board, the staff even, the ICANN staff.

Let's give people time to find their place in this model that we're still altogether, all of us, still working to develop.

The model itself, I think, has already been proven. Just to give you to finish off with a few brief statistics on why I think the model itself works already.

In 1998, when ICANN was created, there was 2.5 million registered domain names.

Today, we have more than 205 million.

So as you can see, we have come a long way.

There are 8 gTLDs in 1998, there are 22 today.

The internet worked fine in 1998 and it still works fine today.

So that, I think, shows that we have come a long way, but we haven't broken anything yet.

Thank you

APPLAUSE

>>Mary Wong: Thanks, Stephane, for those very specific examples that really illustrate some of the growing pains of what perhaps is the single most explicit example of the multi-stakeholder model of great interest to all of us in the governance sector.

Cheryl, who I think is probably the will attach, I think, very successfully, to take some of these points and themes and cross cutting themes very definitely, specifically back to the Asia Pacific region and maybe let us think about where these thoughts might lead us to, what kind of work we might be undertaking and how those of us in the Asia Pacific region can contribute towards a better governance model.

>>Cheryl Langdon-Orr: Thank you very much, Mary.

Where to begin? Well, we should begin by recognising that we're at an Internet Governance Forum

meeting for the region of Asia Pacific and it's kind of exciting to use the new gTLD program as a model of multi-stakeholder development of policy and process and I think the speakers that we've had so far have outlined a whole lot of opportunities and challenges.

But in a very, very positive light.

There was a comment earlier that someone thought this might be a feisty panel. We haven't got to questions yet, so perhaps we might get feisty at that point.

But what I'm peopling is an enormous amount of energy and positiveness and buoyancy being presented in a way that because we're preaching to the converted, is easy to understand.

I guess what I'd like to do is ask this audience to start considering, as we move to the Q and A part of this session, whether or not we have in fact reached beyond ourselves.

I had a song there running through my head, we are the world as you were speaking, Stephane.

Interestingly enough, we are not the word. There is a real world beyond ICANN and beyond internet governance and we do have to try and match these things and some of these nexuses might be a little difficult.

Let's look at some of the points that have been

made.

First of all, measures of success. Adrian gave us eight measures of success. I guess we also need to put the question and the bait on the table, is ROI, return on investment, all there is or can we add the very important simple meeting of the needs of the target community?

It may not always be an economic measure when we look into new gTLD world.

I heard a lot about consequences and meeting expectations.

I guess I would like to question, at this stage, whether or not the expectations for Asia Pacific have even been measured.

I think which might have a little pause later and think about how well we have actually gone out and thought about the needs of a region that represents, for example, in excess of 63 per cent of the world's languages.

63 per cent of the world's languages is in our region.

Of course, we're very good at ICANN in this multi-stakeholder model of putting things out in the six UN languages, oops, .

I think we could argue that we are more cultural

diverse than we are language diverse.

So how we roll out, how we market, how we benefit from the opportunities that new gTLDs should bring to us all, probably needs to be looked at, how do we do it in Asia and Asia Pacific? It's going to be an interesting challenge and one I think that the multi-stakeholder model and the way Internet Governance Forums work, with dialogue, with voices being heard, with discussion and with flexibility of being able to change rules in a timely manner, will be successful.

Trust.

Key issue. From an end user perspective, certainly. I think the positiveness there is possibly part of the marketing that we'll all be able to get together and work with and I think the leverage concept that Adrian brought forward, in terms of the deeper pockets with the dot brands being able to float the boats as the tide rises, is going to be something very important for the smaller language based community need and the kids in camp who probably don't even know they need a new gTLD in the first round.

It would be impossible for me to go through this presentation and not mention a very particular issue, particularly one that the GAC board interaction has been discussing recently.

That is how we try and assure a , if not level playing field, an ability for emerging and developing economies to also have a piece of this pie in the first round.

I have a slide, two slides, at the end of my presentation which is a shameless advertisement about the work of the joint application support working group and asking you in Asia and in the Asia Pacific region, to have a look at those reports and put feedback in, bring your voices to the process that is currently running, because comments are open and we need the comments from you.

As we move to Q and A and more open discussion, which is a lot more exciting than listening to people talk at microphones, I cans a sure you, I would like us to challenge ourselves with the following questions.

Has ICANN in its new gTLD and its applicant guidebook development, actually been inclusive as it's tried to socialise into Asia Pacific? My immediate response is: no. And it's almost too late to fix.

So there's an awful lot of work that we're going to have to do locally in our region. We're going to have to develop partnerships, very rapidly, to get the necessary penetration to make this roll out a success.

Strange days and brave days in the future need to be

looked at.

What purpose or benefit will the gTLD program bring to AP? There has to be more than just IDNs.

What will Hanoi post and telecommunications do with the possibility of having their own script version of.post?

Exciting, but how are we going to get the decision makers to understand the process when they haven't been involved and they haven't been involved to date?

Will parts of the region be advantaged? Yes, if you have money, it helps.

It brings me back to why we do need to look at some form of applicant support, which is not all about the money. There is more ways to support needy applicants than simply picking up the bill.

Will it aid or enhance accessibility, access, cultural need and/or consumer choice? They're the questions that we need to start looking at in Asia Pacific. But we have to look at them in an absolute complexity of culture, of expectation and of language.

Moving to the dreaded JAS work group. Back in Nairobi, from the Mount Olympus where the board meets, the following words were sent down to GNSO and they responded.

They were to:

"Develop a sustainable approach to providing support to applicants requiring assistance in applying for and operating new gTLDs."

The work given to this community work group has presented, should I say, enormous challenges -- that's about as polite as I think I can make it in this particular forum, to its membership -- most of whom care deeply about reducing obstacles for proposed TLD applications by supporting communities in developing economic environments.

But we need to be very cautious if we are going to head into a simple grant scheme model.

There is an ICANN confluence based cross community work space. I believe the publication of this PowerPoint will be there and the link is live. Please go, as a community, take it out to your edge communities, your businesses, your decision makers, your local governments and get them to have a look at it.

What the second, the current milestone report is looking at and why we need input from Asia Pacific in this public comment is why provide applicant support? When should that support be provided? Who qualifies for that support and how do we evaluate those applications? What do qualified applicants get? How be the process work and how does it relate to the gTLD applicant

guidebook? It's open for public comment and I do hope we are going to get a landslide from Asia Pacific.

That's it from me.

What I was rather hoping is that we could get into the meat and potatoes of Q and A and we might get a bit more feisty.

Thank you.

APPLAUSE

>>Mary Wong: Thank you, Cheryl. I know I can always count on you to bring us home and to kick us off. I was the one who said feisty discussion.

I know from my personal interactions with the panellists that they are always ready to get feisty and they have been so, I guess, comments that have been really interesting, intriguing on which maybe we might have somewhat different points of view or at least a different way of approaching it.

Before I turn them loose, we are here in Singapore. This is the Asia Pacific Regional IGF. It's a very rare opportunity for those who may be somewhat in a little bit of a vacuum of the ICANN world, occasionally it does seem like that's the entire universe, especially as we ramp up to June 20.

But because this is a great and rare opportunity to interact with those who are based in the Asia Pacific

region, who may not be as involved with ICANN, but certainly are experts on internet governance writ large, if I could ask for questions or comments or reactions to what any of the panellists have said or any clarifications that you might want to seek.

>>James Galvin: Good morning. Cheryl, you triggered something interesting, so I put this question not really to you, to all the panellists, just out of curiosity, since you talked about the Asia Pacific region having 63 per cent of the languages and you suggested maybe we should be talking about new gTLDs in this region, as opposed to a global launch of new TLDs, my question is: what do you think or what could we or should we be doing differently than we're doing now that would, you know, really meet the needs of this region, versus the world in launching new gTLDs?

>>Adrian Kinderis: I don't think much. I actually disagree with Cheryl. So thank you for bringing it up. No, I don't think any particular region has been favoured so far, other than North America and that's more through happenstance of where ICANN is located.

ICANN hasn't commenced any outreach as yet and hasn't favoured any programs in any particular area.

So until such time as there's timelines, it seems to me to be putting the cart before the horse to go out and

start any programs that may be particularly welcoming to particular requirements or scripts or languages or whatever else.

So I don't think you can at the moment necessarily go out and build a program around trying to involve or be inclusive of any particular groups.

I think they should and I would like to think that it's on the agenda, but as per why it hasn't happened yet and what could have been done better, I don't think anything.

>>Cheryl Langdon-Orr: Just on that, Adrian, I would suggest that if all we are going to do in the roll out is run it in six UN languages, then we're not doing a proper service to something as diverse language wise as Asia Pacific. What can we do now to get back to your question is get prepared for that roll out properly, which is probably finding out who the key decision makers and who the key policymakers in the particular regions that we are needing to target, and in this case Asia sha civic are and do some advance planning work with them.

There is in fact an awful lot of work to do in a relatively short period of time and it would be nice to think that it didn't just happen in a number of larger countries and more developed economies.

>>James Galvin: You're suggesting we give a bit of priority to Asia Pacific languages? Is that what you're suggesting?

>>Cheryl Langdon-Orr: I would suggest that the way to do that is to engage locally with the right people and right now, I don't think ICANN has even looked at who those people are.

>>Mary Wong: There may well be follow up, so if you want to hang on there. So everybody on the panel wants to speak to your question.

>>Hong Xue: That is a very attractive question I support Cheryl, I'm with her. But of course, I guess Cheryl didn't mean and I don't mean that Asia Pacific should acquire any priority treatment, any special treatment or not at all.

What it means is that there should be more opportunity for our participation and involvement in the policy making and especially this is Asia Pacific, IDN is off is big issue. I want to go to a specific issue, this IDN variance. Why ICANN is still ready about this issue after so many years of discussions, has the CDNC raised the issue for over more than a decade and why has it been built into the guidebook and is still working on that? This is an example, I guess, illustrating.

>>Mary Wong: We are getting feisty.

>>Stephane Van Gelder: I'll try and step that up.

While Cheryl is thinking about We Are the World when she was listening to me and I was thinking about Smooth Criminal when I was listening to her.

You know, it's funny that we see ICANN stakeholders criticise the process in the way that they do. I think it's very healthy, because ICANN is a place where people constantly asking themselves the question that you're asking, Jim, which is what we could do better, what we could do better to inform, to integrate, to make sure people are in the know, are able to participate, are able to be included, but I think what Adrian said earlier on is very correct. There is actually a process in this program that's currently being worked through and I also think one of the things that you said was right, that we need to identify the key people that we should be speaking to to try and make sure that people on the ground are aware.

I would venture this. That work has already been happening for a good number of years, some of the stakeholders have been talking to their local politicians, to business partners, to potential new gTLDs applicants, of course, to some of the people that the JAS group has been either talking to or looking after, in terms of interests.

So I would say that work has already started and it has already started thanks to the ICANN community.

So, yes, I do like Micheal Jackson and I think that's a very good song.

>>Richard Tindal: Good question, Jim. Just to make sure we're on the same baseline, so anyone can apply under the new process, there's no restriction on who you are, there's some restrictions, but not the type that you're referring to.

Anyone can apply. There's no priority in the process, whether it's an AS CI. Or an English string or not. In fact, they're both treated equally and they both will proceed to be put in the root, if they both meet all the requirements. I think we're really just comes down to is the awareness and as someone mentioned a moment ago, the awareness campaign and it's not going to be per special, it's a resource constrain thing, I think there's going to be a focus on regions that haven't been as aware of the program, as others, I hope that will be part of the program. So I just make two points that I touched on earlier in respect of this question. We can change the rules as we go, to some extent, and we will, and there will be a second round, there will be ongoing round. So I think there will be people who aren't aware or are intimidated by the amount

of data they have to process to apply now, but it doesn't mean that they are cut out forever, there will be a second round for people who aren't aware this time.

>>Adrian Kinderis: Also, I believe a lot of the responsibility goes back to the regional groups that form under ICANN. In this instance, the APTLD. I believe it should be under their responsibility to go out -- in their day-to-day existence, as representing the country codes that exist within the Asia Pacific region, and part of their role is to go out and ensure outreach and communicate with the edge of, you know, the known participants and indeed unknown.

So hopefully, through those bodies, ICANN can also start to pass some of the information through about the program.

>>Mary Wong: Jim, does that answer your question or would you like to follow up?

>>James Galvin: It does. I want to thank all the panellists for response. I think what I heard is there is more opportunity for outreach and explanation in reaching out to people in the community, although I don't think I hear agreement on who has a responsibility for that outreach, but that's fine. Thank you.

>>Mary Wong: Thank you. Perhaps one piece of -- I like assigning homework, as those of you who were here

yesterday knows, for all of us in the room, whether we're users, individuals, corporations, policymakers, to think about that question. How to engage and who to engage with ICANN as we embark on the communication and outreach period. Adrian's suggestion that the APTLD might be a good place to start is I think a very constructive one.

>>Aiz Bawaz: First and foremost, welcome to Singapore.

I think here, with due regard and respect, I missed the opportunity of your opening statement and proposition, but I am able to understand in conclusion that we are in fact coming back to Stephane, when you say that 10 years to you is OK, but in a 21 C dimension, it is out of line.

The question of that, even for one day for that moment, I miss session, 10 years, I remember in 1999, at the ICANN conference, Marina Del Rey, I was expecting that when would the line be that the monopoly issue would be addressed? Over 10 years, since 1999, the issue of monopoly is not addressed upon.

The question of that, do ICANN welcomes, you know, competition and the question, the issue of contenders.

The issue of Asia Pacific following what exactly by ICANN is out of line too, because why you should follow when you should lead? That's the point. So my issue

here is that do you have something of that proposition on the table, we are 2011 now. 11 years of the new millennium is over and we are still looking at that.

So the issue here basically: does ICANN welcome competition and open the territorial rights? The question went to our learned friend was saying the IP lawter material yesterday's proposition totally is a dustbin proposition, not worth looking at it. The question is why do you have to feel that you have to come along with that? Why is it that the innovation so limited that it is very much evolution, then really inventive innovation?

Instead, we are working on replicative, copycat and then flipflop and whatever more. Can we look afresh? I'm just a layperson. I would expect professional lawyers and the others here, from university, you know, to be able to think, first thing first, and not thinking about the THING all along and all the time, so can we look at a bigger perspective and a bigger proposition and we are looking for the footprint, the master plan, the footprint, the blueprints and whatever prints.

Can we expect that, whether then we are talking about nitty-gritty and whatever, which is irrelevant. Can we be more relevant and I think that if this don't come by this year, I have to take ICANN by the horn and

that's exactly it is, there's no problem with that.

Thank you very much.

>>Mary Wong: Thank you. I guess I don't think any of us here would feel qualified to speak for ICANN, although you raise a concern that obviously has been raised several times and certainly for those of us on the governance list, that that has been something that's been of ongoing discussion. However, you also raise I think one other related but valid point, that goes back to some of the points that our panellists made and that's the question of specifically to the Asia Pacific region, there may be some kind of perception, perhaps on our own behalves, that we lag mind, that we are always following and we are not taking the lead and you use the phrase feeling inferior and acting so and I guess I would try to link that to Cheryl's last presentation and in terms of engage, is that a valid concern and is there something we can do about it? Cheryl, do you have any thoughts on that?

>>Cheryl Langdon-Orr: My thoughts, I suppose, go back to how we can try and fix the problem of engagement.

I couldn't possibly guess about the aspects of competition in something that is designed to be a global policy development process for naming nomenclature and things on the internet, but I really believe that if we

engage, if we as a region make sure our voices, the diversity of our voices, are being heard in the multi-stakeholder model that is being offered for us, to work with, we will make the change we need.

I'm not particularly worried about the competition or lack of competition as expected. I am worried about making sure the table where these discussions happen is big enough and is facilitating to the diversity of voice that we need to bring.

That is something that I think this model is doing and growing and evolving ways of doing better all the time, looking at how work groups function only two or three years ago versus how they're functioning now. There's vast changes.

I think it is more welcoming, more open and more potential than we in Asia Pacific are recognising.

Maybe what we need to be doing is going out to Oceania, going out to central Asia and introducing the fact that the door is open and you don't actually need to be in a special club to get through it.

>>Mary Wong: Just to add to that and speaking as somebody who comes from the Asia Pacific region, who is involvement in ICANN has been relatively recent, only the last couple of years, I would concur with what Cheryl has just said and I would expand that.

Engagement is hugely important, but participation is the other part of it. That's been an issue with a lot of these governance communities, not just with ICANN.

There are costs involved, there's time involved. It is an all volunteer effort for the most part. But the biggest way to make a difference and to get yourself heard is to participate, either personally or through the group that you're involved with, and in my honest opinion, I think the Asia Pacific region has been somewhat under-represented, although I'm happy to share Cheryl's view that that seems to be changing at least slowly.

>>Stephane Van Gelder: I just want to agree with what you were saying, both of you. I think it's very difficult, actually I think there's another reason why it's difficult to participate and to get engaged, is that there's a difficulty in understanding the detail that most of the time if you go to an ICANN meeting, we talk about detail and we spend a lot of time talking about detail and that can be -- it can be difficult to understand the processes, the groups, the interactions, the politics, but all that is behind a veneer of detail as well that's difficult to penetrate.

On the language issue as well, I think we lack -- one of the things that ICANN lacks is a detailed

explanation of how it works, what it covers, what it does, how people can get involved and that also comes from languages and cultural differences.

The only language -- I mean, I'm a natural French speaker and it shows, thank you, Adrian.

I would actually contend that the only language that we use at ICANN is English, both language and cultural, both the actual words and the cultural language that we use is English and if you're not part of that mindset, then it will be very difficult for you to interact with people. As I appreciate the difficulties that you are alluding to.

>>Adrian Kinderis: I just wanted to talk about participation. I think we're focusing a lot on ICANN here and I don't want to keep banging the APTLD drum, but there are other forums or fora where folks can be represented and have their voice heard and it is hard at ICANN and I've been there for 10 years and am still boggled by some of the terminology and everything that goes on.

But.

>>Stephane Van Gelder: It shows can.

>>Adrian Kinderis: Thank you, Stephane. If I had some French words, I would use them now.

I think, importantly, there are basic or base levels

or lower levels of involvement and outreach can be done to the highest degree and a lot of money can be spent in getting out there, but if folks don't participate and choose not to take up those seats at the table, then you're no better off and that money is indeed wasted or that effort is wasted nip I have personally seen and I am a little disappointed by the representation at APTLD. I know it's part of their mandate to go out and get outreach, but it's the same folks and there is a reason why, for example, with get accused, Cheryl, of being the Australian mafia within ICANN and at the moment, you have -- Chris Disspain, in fact he's the chair of the Australian mafia, but there is a big representation of Australia and I think largely because we've made an effort to. We need to identify as to why some of those other Asian countries are not participating, what are the barriers to them participating and try to get it. That's not necessarily at ICANN. It can end up at ICANN certainly and that would be great, but I think there are a number of different opportunities for folks to step up, have their say, be heard and influence ICANN through different mechanisms.

Thank you.

>>Mary Wong: I guess to be fair to ICANN too, I think that

real saying has sunk in and what we have seen in the last year or so have been efforts at every ICANN meeting to welcome new entrants into the ICANN process. I would not under-emphasise the difficulties of coming in as a new participant, partly because of all the detail that Stephane talked about and certainly as we saw yesterday, the number of acronyms being thrown about, but I think for those people in the IG field, acronyms are not a problem.

I agree with Stephane that one of the large unseen problems really is not just linguistic, but it's cultural, the interaction and how you react to people and that has caused misunderstandings at the IGF and at ICANN and other things and that's something that in a multi-stakeholder model, we just have to grapple with.

>>Richard Tindal: Two quick points in response to the gentleman's question. First of all, yeah, ICANN competition is inherent in ICANN's charter, so it's one of the fundamental reasons ICANN was formed. In a sense, there are many goals that ICANN has, but in a sense maintaining technical stability, making sure it doesn't break and creating competition are really the two driving, in my view, themes, behind ICANN, certainly from a political perspective why the thing was created. So it's certainly embodied in the chartr of ICANN.

Terms of the language and cultural barriers to participation, other folks have said quite a bit about that. I just would like to step back to my theme on that point of appropriately light regulation. I think that the more complex and the more verbose that the rules and processes we set up, the harder it is for people to participate, because it is a fundamentally English language based entity.

So the applicant guidebook of 360 pages, I think is more intimidating to someone than an applicant guidebook of 60 or 70 pages.

So again, I think if we can keep the thing appropriately lean in all respects -- I'm not just talking about the TLD process, but in general, I think that makes it easier for people to understand and participate.

>>Mary Wong: Thanks Richard. Just to bring it back to one of the main topic today, is when the generic name supporting organisation in 2007 recommended to the ICANN board that the existing gTLD space be expanded, the competition issue, certainly at least within the ICANN framework, I know you are alluding to more than that, that was an express reason amongst several for that recommendation.

I know we are going to runout of time --

>>Aiz Bawaz: Can I have the right of reply?

>>Mary Wong: If you want to follow up very briefly.

>>Aiz Bawaz: The question here, the issue here, the crux of the matter, is not to miss the wood for the trees. The question of that, as you notice ... rich governments, agencies, being representative of ICANN and you guys are agent of change, but you're not really in the expectation of the public. I'm a layperson and I would expect, we would expect you to be more accountable, not just become spokes men, but be, you know, not insensitive to what exactly the enrichment you guys are creating to governments and registrars around the world and not a dollar you can expect going to the public, for public costs. The question is beside this session and seminars, which maybe you offer for free, but other than that, you should go deeper to say where the money goes to and follow the money. You can see the evil part of it.

My question is, for example, even in the name terminology, when you talk about generic, it contradicts the IP law, so why should words and terminology be registered it has something of an IP, general credential. It cannot be, because it contradict the rules of law and you guys don't seem to understand, for example ... in the short term and this is copycat and

this is contradiction. It makes no sense, no-brainer. And you people accomodated that and you people are riding on it, which makes no sense. That's about it. Thanks a lot.

>>Mary Wong: I'm sorry. I didn't mean to cut you off.

I just thought we might have a one or two more questions or conclusions from the panel.

In fact, if I may take the chance of at least trying to respond to the many points that you made, I think the one response I would say is it is not we guys, it is us folks and I think that's one of the take aways that we're going to have from today and some of the issues that we issues that are extremely hotly debated within ICANN and when I say feisty, what you saw today, nothing compared to what goes on. Mike and others participating, this is being very restrained. Again, that might be a barrier to new participants, but that really is the way to get your voice heard, because you're right, sometimes there may be a dominance of certain interests in certain conversations. Sometimes the pendulum swings the other way. But engagement and participation of us, as a community, is what's going to make the multi-stakeholder model stick and what hopefully will make it work.

We are going to be running out of time. Are there

any other questions or comments for the panel?

May I ask, then, have the privilege as moderator asking the final question to each of our panellists.

Are we thinking or betting that there will be a positive announcement and that we will launch the new gTLD program on Monday, 20 June? Everybody, go. We'll start with Hong. Did you say yes?

>>Hong Xue: Yes. I'm a believer.

>>Cheryl Langdon-Orr: I'm having a dollar each way.

>>Adrian Kinderis: It's yes, if no, then it will be a cannon ball off the top of the Sands Hotel.

>>Stephane Van Gelder: Who understood what Adrian just said?

>>Adrian Kinderis: I'm going to jump off a bridge, is what I'm saying.

>>Stephane Van Gelder: Yes.

>>Richard Tindal: Yeah. I mean, I think that, yes, I would like to see Adrian jump off a tall building -- or a small one.

Yeah, I think that there's not really a great deal of new information on the table now, I think. I think really for the last -- certainly the last meeting and perhaps the last two meetings, there haven't been really on the issues of debate, there really haven't been new data points, it's the -- it's previous arguments being reargued and so I really -- not so they that they're

wrong, but just that we don't have new information on the table. My view is that the view has an obligation to make a decision, they should decide to proceed request it or not, but I think continually deferring it would not be good for the model. So I think they need to make a call.

APPLAUSE

>>Mary Wong: On that note, we welcome Chris Disspain.

>>Chris Disspain: Hello. A couple of things. I agree with -- I mean, I want it done on Monday, so I don't have to vote on it when I join the board.

Just to things, so that just for the spirit of cooperation, so everybody knows, there are a couple of things that are still outstanding in the minds of government. I don't think -- with GAC. I don't think the two or three things that are outstanding are insurmountable, but there is a letter from the NTIA which was sent yesterday which I don't think yet has been published, although it's on their website, but it hasn't been published by ICANN.

That's on vertical integration. Whilst I'm not suggesting that would necessarily delay Monday, I think it's going to need to be dealt with and whether it gets dealt with before Monday or after Monday, I'm not sure, but I suspect there may be some people who will try and

say that until it is dealt with, Monday needs to be postponed.

>>Mary Wong: Thank you, Chris. So I think you can tell that we're in for a rather interesting weekend and that might be a good opportunity for those of you who have been toying with the idea of participating at ICANN, to come and to listen and participate.

Will you please then join me in thanking our panel who have really given us a lot of great food for thought and who have come along in some cases to join us at the am rIGF.

Thank you, panellists.

APPLAUSE.

>>: Can I please invite Mr Lim Choon Sai from the Infocomm Development Authority of Singapore, to present our panellists with a small token of appreciation.

Mr Lim.

We will now have coffee break.

APPLAUSE

