2 DECEMBER 2015 BOARD MEETING
Board Papers

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AGENDA – 2 DECEMBER 2015 REGULAR BOARD Meeting – 60 minutes

Last Updated 23 November

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AGENDA – 2 DECEMBER 2015 REGULAR BOARD Meeting – 60 minutes

Last Updated 23 November

Time, etc.	Agenda Item	Shepherd
Discussion & Decision 40 min	2.a. Consideration of Re-evaluation of the Vistaprint Limited String Confusion Objection Expert Determination	Steve Crocker
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ICANN BOARD SUBMISSION NO. 2015.12.02.1a

TITLE: **Thank You from Security and Stability Advisory Committee to Alain Aina, Roy Arends, Narayan Gangalaramsamy, Doug Maughan and Rick Wesson**

PROPOSED ACTION: **For Board Approval**

EXECUTIVE SUMMARY:

On 17 May 2002 the ICANN Board approved the appointment of Alain Aina and Rick Wesson to the Security and Stability Advisory Committee (SSAC). On 26 June 2009 the ICANN Board approved the appointments of Roy Arends and Doug Maughan to the SSAC. On 05 August 2010 the ICANN Board approved Bylaws revisions that created three-year terms for SSAC members and assigned initial one-, two-, and three-year terms to all SSAC members. As of 05 August 2010 Alain Aina, Doug Maughan, and Rick Wesson were reappointed to terms beginning 01 January 2011 and ending on 31 December 2012. Also on 05 August Roy Arends was appointed to a term beginning 01 January 2011 and ending on 31 December 2013. On 03 October 2012 the ICANN Board approved the appointment of Narayan Gangalaramsamy to the SSAC for a term ending on 31 December 2015. On 20 December 2012 the ICANN Board reappointed Alain Aina, Doug Maughan, and Rick Wesson to the SSAC, with terms ending on 31 December 2015. On 21 November 2013 the ICANN Board reappointed Roy Arends to a 3-year term beginning 01 January 2014 and ending 31 December 2016. On 14 July 2015 Roy Arends resigned the SSAC when he joined ICANN staff.

COMMITTEE RECOMMENDATION:

The Committee wishes to formally thank Alain Aina, Roy Arends, Narayan Gangalaramsamy, Doug Maughan and Rick Wesson for their work while members of the SSAC.

PROPOSED RESOLUTION:

Whereas, on 17 May 2002 the ICANN Board approved the appointment of Alain Aina and Rick Wesson to the SSAC.

Whereas, on 26 June 2009 the ICANN Board approved the appointments of Roy Arends and Doug Maughan to the SSAC.

Whereas, on 05 August 2010 Alain Aina, Doug Maughan, and Rick Wesson were reappointed to terms beginning 01 January 2011 and ending on 31 December 2012 and Roy Arends, to a term ending 31 December 2013.

Whereas, on 03 October 2012 the ICANN Board approved the appointment of Narayan Gangalaramsamy to the SSAC.

Whereas, on 20 December 2012 the ICANN Board Reappointed Alain Aina, Doug Maughan, and Rick Wesson to the SSAC, with terms ending on 31 December 2015.
Whereas, on 21 November 2013 the ICANN Board reappointed Roy Arends to a 3-year term beginning 01 January 2014 and ending 31 December 2016.

Resolved (2015.12.02.xx), that Alain Aina, Roy Arends, Narayan Gangalaramsamy, Doug Maughan and Rick Wesson have earned the deep appreciation of the Board for their service to ICANN by their membership on the Security and Stability Advisory Committee, and that the Board wishes them well in all future endeavours.

PROPOSED RATIONALE:

It is the practice of the SSAC to seek Board recognition of the service of Committee members upon their departure.

Submitted by:	Ram Mohan
Position:	Liaison to the ICANN Board from the Security and Stability Advisory Committee
Date Noted:	03 November 2015
Email:	rmohan@afilias.info

ICANN BOARD SUBMISSION NO. 2015.12.02.1b

TITLE: **SSAC Member Reappointments**

PROPOSED ACTION: **For Board Approval**

EXECUTIVE SUMMARY:

One of the recommendations arising out of the organizational review of the Security and Stability Advisory Committee (SSAC) is for SSAC membership appointments to be for a term of three years renewable by the Board at the recommendation of the SSAC indefinitely, and that the terms be staggered to allow for the terms of one-third of the SSAC members to expire at the end of every year. On 05 August 2010 the ICANN Board approved Bylaws revisions that create three-year terms for SSAC members and assigned initial one-, two-, and three-year terms to all SSAC members. Each year the SSAC Membership Committee evaluates those members whose terms are ending in the calendar year, in this case 31 December 2015. The Membership Committee submitted its recommendations for member reappointments to the SSAC, which approved the reappointments of the following SSAC members: Jaap Akkerhuis, Patrik Fältström, Ondrej Filip, Jim Galvin, Robert Guerra, Julie Hammer, Ram Mohan, Doron Shikmoni, and Suzanne Woolf.

SSAC RECOMMENDATION:

The Committee recommends the Board reappoint the SSAC members as identified in the proposed resolution.

PROPOSED RESOLUTIONS:

Whereas, Article XI, Section 2, Subsection 2 of the Bylaws governs the Security and Stability Advisory Committee (SSAC).

Whereas, the Board, at Resolution 2010.08.05.07 approved Bylaws revisions that create three-year terms for SSAC members, require staggering of terms, and obligate the SSAC chair to recommend the reappointment of all current SSAC members to full or partial terms to implement the Bylaws revisions.

Whereas, the Board, at Resolution 2010.08.05.08 appointed SSAC members to terms of one, two, and three years beginning on 01 January 2011 and ending on 31 December 2011, 31 December 2012, and 31 December 2013.

Whereas, in June 2015 the SSAC Membership Committee initiated an annual review of SSAC members whose terms are ending 31 December 2015 and submitted to the SSAC its recommendations for reappointments.

Whereas, on 16 September 2015, the SSAC members approved the reappointments.

Whereas, the SSAC recommends that the Board reappoint the following SSAC members to three-year terms: Jaap Akkerhuis, Patrik Fältström, Ondrej Filip, Jim Galvin, Robert Guerra, Julie Hammer, Ram Mohan, Doron Shikmoni, and Suzanne Woolf.

Resolved (2015.12.02.xx) the Board accepts the recommendation of the SSAC and reappoints the following SSAC members to three-year terms beginning 01 January 2016 and ending 31 December 2018: Jaap Akkerhuis, Patrik Fältström, Ondrej Filip, Jim Galvin, Robert Guerra, Julie Hammer, Ram Mohan, Doron Shikmoni, and Suzanne Woolf.

PROPOSED RATIONALE:

The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfil its charter and execute its mission. Since its inception, the SSAC has invited individuals with deep knowledge and experience in technical and security areas that are critical to the security and stability of the Internet's naming and address allocation systems. The above-mentioned individuals provide the SSAC with the expertise and experience required for the Committee to fulfil its charter and execute its mission.

Submitted by:	Ram Mohan
Position:	SSAC Liaison to the Board
Date Noted:	02 November52015
Email and Phone Number:	rmohan@afilias.info

ICANN BOARD PAPER NO. 2015.12.02.1c

TITLE:	**Appointment of A/J-, F-, I-, L-Root Server Operator Representatives to the RSSAC**
PROPOSED ACTION:	**For Consent Agenda**

EXECUTIVE SUMMARY:

Per ICANN Bylaws (Article XI, Section 2.3), the Root Server System Advisory Committee (RSSAC) is submitting the following members for re-appointment to the RSSAC:

RSO-A/J: Verisign, Brad Verd
RSO-F: Internet Systems Consortium, Jim Martin
RSO-I: Netnod, Lars-Johan Liman
RSO-L: ICANN, John Crain

The individuals have been selected by their root server operator (RSO) organizations to serve on the RSSAC.

RSSAC RECOMMENDATION:

The RSSAC Co-Chairs recommend the Board of Directors appoint Brad Verd as the appointee for A/J-root server operator, Jim Martin as the appointee for F-root server operator, Lars-Johan Liman as the appointee for I-root server operator, and John Crain as the appointee for L-root server operator.

PROPOSED RESOLUTION:

Whereas, the ICANN Bylaws call for the establishment of a Root Server System Advisory Committee (RSSAC) with the role to advise the ICANN community and Board on matters relating to the operation, administration, security, and integrity of the Internet's Root Server System.

Whereas, the ICANN Bylaws call for Board of Directors appointment of RSSAC members based on recommendations from the RSSAC Co-Chairs.

Whereas, the RSSAC Co-Chairs recommended for Board of Directors consideration the appointments of representatives from the A/J-, F-, I-, and L-root server operators to the RSSAC.

Resolved (2015.12.02.xx), the Board of Directors appoints the representatives from the A/J-, F-, I-, and L-root server operators, Brad Verd, Jim Martin, Lars-Johan Liman, and John Crain, respectively, through 31 December 2018.

PROPOSED RATIONALE:

In May 2013, the root server operators (RSO) agreed to an initial membership of RSO representatives for RSSAC, and each RSO nominated an individual. The Board of Directors approved the initial membership of RSSAC in July 2013 with staggered terms.

The representatives from the A/J-, F-, I-, and L-root server operators were appointed to an initial two-year term, which expires on 31 December 2015. Their re-appointment is for a full, three-year term.

The appointment of these RSSAC members is not anticipated to have any fiscal impact on ICANN, though there are budgeted resources necessary for ongoing support of the RSSAC.

This resolution is an organizational administrative function for which no public comment is required. The appointment of RSSAC members contributes to ICANN's commitment to strengthening the security, stability, and resiliency of the DNS.

Signature Block:

Submitted by: Steve Sheng

Position: Director of RSSAC and SSAC Advisories Development Support

Date Noted: 12 November 2015

Email: steve.sheng@icann.org

ICANN BOARD PAPER NO. 2015.12.02.1d

TITLE:	**Geographic Regions Review Working Group Final Report Submission (October 2015)**
PROPOSED ACTION:	**For Board Approval (Adopt Resolution Directing Staff To Open Public Comment Period)**

EXECUTIVE SUMMARY:

The ICANN Board chartered a cross-community working group to (1) identify the different purposes for which ICANN's Geographic Regions are used; (2) determine whether the uses of ICANN's Geographic Regions (as currently defined, or at all) continue to meet the requirements of the relevant stakeholders; and (3) submit proposals for community and Board consideration relating to the current and future uses and definition of the ICANN Geographic Regions.

Over the course of its deliberations, the Working Group (1) reviewed the underlying history, objectives and general principles of ICANN's Geographic Regions Framework, (2) identified the various applications and functions to which the regions framework has been applied by existing structures and the ICANN staff; and (3) engaged the ICANN community in an extensive collaborative dialogue about issues and potential solutions to maintain and potentially expand the value of the geographic regions framework for the entire community.

The Working Group concluded its work and presented its Final Report recommendations to the Chairman of the ICANN Board on 4 November 2015. The Final Report is included in the Reference Materials. The Working Group has recommended that the Board direct staff to manage a public comment forum period to give the community an opportunity to review and evaluate the recommendations and share comments with the Board before it begins its assessment of and deliberations on the recommendations.

WORKING GROUP RECOMMENDATIONS:

The Working Group has found that the ICANN principle of geographic diversity remains important and relevant to ICANN's mission. The Working Group has

concluded that ICANN has largely applied geographic diversity principles consistent with the organization's diversity goals and that wholesale modifications to the original geographic regions framework are not merited.

The Working Group recommends that ICANN adopt its own Geographic Regions Framework based upon the current assignment of countries to regions and that this new framework system should govern the make-up of the ICANN Board. However, to provide flexibility to individual communities and structures within ICANN, the Working Group recommends that those structures be permitted to (1) follow the same framework as the Board, or (2) develop their own mechanisms (with Board oversight) for ensuring geographic diversity within their own organizations.

The Working Group developed 8 other specific conclusions and recommendations including:

a) Application of the geographic diversity principles must be more rigorous, clear and consistent.

b) Adjusting the number of ICANN geographic regions is not currently practical.

c) No other International Regional Structures offer useful options for ICANN.

d) The Community wants to minimize any changes to the current structure.

e) ICANN must acknowledge the sovereignty and right of self-determination of states to let them choose their region of allocation.

f) "Special Interest Groups" or "Cross-Regional Sub-Groups" offer new diversity opportunities.

g) Implementation mechanisms and processes must be developed by Staff, and

h) The Board must preserve its oversight and future review opportunities.

The Working Group also recommended, in view of the substantial period of time taken to present its Final Report to the ICANN Board, that the Board direct staff to manage a public comment period of at least 120 days to give the community an opportunity to thoroughly review the proposals and provide any additional comments on its recommendations. Given other community workload demands, the Working Group recommended that requests for additional time for review and comment from any communities should be honoured.

PROPOSED RESOLUTION:

Whereas, the cross-community Geographic Regions Review Working Group has produced its Final Report in which it proposes a series of recommendations regarding the ongoing application of the organization's geographic regions framework;

Whereas, the ICANN Board is interested in further community reaction to those recommendations;

Whereas, the Working Group has recommended that the Board direct staff to manage a public comment period of at least 120 days to give the community an opportunity to thoroughly review the proposals and provide any additional comments on its recommendations.

Resolved (2015.12.02.xx), that the Board directs the President and CEO, or his designee(s), to initiate and manage a public comment period of at least 120 days on the Geographic Regions Review Working Group Final Report to give the community an opportunity to review the recommendations of the Working Group, and to provide any additional comments on those recommendations. Requests for additional time for review and comment from any communities should be honoured.

PROPOSED RATIONALE:

Why is the Board addressing this issue now?

The Board-chartered cross-community Geographic Regions Review Working Group submitted its Final Report recommendations to the Chairman of the ICANN Board on November 4, 2015. At the recommendation of the Working Group, the Board taking action to seek community review and further comment on the Working Group recommendations.

What are the proposals being considered?

The Working Group's Final Report provides an extensive series of conclusions, proposals and recommendations including:

a) The Working Group concludes that the general principle of geographic diversity is valuable and should be preserved.

b) Application of the geographic diversity principles must be more rigorous, clear and consistent.

c) Adjusting the number of ICANN geographic regions is not currently practical.

d) No other International Regional Structures offer useful options for ICANN.

e) ICANN must formally adopt and maintain its own unique Geographic Regions Framework.

f) The Community wants to minimize any changes to the current structure.

g) ICANN must acknowledge the sovereignty and right of self-determination of states to let them choose their region of allocation.

h) ICANN communities have flexibly applied geographic diversity principles over the years. While the Board should remain strictly subject to the current framework, flexibility should be preserved for other structures.

i) "Special Interest Groups" or "Cross-Regional Sub-Groups" offer new diversity opportunities.

j) Implementation mechanisms and processes must be developed by Staff.

k) The Board must preserve its oversight and future review opportunities.

After the close of the public comment period, the Board will consider the recommendations of the Working Group taking into account the input from the community.

What stakeholders or others were consulted?

All ICANN Supporting Organizations and Advisory Committees were invited to provide representatives to the Working Group. At various times throughout the working group effort the ALAC, ASO, ccNSO and GNSO had representatives serving on the group. The GAC Chair also participated early in the process. Prior to submission of the Working Group's Final Report, comments were provided by the ALAC, ccNSO, GNSO and the GAC Chair. The formal ALAC, ccNSO and GNSO comments accompanied the Final Report submission.

What significant materials did the Board review?

The Board received a copy of the Working Group's Final Report including formal written statements from the ALAC, ccNSO and GNSO.

What factors did the Board find to be significant?

For purposes of directing the initiation of a public comment forum, the Board reviewed the recommendation of the Working Group to establish a public comment period of at least 120 days.

Are there Positive or Negative Community Impacts?

Opening an extensive public comment period on this matter can be viewed as a positive development for the community.

Are there fiscal impacts/ramifications on ICANN (Strategic Plan, Operating Plan, Budget); the community; and/or the public?

The initiation of a public comment period regarding this matter presents no fiscal impacts/ramifications on the organization, the community or the public.

Are there any Security, Stability or Resiliency issues relating to the DNS?

The initiation of a public comment period regarding this matter will have no anticipated impact on the security, stability and resiliency of the domain name system.

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

While public comment opportunities regarding this matter have been numerous and extensive, no further comment opportunities are required. The decision to provide an additional public comment opportunity reflects the Board's interest in receiving additional feedback from the community before it deliberates on the recommendations of the Working Group.

SIGNATURE BLOCK:

Submitted by:	David Olive; Robert Hoggarth
Position:	Vice-President; Senior Director – Policy and

	Community Engagement
Date Noted:	18 November 2015
Email:	policy-staff@icann.org

ICANN BOARD PAPER NO. 2015.12.02.1x

TITLE: **Los Angeles Hub Office Lease (Fourth floor lease)**

PROPOSED ACTION: **For Main Agenda**

EXECUTIVE SUMMARY:

ICANN is committed to service all geographic regions across the globe in stable office space. ICANN has identified an opportunity to convert short-term space rental on the 2nd floor in its Los Angeles office into a space available for long-term lease on the 4th floor in the same premises. This will address the current insufficient space for existing staff, accommodate planned growth in headcount and improve operational efficiencies. Staff has reviewed extensive market research to identify possible alternative options and has not found any option providing equivalent or better value at equivalent or lower costs. The cost of the new lease amendment, is Confidential Negotiation Information

This amount exceeds the staff authority as per the Contracting and Disbursement Policy, and Board approval is required.

STAFF RECOMMENDATION:

Staff recommends that the Board authorize the President and CEO, or his designee(s), to enter into, and make all necessary disbursements for, an amendment to ICANN's lease for additional space on the fourth floor of 12025 Waterfront Drive, in an amount not to exceed Confidential Negotiation Information

BOARD FINANCE COMMITTEE (BFC) RECOMMENDATION:

The Board Finance Committee recommends that the Board authorize the President and CEO, or his designee(s), to enter into, and make all necessary disbursements for additional space in the ICANN Los Angeles hub office, in an amount not to exceed Confidential Negotiation Information

PROPOSED RESOLUTION:

Whereas, ICANN has stated its objective to secure a lease for long term office space, conducive to efficient operations, at affordable costs,

Whereas, staff has identified ideally located space available for lease until the expiration of ICANN's main lease in June 2022, allowing ICANN to accommodate the current and planned office needs and consolidate its operations onto two connected floors,

Whereas, the staff and Board Finance Committee recommend that the Board authorize the President and CEO, or his designee(s), to enter into, and make all necessary disbursements for additional space in the ICANN Los Angeles hub office, in an amount not to exceed Confidential Negotiation Information

Resolved, the Board authorizes the President and CEO, or his designee(s), to enter into, and make all necessary disbursements for, an amendment to ICANN's lease for the Los Angeles hub office in an amount not to exceed Confidential Negotiation Information

Resolved, specific items within this resolution shall remain confidential for negotiation purposes pursuant to Article III, section 5.2 of the ICANN Bylaws until the President and CEO determines that the confidential information may be released.

PROPOSED RATIONALE:

The ICANN Los Angeles office at 12025 Waterfront Drive currently consists of the entire third floor, a portion of the fourth floor (both terms expiring in June 2022) and space on the second floor of the building, which ICANN has been subleasing on a month-to-month basis, which will end December 2015.

The key drivers for this lease amendment are as follows:

a) provision of space for existing staff and contractors, as current space for current staff is not sufficient,

b) provision of space for future additional staff as per FY16 Operating Plan and Budget

c) Conversion of month to month lease to consolidated long term lease

d) Added benefit of improving of operational efficiency as we consolidate operations onto 2 floors, connected through the staircase private to ICANN 3rd/4th floors (2nd floor is only accessible by elevator).

The adopted FY16 Operating Plan and Budget suggests a staff growth of 38 headcount in FY16 (https://www.icann.org/en/system/files/files/adopted-opplan-budget-fy16-25jun15-en.pdf, page 27), on a worldwide basis, of which 23 employees will be in the Los Angeles office. This expected growth required ICANN to plan for additional space in the Los Angeles office during FY16.

Based on this plan, ICANN has been researching options to expand its Los Angeles office. The landlord for the second floor space, that ICANN currently subleases month to month, has requested ICANN to vacate it shortly. Separately, the tenant occupying the remainder of the fourth floor is moving, thereby providing ICANN the opportunity to consolidate its operations on the entire third and fourth floors, through an amendment to its current long-term lease (until June 2022), instead of expanding the 2nd floor month-to-month arrangement.

As a result, ICANN intends to enter into a lease amendment for the portion of the fourth floor that is being vacated, and release the second floor space as requested. The net space addition is 5,732 square feet.

The decision offers the opportunity to resolve the lack of space ICANN is currently already facing in terms of accommodating existing staff and contractors and to accommodate the growth planned for in the FY16 Operating Plan and Budget.

The term of the lease amendment under consideration in this resolution would match ICANN's existing lease through June 2022.

The new long-term lease amendment (which would replace the month to month lease for the second floor) would amount to a total of Confidential Negotiation Information for the remaining 67 months for the 12,819 square feet on the 4th floor.

For detailed square footage and costs information, please refer to the Reference Materials to this Board paper.

This amount exceeds the ICANN Officers' contracting and disbursement authority and must be approved by the Board.

Local real estate market surveys have been reviewed, and there is presently no other rental space available in the immediate area at comparable prices. Other less desirable available space outside of the current building is more expensive.

This decision will have a financial impact on ICANN. The financial impact for FY16 has been for FY16 has been catered for in the FY16 budget. Annual cost will be budgeted for in subsequent years and is expected to be affordable.

This decision is not anticipated to have any impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function that does not require public comment.

Submitted by:	Diane Schroeder
Position:	Vice President Global Human Resources Senior Director Administration
Date Noted:	30 November 2015
Email:	diane.schroeder@icann.org

ICANN BOARD SUBMISSION NO. 2015.12.02.2a

TITLE:	**Consideration of Re-evaluation of the Vistaprint Limited String Confusion Objection Expert Determination**
PROPOSED ACTION:	**For Board Approval**

EXECUTIVE SUMMARY:

On 9 October 2015, the Independent Review Process (IRP) Panel (Panel) issued its Final Declaration in the IRP filed by Vistaprint Limited (Vistaprint). In the IRP, Vistaprint claimed that ICANN's Board violated the ICANN Articles of Incorporation (Articles) and Bylaws by "accepting" the Expert Determination that found Vistaprint's applications for .WEBS to be confusingly similar to Web.com's application for .WEB (Expert Determination).

In a unanimous decision, the Panel determined that the Board did not violate the Articles, Bylaws, or Applicant Guidebook (Guidebook), and declared ICANN to be the prevailing party. While ruling in ICANN's favor and denying Vistaprint's IRP, the Panel did state that "ICANN's Board—and not this Panel—should exercise its independent judgment" on the issue of Vistaprint's contention of disparate treatment. (Vistaprint Declaration at ¶ 191. Attachment A to Reference Materials.) Accordingly, the Panel recommended that

> the Board exercise its judgment on the questions of whether an additional review mechanism is appropriate to re-evaluate the [expert] determination in the [string confusion objection (SCO) proceedings related to Vistaprint's applications for .WEBS (*Vistaprint SCO)*], in view of ICANN's Bylaws concerning core values and non-discriminatory treatment, and based on the particular circumstances and developments noted in this Declaration, including (i) the *Vistaprint SCO* determination involving Vistaprint's .WEBS applications; (ii) the Board's (and NGPC's) resolutions on singular and plural gTLDs, and (iii) the Board's decisions to delegate numerous other singular/plural versions of the same gTLD strings.

(*Id.* at ¶ 196.)

On 22 October 2015, this Board considered and adopted relevant portions of the IRP Panel's Final Declaration, and committed to follow the foregoing recommendation and exercise its judgment on whether an additional review mechanism is appropriate to re-evaluate the expert determination in the Vistaprint string confusion objection proceedings. (*See* https://www.icann.org/resources/board-material/resolutions-2015-10-22-en#2.d.) This paper addresses the issues relevant to the Board's consideration of the Panel's recommendation.

PROPOSED RESOLUTION:

Resolution Text Superseded

Resolution Text Superseded

PROPOSED RATIONALE:

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

1. Consent Agenda:

a. Thank you from the Security and Stability Advisory Committee (SSAC) to Departing Members

Whereas, on 17 May 2002 the ICANN Board approved the appointment of Alain Aina and Rick Wesson to the SSAC.

Whereas, on 26 June 2009 the ICANN Board approved the appointments of Roy Arends and Doug Maughan to the SSAC.

Whereas, on 05 August 2010 Alain Aina, Doug Maughan, and Rick Wesson were reappointed to terms beginning 01 January 2011 and

ending on 31 December 2012 and Roy Arends, to a term ending 31 December 2013.
Whereas, on 03 October 2012 the ICANN Board approved the appointment of Narayan Gangalaramsamy to the SSAC.

Whereas, on 20 December 2012 the ICANN Board Reappointed Alain Aina, Doug Maughan, and Rick Wesson to the SSAC, with terms ending on 31 December 2015.

Whereas, on 21 November 2013 the ICANN Board reappointed Roy Arends to a 3-year term beginning 01 January 2014 and ending 31 December 2016.

Resolved (2015.12.02.xx), that Alain Aina, Roy Arends, Narayan Gangalaramsamy, Doug Maughan and Rick Wesson have earned the deep appreciation of the Board for their service to ICANN by their membership on the Security and Stability Advisory Committee, and that the Board wishes them well in all future endeavors.

Rationale for Resolution 2015.12.02.xx

It is the practice of the SSAC to seek Board recognition of the service of Committee members upon their departure.

b. SSAC Member Reappointments

Whereas, Article XI, Section 2, Subsection 2 of the Bylaws governs the Security and Stability Advisory Committee (SSAC).

Whereas, the Board, at Resolution 2010.08.05.07 approved Bylaws revisions that create three-year terms for SSAC members, require staggering of terms, and obligate the SSAC chair to recommend the reappointment of all current SSAC members to full or partial terms to implement the Bylaws revisions.

Whereas, the Board, at Resolution 2010.08.05.08 appointed SSAC members to terms of one, two, and three years beginning on 01

January 2011 and ending on 31 December 2011, 31 December 2012, and 31 December 2013.

Whereas, in June 2015 the SSAC Membership Committee initiated an annual review of SSAC members whose terms are ending 31 December 2015 and submitted to the SSAC its recommendations for reappointments.

Whereas, on 16 September 2015, the SSAC members approved the reappointments.

Whereas, the SSAC recommends that the Board reappoint the following SSAC members to three-year terms: Jaap Akkerhuis, Patrik Fältström, Ondrej Filip, Jim Galvin, Robert Guerra, Julie Hammer, Ram Mohan, Doron Shikmoni, and Suzanne Woolf.

Resolved (2015.12.02.xx) the Board accepts the recommendation of the SSAC and reappoints the following SSAC members to three-year terms beginning 01 January 2016 and ending 31 December 2018: Jaap Akkerhuis, Patrik Fältström, Ondrej Filip, Jim Galvin, Robert Guerra, Julie Hammer, Ram Mohan, Doron Shikmoni, and Suzanne Woolf.

Rationale for Resolution 2015.12.02.xx

The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfill its charter and execute its mission. Since its inception, the SSAC has invited individuals with deep knowledge and experience in technical and security areas that are critical to the security and stability of the Internet's naming and address allocation systems. The above-mentioned individuals provide the SSAC with the expertise and experience required for the Committee to fulfill its charter and execute its mission.

c. Appointment of A/J-, F-I-, L-Root Server Operator Representatives to the RSSAC

Whereas, the ICANN Bylaws call for the establishment of a Root Server System Advisory Committee (RSSAC) with the role to advise the ICANN community and Board on matters relating to the operation, administration, security, and integrity of the Internet's Root Server System.

Whereas, the ICANN Bylaws call for Board of Directors appointment of RSSAC members based on recommendations from the RSSAC Co-Chairs.

Whereas, the RSSAC Co-Chairs recommended for Board of Directors consideration the appointments of representatives from the A/J-, F-, I-, and L-root server operators to the RSSAC.

Resolved (2015.12.02.xx), the Board of Directors appoints the representatives from the A/J-, F-, I-, and L-root server operators, Brad Verd, Jim Martin, Lars-Johan Liman, and John Crain, respectively, through 31 December 2018.

Rationale for Resolution 2015.12.02.xx

In May 2013, the root server operators (RSO) agreed to an initial membership of RSO representatives for RSSAC, and each RSO nominated an individual. The Board of Directors approved the initial membership of RSSAC in July 2013 with staggered terms.

The representatives from the A/J-, F-, I-, and L-root server operators were appointed to an initial two-year term, which expires on 31 December 2015. Their re-appointment is for a full, three-year term.

The appointment of these RSSAC members is not anticipated to have any fiscal impact on ICANN, though there are budgeted resources necessary for ongoing support of the RSSAC.

This resolution is an organizational administrative function for which no public comment is required. The appointment of RSSAC members contributes to ICANN's commitment to strengthening the security, stability, and resiliency of the DNS.

d. Geographic Regions Review Working Group Final Report Submission

Whereas, the cross-community Geographic Regions Review Working Group has produced its Final Report in which it proposes a series of recommendations regarding the ongoing application of the organization's geographic regions framework.

Whereas, the ICANN Board is interested in further community reaction to those recommendations.

Whereas, the Working Group has recommended that the Board direct staff to manage a public comment period of at least 120 days to give the community an opportunity to thoroughly review the proposals and provide any additional comments on its recommendations.

Resolved (2015.12.02.xx), that the Board directs the President and CEO, or his designee(s), to initiate and manage a public comment period of at least 120 days on the Geographic Regions Review Working Group Final Report to give the community an opportunity to review the recommendations of the Working Group, and to provide any additional comments on those recommendations. Requests for additional time for review and comment from any communities should be honoured.

Rationale for Resolution 2015.12.02.xx

Why is the Board addressing this issue now?

The Board-chartered cross-community Geographic Regions Review Working Group submitted its Final Report recommendations to the

Chairman of the ICANN Board on November 4, 2015. At the recommendation of the Working Group, the Board taking action to seek community review and further comment on the Working Group recommendations.

What are the proposals being considered?

a) The Working Group concludes that the general principle of geographic diversity is valuable and should be preserved.

b) Application of the geographic diversity principles must be more rigorous, clear and consistent.

c) Adjusting the number of ICANN geographic regions is not currently practical.

d) No other International Regional Structures offer useful options for ICANN.

e) ICANN must formally adopt and maintain its own unique Geographic Regions Framework.

f) The Community wants to minimize any changes to the current structure.

g) ICANN must acknowledge the sovereignty and right of self-determination of states to let them choose their region of allocation.

h) ICANN communities have flexibly applied geographic diversity principles over the years. While the Board should remain strictly subject to the current framework, flexibility should be preserved for other structures.

i) “Special Interest Groups” or “Cross-Regional Sub-Groups” offer new diversity opportunities.

j) Implementation mechanisms and processes must be developed by Staff.

k) The Board must preserve its oversight and future review opportunities.

After the close of the public comment period, the Board will consider the recommendations of the Working Group taking into account the input from the community.

What stakeholders or others were consulted?

All ICANN Supporting Organizations and Advisory Committees were invited to provide representatives to the Working Group. At various times throughout the working group effort the ALAC, ASO, ccNSO and GNSO had representatives serving on the group. The GAC Chair also participated early in the process. Prior to submission of the Working Group's Final Report, comments were provided by the ALAC, ccNSO, GNSO and the GAC Chair. The formal ALAC, ccNSO and GNSO comments accompanied the Final Report submission.

What significant materials did the Board review?

The Board received a copy of the Working Group's Final Report including formal written statements from the ALAC, ccNSO and GNSO.

What factors did the Board find to be significant?

For purposes of directing the initiation of a public comment forum, the Board reviewed the recommendation of the Working Group to establish a public comment period of at least 120 days.

Are there Positive or Negative Community Impacts?

Opening an extensive public comment period on this matter can be viewed as a positive development for the community.

Are there fiscal impacts/ramifications on ICANN (Strategic Plan, Operating Plan, Budget); the community; and/or the public?

The initiation of a public comment period regarding this matter presents no fiscal impacts/ramifications on the organization, the community or the public.

Are there any Security, Stability or Resiliency issues relating to the DNS?

The initiation of a public comment period regarding this matter will have no anticipated impact on the security, stability and resiliency of the domain name system.

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

While public comment opportunities regarding this matter have been numerous and extensive, no further comment opportunities are required. The decision to provide an additional public comment opportunity reflects the Board's interest in receiving additional feedback from the community before it deliberates on the recommendations of the Working Group.

e. Los Angeles Hub Office Lease

Whereas, ICANN has stated its objective to secure a lease for long-term office space, conducive to efficient operations, at affordable costs.

Whereas, staff has identified ideally located space, allowing ICANN to consolidate its operations onto two connected floors, and available for lease until the expiration of ICANN's main lease in June 2022.

Whereas, the staff and Board Finance Committee recommend that the Board authorize the President and CEO, or his designee(s), to enter into, and make all necessary disbursements for additional space in the ICANN Los Angeles hub office, in an amount not to exceed Confidential Negotiation Information

Resolved (2015.12.02.xx), the Board authorizes the President and CEO, or his designee(s), to enter into, and make all necessary disbursements for, an amendment to ICANN's lease for the Los Angeles hub office in an amount not to exceed Confidential Negotiation Information

Resolved (2015.12.02.xx), specific items within this resolution shall remain confidential for negotiation purposes pursuant to Article III, section 5.2 of the ICANN Bylaws until the President and CEO determines that the confidential information may be released.

Rationale for Resolutions 2015.12.02.xx – 2015.12.02.xx

Rationale Text Superseded

Rationale Text Superseded

2. Main Agenda:

a. Consideration of Re-evaluation of the Vistaprint Limited String Confusion Objection Expert Determination

Resolution Text Superseded

Resolution Text Superseded

Resolution Text Superseded

Rationale for Resolutions 2015.12.02.xx – 2015.12.02.xx

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

b. AOB

Directors and Liaisons,

Attached below please find the Notice of date and time for a Special Meeting of the ICANN Board of Directors:

2 December 2015 – Special Meeting of the ICANN Board of Directors - at 14:00 UTC – This Board meeting is estimated to last 60 minutes.

http://www.timeanddate.com/worldclock/fixedtime.html?msg=Special+Meeting+of+the+ICANN+Board+&iso=20151202T14

Some other time zones:
2 December 2015 – 6:00am PST Los Angeles
2 December 2015 – 9:00am EST Washington, D.C.
2 December 2015 – 3:00pm CET Brussels
2 December 2015 – 10:00pm CST Taipei
3 December 2015 – 1:00am AEDT Sydney

Consent Agenda

- **Thank you from SSAC to Departing Members**
- **SSAC Member Reappointments**
- **Appointment of A/J-, F-I-, L-Root Server Operator Representatives to the RSSAC**
- **Geographic Regions Review Working Group Final Report Submission**
- **Los Angeles Hub Office Lease**

Main Agenda

- **Consideration of Re-evaluation of the Vistaprint Limited String Confusion Objection Expert Determination**
- **Info Only – The IT Roadmap for 2016**

- **AOB**

MATERIALS -- You can find meeting materials HERE on BoardVantage. If you have trouble with access, please let us know and we will work with you to assure that you can use the BoardVantage Portal for this meeting.

If call information is required, it will be distributed separately

If you have any questions, or we can be of assistance to you, please let us know.

John Jeffrey
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