

**Inter-Registrar Transfer Policy Part B PDP  
Transcription  
Tuesday 10 November 2009 at 15:00 UTC**

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**Participants on the Call:**

Michele Neylon - RC

Barbara Steele - RY

Paul Diaz - RC

Chris Chaplow - CBUC

Tim Ruiz - RC

Berry Cobb - CBUC

Anil George – IPC

Michael Collins - Individual

Mike O'Connor - CBUC

Rudi Vansnick – ALAC

**Staff:**

Olof Nordling

Marika Konings

Gisella Gruber-White

Glen de Saint Gery

**Apologies:**

Eric Brown – gTLD Registries

Kevin Erdman - IPC

James Bladel - RC

Coordinator: This call is now being recorded. Thank you.

Gisella Gruber-White: Michele would you like a quick roll call?

Michele Neylon: Please.

Gisella Gruber-White: Good morning, good afternoon to everyone. On today's call we have Michele Neylon, Michael Collins, Chris Chaplow, Mike O'Connor, Barbara Steele, Rudi Vansnick, Anil George, Berry Cobb, Paul Diaz, Tim Ruiz.

From staff we have Glen DeSaintgery, Marika Konings, Olof Nordling, and myself, Gisella Gruber-White.

Apologies we have James Bladel, Kevin Erdman, Eric Brown. If I could just remind everyone please to state their names when speaking. Thank you.

Michele Neylon: Okay, then everyone good afternoon as Michele here. The - did you all get the agenda for today by email?

Man: Yes.

Marika Konings: Okay.

Michele Neylon: Okay. I'm sorry, excuse me. I think I need more coffee. Right then, I think - did we get another op - another constituency statement earlier today? Was that my imagination?

Marika Konings: I can give an update on what I've received so far. So far, I've received statements for this working group from the registrar constituency, the registry constituency or stakeholder group I should say, sorry, and the (IPT).

So the question is, whether any of the other constituencies or stakeholder groups are still working on their statements or whether they've not planning to submit any.

The statement you saw earlier today, was actually for the other working group, for the post expiration working group.

Michele Neylon: Thank you Marika. Sorry. I get confused. Like I get so many emails from Mike, I get confused which working group is which.

So we still have nothing from the business constituency for this working group?

Man: No.

Marika Konings: Not from the business constituency, not from the NCUC and not from the ISP.

Michele Neylon: Right. Okay.

Chris Chaplow: Chris -- can I just come Michele? I had a brief email with Mike Rodenbaugh and apparently the business constituency were passing on this, because there were so many other things going on with the charter.

But they were hoping to perhaps comment on the first draft report. Thanks.

Michele Neylon: Okay. I will send Mr. Rodenbaugh a nasty-gram by email later. He promised me faithfully that there'd be submissions, but obviously he doesn't. That's fine. That's okay. That's all right.

I mentioned to one of the ISP people and they said they'd do something about it, but they obviously haven't bothered either. So okay.

I'm not feeling the love people. I'm not feeling the love. Okay. Well, they had their chance.

So, the public comment. Marika sent out a - an analysis grid with the email earlier today. Did you all get that?

Marika Konings: Michele can I ask one more question on the previous point?

So, can I go ahead and just make a similar grid for the constituency statements received, so we can maybe review that on the next call, as it's not likely we'll be receiving any other constituency statements at this point, I guess?

Michele Neylon: Well I personally that would be fine me. Anybody have any objections to that?

Mikey O'Connor: This is Mikey. Let me - I'm now done with my - so, let me ping Rodenbaugh and see if I can come up with something from the BC. Marika as far as we're concerned, go ahead and build the grid, but I may be able to get something for you before the next call.

Marika Konings: Okay. And either you know, even if you submit it later, it's shouldn't be too difficult to add that - that information to it. So, I think it would be helpful to have, you know, as much constituency stakeholder input at this point in the process as possible.

So...

Mikey O'Connor: Yes, I get that. I'll take an action item on that one.

Michele Neylon: I'm going to send him an email as well. It's the BC statement. There. Okay, so Marika if you could do that grid thing again I think that would be helpful.

Marika Konings: Okay.

Michele Neylon: Since nobody's said they don't want this, so we'll work on the basis that they do want this.

Okay. Then, so looking -- anything else on the constituency statements at this time?

No. Okay. Did you all get the grid from Marika earlier today on the public comments?

Mikey O'Connor: I did.

Michele Neylon: Okay, so it's a little Excel spreadsheet thingy.

Marika Konings: This is Marika. It's also up on Adobe Connect.

Michele Neylon: I think during the meeting in Seoul as well, we also had to - a bit of a discussion about what should happen with the domains if they are transferred, which led to a little bit of an argument between myself and Helen, I think.

Helen isn't on the call, is she?

Okay, so Marika did we go through any of these comments already or this is new with us?

Marika Konings: As I recall, while we quickly looked at it, I think then decided to leave it for this call to go through them and discuss them.

Michele Neylon: This is around the time that I practically fell asleep at the seat and grow and - okay, so that's why I don't remember. Okay.

Yes. Okay. Having me chair a meeting is - at the first time of the meeting isn't not a good idea.

Okay. Then so, if you want- would you like to walk us through some of these Marika?

Marika Konings: Yes. I'm happy to do so. I just want to - you know, I do want to point out that, of course, these are abstracts from the different comments that were

submitted and, you know, I would encourage everyone to review the comments in detail and do point as well, if there are any items that were left out or you know, were taken - should be taken differently.

So looking at the first comment, the person basically raises the question, "Does the instance of highjacking warrant the development of a new procedure?"

Michele Neylon: Okay. Anybody have any thoughts on this? No. Okay. Moving on.

Marika Konings: Well, one question would be, I guess, for the growth graphic, "Would some research be needed to identify how often this happens and you know, what if that should play a role in addressing this question or is it - is it because, if it just happens once and the cop can be detrimental to a person, that you know, should warrant a policy process for change?"

James Bladel: This is James. I'm a little puzzled about where we're at. Are you asking our opinion and then we'll fill in this part of the grid? Is that where we're at?

Marika Konings: Well, part of the idea's, I mean, I think as part of this process of trying to you know, really assess comments received and try to integrate them in the deliberations of the working group, the idea behind this grid is to have some kind of discussion on the different comment received.

Maybe identify as well, if some of these comments warrant further research or follow up with the person who submitted them or make a note, saying well, you know, "Yes we should take this into account when we come to our conclusions", as a way, as well, for those that have submitted comments to show what the working group actually did with these comments.

I mean, if might be saying, as well, "Like well, we don't think it's relevant in this question or we disagree", but it's just a way of tracking public comments

received and you know, providing feedback as well to the community on how the comments were evaluated and assessed.

James Bladel: Okay. So...

Tim Ruiz: This is Tim.

James Bladel: Go ahead. Sorry.

Tim Ruiz: I was going to make a couple of comments, but Mike if you still had more questions, you can go ahead.

Mikey O'Connor: Ah, no go ahead. I was going to swing around the comments. So go ahead and...

Tim Ruiz: Okay, I was just going to throw out a couple of ideas. The current policies makes it really an optional thing that after - you know, after a transfer to another registrar occurs, you know, it says, "The registrar- that registrar may deny a transfer for up to 60 days."

But it doesn't require that they deny a transfer for up 60 days. So I think - I'm not positive, but I think there might be one or two registries that actually implemented that as requirement in their registry but I can't be sure.

So there's, you know, so that's one possibility of addressing one of the comments that, because it basically they're suggesting that there be some requirement of no changes after a transfer and that would include another transfer.

So instead of, you know, an optional thing, perhaps you know, explore whether that could be a requirement that a transfer can't occur for a certain amount of time after a transfer.

The other one...

Michele Neylon: To clarify...

Tim Ruiz: Oh okay, go ahead.

Michele Neylon: Sorry, just trying to clarify this, because we're getting- the sentence alone is scary. So you're saying that at present the policy is a bit vague that a lot of registrars seemed to have adopted it, that once a domain has been transferred to them, they don't allow a further transfer for 60 days. Is that what you're saying?

Tim Ruiz: Right. Right. I think there might even be a misconception that that's a requirement and I don't believe it is, if you look closely at the policy, you know, the word used is may.

So it is, in fact, you know, that's it required. But yes, I think you're right, probably a number of registrars - you know, go to any - we just make that matter of policy, that after we receive a transfer, we don't allow it to be transferred for another 60 days, specifically for that reason.

But you know, that may not be implemented across all registrars. So to strung it out there, there's a possible option or something to discuss, especially because somebody receives one comment sort of to that effect what might be something to explore.

Michele Neylon: You want me to suggest that some of the registries already have implemented this as a matter of policy?

Tim Ruiz: I'm trying to think, but I'd have to look further, but I believe that - in my mind, it seems I recall that (Versisi) may have implemented that and so that - and so that comes in with 60 days of a transfer that he would get pass the registry.



I can't be - I wouldn't guarantee that, but that seems to what I recall.

Barbara Steele: Hi, this Barbara and I'm sorry to interject in flow the queue there, but we actually do not have a systematic restriction to stop transfers 60 days after they've been transferred. We do have a systematic restriction that will prevent transfer from occurring if it's within 60 days of the initial registration.

Tim Ruiz: Okay. Thanks for the clarification.

Mikey O'Connor: I may, I think if you have a transfer, that's even an optional thing, so I don't think that's necessarily has to be the way it is, but registries probably, you know, they're free to implant that.

At any rate, so that'd be one thing. The other thing I was going to bring up that we talked about briefly in Seoul, was just you know, in regards to both this question and probably the next one on issue B, the possibility of a part of the solution may begin that the name server - any name server changes could be undone temporarily, you know, until a resolution of any dispute could be achieved in some way.

But I wanted to make sure that was brought back up to or looked at as a possibility.

Michele Neylon: And that Michael Collins and then Mikey have both got their hands up. Michael Collins.

Michael Collins: Yes, thank you.

Michele Neylon: Sorry about that.

Michael Collins: I just wanted to comment on the first comment and just simply go on record saying that I don't think research on whether highjackings warrant

development of procedure for policy. I think it's clear to most of us that it doesn't take very many substantial highjackings to create a big problem.

I think it's certainly worth our time. Thank you.

Michele Neylon: Mikey.

Mikey O'Connor: Yes, this is Mikey, I pretty much echo Michael's comment that, in terms of the matrix, yes, you know, work group view, does the incident warrant further - future development. You bet. And then also chime in behind Tim's comment that, I think one of the possible responses is indeed the notion of slowing down both further transfers between registrars and the possibility of slowing down changes to (DNS).

I think that a good response to a runaway train is to slow the train down.

Michele Neylon: Okay. Anybody else have any thoughts on that? Okay. Right. "Does instance of highjacking warrant development of new procedure?" Does anybody think - that incidents of highjacking warrant - does not warrant development of new procedure? It's a horrible sentence.

Does anybody think that we're wasting our time even looking at in light of the number of high jacks or lack of them?

Does everybody think then that highjacking does need to be looked at?

Man: Yes.

Michele Neylon: Yes. Fine. Okay. So nobody's dissenting on that? Okay.

Chris Chaplow: It's Chris here. I'm not dissenting on it, it just we don't know numbers do we? We just have a feeling that something needs to be done? Just thinking on that word into those things?

Michele Neylon: Okay.

Mikey O'Connor: Mikey...

Michele Neylon: Go ahead Mikey.

Mikey O'Connor: I think Michael Collins nailed it when he said, "It doesn't take very many substantial highjackings to prove the need and they're certainly documents that can describe this substantial highjackings that have already taken place."

Michael Collins: I'm good, as well, as well as the word is incident, not incidents, so it's not actually a plural, it's just incidents as in that happens.

Mikey O'Connor: Right.

Michael Collins: So it wasn't actually...

Tim Ruiz: This is Tim. I'm sorry, I can't get my hand up on that. I don't have access right now and...

Mikey O'Connor: That's okay.

Tim Ruiz: I'm actually working off printed documents, believe it or not.

Michael Collins: How old school.

Tim Ruiz: But, yes from - you know, one thing to keep in mind is the SSAC has done, did do some research into that, so there's that highjacking report, you know, that we referenced and but - so I guess I agree. I'm not sure you know, additional research is needed.

I think there's some good material there. I don't think much has changed since then, since nothing's really been done.

And you know, the problem with highjacking is - what happens is it's either you know, big profile situation that really gives the industry a black eye when it occurs, you know, such as the panic incident, or you know, it's easy to you know, sort of push it aside in other cases, because you don't get- they're not very public.

However, you know, the -anybody involved in it, I mean, you know, we're talking about possibly devastating them financially. You know, when you're talking about small businesses or home run businesses.

So I think it doesn't take a lot to make it an issue that probably should be looked at before it really, you know, gives our industry, you know, a black eye, bad reputation. We've got enough of that already.

That's just my personal opinion.

Michele Neylon: Okay. Okay, so we all agree that the problems with highjacking -- we've got the SSAC stuff and everything else and okay, so the working group here is yes, it's valid.

Should we be adding in something here about next steps follow up Marika?

Barbara Steele: Michele? I'm sorry. I had my hand up. This is Barbara.

Michele Neylon: Oh hi. Sorry Barbara. Go ahead.

Barbara Steele: Okay. I know that, you know, the discussion that we've had within the registry stakeholder group, is that we do feel that it is a valid issue that does need to be discussed. We're just not certain that it actually was intended to be

addressed by the transfer policy itself or the dispute policy that's associated with that.

Michele Neylon: Okay. So what exactly were the registries thinking about?

Barbara Steele: Well, I think it's something that the industry overall probably should address, it maybe should put some best practices in place. But I don't know, you know, again I don't know that we feel that a modification to the transfer policy itself is necessarily the way to go with it.

Michele Neylon: Okay. Anil George?

Anil George: Hi. I just wanted to say that, you know, the SSAC report, I thought was pretty valuable in assessing the problem and offering, at least, some practical suggestions for us to consider.

And I know our sort of mandate for this committee is drawn from that. And I think I would think it would be a reasonable thing for us to kind of review that SSAC report and really look at some of their specifics and maybe have that in mind as, you know, practical things to really consider how it - whether they should be implemented, how, that sort of thing.

Tim Ruiz: Michele this is Tim again.

Michele Neylon: Go ahead Tim.

Tim Ruiz: Yes, just was going to comment on what Barbara said. I think that she makes a very good point. And you know, there might be though a situation where, based on what we think best practices are to be, that there might need to be some tweaking at least of the policy perhaps in order to make those best practices work for you know, make them viable.

So, but that we won't know until we can, you know, explore a little bit what those best practices might look like that it certainly could mean that we might need to tweak somehow the policy to make that workable.

Michele Neylon: Okay. Mikey.

Mikey O'Connor: This is Mikey. I wanted to follow up with Barbara too. Barbara how strongly do the registries feel? I mean, one of the things that starts to emerge in my mind is the notion of changing that word may to should or must in the policy, so that we get a uniform 60 day ratchet on, you know, registrar transfers.

Do - would the registries throw their bodies on the tracks over this or I mean, I guess I wanted to get a sense of the political side?

Barbara Steele: No, I don't think that they would throw their bodies on the tracks for that Mikey. So I mean, we're obviously open to discussion, because we do recognize that it - there are a lot of serious issues around it and as everyone has said, it only takes one, you know, high profile highjacking to really bring a lot of attention to it.

Mikey O'Connor: Yes, 'cause, you know, one of the nice things about that particular one, is that it strikes me that it probably doesn't operationally disrupt registries and registrars as much, since many of them are already - they're aware, at least aware of it, and many like in the case of Go Daddy they're already doing it.

And so, I'm attracted to the instance for which there's already, you know, a basis in current operations.

I don't know - you know, Paul does your gang over at Network Solutions have a similar sort of slow down the train approach to inter registry transfers?

Paul Diaz: Yes, this is Paul Diaz. Yes, we do Mikey I can't go into great detail. It's a little - my understanding it's a more sophisticated calculation that we do, then what

some of the other registrars do in terms of our slowing down or even blocking a name.

But yes, we definitely have something in place to help mitigate against illicit transfer attempts.

Mikey O'Connor: You know, this is Mikey again. I guess the thought that I've got, is that you know, it sounds like our goal is shared, which is highjackings a big problem and to the extent we can, it would useful to slow the process down.

And then, as sort of a consumer advocate type, on the other side, I'd be willing to work with folks to find a way through that with the least operational disruption to the registries and registrars. But that might be a pretty productive kind of conversation and maybe what we could do, is explore some of the options that the different, you know, like Network Solutions and Go Daddy and others have.

Michele your gang for example, in terms of...

Michele Neylon: Oh we're small - we're tiny.

Mikey O'Connor: Yes, I know, but I mean, you know, we need to address the needs of tiny as well, because I don't want to lay huge operational burdens on folks and at the same time I would like to figure out a way to slow the train down.

And so, if we could figure out a way that did that, that didn't burden anybody unnecessarily, I think then we've got a solution that everybody could (unintelligible) might happen.

Michele Neylon: Well and then the other thing as well, which I suppose just to throw kind of massive spanner in here, is how many of you have seen the various signs new service for higher value domains?

Barbara Steele: That would be called the registry line service.

Michele Neylon: Exactly.

Mikey O'Connor: I have - this is Mikey. I have not, but you know, that could go into the pile of options that we could take a look at.

Michele Neylon: Barbara could you give a note - give Mike an overview of that service?

Barbara Steele: Sure. Basically what it is, is that registrars can identify high value names and basically come to the registry and provide us with a list of those names and we would put you know, various service hold statues on those names to prevent either changes to the name servers or transfers of the domain name what have you.

And in order to unlock those domain names, basically it would - in order to make changes to those, the registrar has, I believe, it's two authorized individuals who can basically contact us, provide various authentications to authorize us to unlock the domain names to the extent that they want to make changes on those and then we would lock those back down, once those changes are made.

So basically it provides an added layer of security, so that those domain names are not modified unless this additional step is taken. That's the nutshell version.

Mikey O'Connor: This is Mikey. That's intriguing. I have a number of...

Michele Neylon: One thing, I'll just interject very quickly, is what she didn't tell you was how much of the cost. It's not free.

Barbara Steele: That's true. It is not a free service and quite honestly, off the top of my head, I don't have the pricing.



Michele Neylon: I do, but I'm not to sure if I'm have to share it with you. Marika you wanted to jump in?

Marika Konings: Yes, I just had a question, not on this issue, but more on the discussion on you know, talking about maybe having a two week or 60 days prevention of a contract -after a contract.

And I was just wondering and it's probably a question for Tim and Paul, do you get any complaints about that policy? Are people - are there some other certain scenarios where you know, people are not happy about having that lock on it, just to take it into account, as well, for the discussion, whether you know, there would be parties or certain scenarios where people might not like that policy?

Paul Diaz: This is Paul. There's always somebody who complains about everything no matter, the old adage, "Of no good deed goes unpunished", but in - at least in Network Solutions case, we have over the past two years now, continued to refine the calculation that we do to lock a name.

We used to get a lot of complaints because we took a broad brush. We've continued to refine it, a whole series of things must happen, before we do it.

The other thing ultimately in the important characteristic that we put in it, is lowered the complaint level dramatically, was that, and individual can still always call into customer service and once we are reasonably assured that this, in fact, the legitimate registrant, and there are a couple of basic things they can do to prove their bonafides, we will unlock the name upon their request.

And overwhelmingly, in the instances where somebody's calling in and doing that, they also said, "Yes, it took a couple of minutes, but they understand what we were doing and they appreciate the effort that we were undertaking."

The people who have complained are usually the ones that are actually trying to gain the system and even then, it's important to note that, we've seen a dramatic decrease in the number of complaints given the sophisticated matrix that we go through before we lock a name.

Tim Ruiz: Hey this is Tim.

Mikey O'Connor: Go ahead man.

Tim Ruiz: While we're not that sophisticated, because we just - it's just a blanket rule that if you transfer a name into Go Daddy it's not transferable out for 60 days.

You know, the only way around that would be if somebody called in and we were able to work something out with them through customer service, which customer service isn't really empowered in that particular case. It would - it'd have to go up probably another level before we would allow it.

But the number of complaints we get on that, is - they're very minimal. We - I just don't even recall that as being an issue that's very often discussed at all, as far as, complaints that we receive.

Mikey O'Connor: Okay. It's Mikey again. So I think we've got two threads that we want to consolidate some. It seems to me that the registry service that Barbara's describing is - it that's something I'm transit at finding more about and Barbara may you and I can carry that on offline, 'cause I've got some very high value names and I'd like to explore how I could get the service turned on. They're just all - if we could figure that out.

But in terms of...

Michele Neylon: Terms events made Mike and I'll charge you a fortune for the service.

Mikey O'Connor: Oh good, then I'm sorry transferring domains out of the existing registrar is why I'm on this task force, and I'm not transferring...

Michele Neylon: Okay.

Mikey O'Connor: ...though I'm damned if they'll get there. Meanwhile, I think that in terms of the thread on the matrix, first of all, I think this is very productive thread and if we could summarize it by saying, yes we agree that this is -warrants development of a new procedure. Yes, slowing the process down seems like a good idea. Yes, there's language in the current policy that could perhaps be changed. And yes, there are some options to explore.

Maybe we leave this cell with that summary in the next steps follow up column and try and get onto another line in this matrix, 'cause if we're going to get through this whole matrix on the call, we've got a...

Tim Ruiz: Could I just make one suggestion. This is Tim. Just one suggestion Mike and that is, that in regards to a new procedure instead of just yes that you know, that might be maybe, you know, it may not need a whole procedure. It may just need, again, as I talked about tweaking of the policy to make certain other practice is possible.

So I'm not sure, you know, a whole procedure is necessarily called for. Perhaps, but...

Mikey O'Connor: Perhaps.

Tim Ruiz: ...but it's not definite. Yes.

Mikey O'Connor: I mean, I don't want to nail that in there. I agree with you there Tim, if we can figure out a less intrusive way to get her done, then fine. But I think in terms of the summary of our position, at least on this call, it seems like we're pretty aligned and that we may want to just leave it at that for now.

I mean, another way to do is, is drive this one all the way to the end to our position for the report on this call. And I guess I'd throw that back to Marika and Michele in terms of how you want to run the meeting, 'cause this is pretty productive discussion and maybe we could just drive to our conclusion right now.

Michele Neylon: Well, Marika's probably better - has a better idea of what the actually processes are. I mean, personally, I'm happy that people are actually discussing stuff fruitfully, instead of going around in circles.

Marika do you want to - have any thoughts?

Mikey O'Connor: We always are productive.

Marika Konings: I completely agree with your assessment. I think I'm gone for having a productive discussion. It's good to go down that track. Eventually, at some point, we'll come back again to the public comments.

So, whatever the group decides.

Michele Neylon: Okay. Tim do you want to comment again?

Tim Ruiz: Yes, you know, just one thing I was thinking while I'm looking at issue A and issue B, just to kind of throw a suggestion out, is that you know, they are related in a lot of ways that we're talking inappropriate transfers, whether it's a highjacking or you know, a subtle difference would be if you know, an admin contact transferred a name without the registrant permission or there's some dispute between them.

And so really, you know, in a lot of ways, it seems like whatever resolution we could find would solve both issues. Now, perhaps not, but I think that's a possibility.

So necessarily considering those as two separate things, you know, we might want to consider that - they're related, at least very closely as we're looking at the possible resolutions.

Michele Neylon: Okay.

Mikey O'Connor: Mikey.

Michele Neylon: Mikey again.

Mikey O'Connor: I'm keen on that idea. I think that you're right Tim. I think that really the notion that's popped into my head today, is that the best solution for these kinds of problems is to slow the process down, to give various sides of the complaint time to resolve it before the damage is irretrievably done.

And so, I think that solutions that arrive that, probably solve both of these problems at the same time.

Michele Neylon: Just I dive in personally, as well, I mean, the - one of the things that's from my prospective personally, I think that it's imperative, is that - while slowing - I like the idea of the slowing things down concept, but I'm also very much in favor of least damage. In other words, the - somebody - I've mentioned it before about rolling back the name servers, if there is a dispute.

Mikey O'Connor: You know, I - this is Mikey again. I agree with that comment as well, although in some cases, it may be that there's more gray area there. I mean, one of the things that appeals to me about Tim's and Go Daddy's approach, is that it's just simple. It's just click 60 days.

If you really, really want to do something out of the norm, you have to convince us, but the norm is 60 days, end of story.

And the nice thing about that, is just the simplicity of it all.

Tim Ruiz: This is Tim. I think no what that doesn't necessarily address Mike is that if a name gets transferred inappropriately, you know, just slowing down or just not allowing that to get transferred again for a period of time is probably helpful in that, you know, we've got to kind of keep things static 'til we get things resolved.

But if, you know, someone's livelihood or it's really high profile or whatever, that the domaining that's involved, getting that- getting the resolution fixed, I think, is - I mean, that's the real issue.

You know, which registrar is valuing the domain name, it may need to get resolved and get another right - appropriate parties controlled blah, blah, blah. What the damage's being done, is that the name isn't resolved any longer to where, you know, if it needs to be or should be or whatever.

So it think there's that issue that could possibly be addressed by something like, you know, being able to roll back the name servers, while the rest of it's being resolved.

Mikey O'Connor: Oh, I see what you're driving at. Yes, I'm for that.

Michele Neylon: Marika?

Marika Konings: Yes, this Marika. Yes, I had a bit of similar point do we need the 60 day, there might be a good approach, but there's still the question how do you resolve the dispute around highjacking? Would that then be - would those 60 days be sufficient to go through a normal TDRP or should there still be something that expedites the - either rolling back or, I mean, return of the domain name.

So, there's still another element that we need to be addressed, I guess, as part of the discussion.

Michele Neylon: Just my own views, is I think they're two separate things. One is, if you introduce a uniform policy whereby it's no longer a matter or ambiguous, it might be, it could be, or whatever, period of acts between transfers.

But the other thing, is - you know, how do you address an inappropriate transfer? They're two separate things, if you follow me. In other words, one by introducing the slowing down thing, you're looking at solving the problem across the board, but you still have the problem of how to address an inappropriate transfer should it take place, if that makes sense?

Mikey O'Connor: This is Mikey. I think that you're right, but that Marika is also right, that we - in another piece of our...

Michele Neylon: Marika's always right. This is rule number one.

Mikey O'Connor: Yes. So I think that it's okay to have them separated for now, but eventually what we're going to have to do, is reconcile the two to make sure that they don't, you know, if we come up with solutions, that the solutions don't conflict with each other and I bet that's what Marika's really driving at.

Michele Neylon: Okay.

Tim Ruiz: And this Tim. It's - so it's another, you know, way to look at it, may be that, you know, we have the (EDRP). We have the (PDRP), if I got that right, too many acronyms. So there are some dispute resolution processes that exist and then in other cases, you know, either one of them might not really work.

You know, the reasons or the situation behind an inappropriate transfer can be so varied, and that's what part of the problem is, is that you know, I've talked about, you know, urgent return of resolution and that word urgent means we can urgently solve a problem after we figure out what it is, but it's

figuring out what the situation is that really takes a lot of time and it's difficult to hurry that and really make a right decision.

So, that's where you know, the idea that what can we do to minimize the damage while we allow the necessary time for the situation to get resolved appropriately through, perhaps, are really existing processes and you know, when one of those might be to you know, just solve the resolution issue immediately and while the rest of it's getting resolved.

So that's kind of where I was at on that, that - and so I don't know if we necessarily need, you know, to have a different dispute resolution process, but just somehow to be able to minimize the damage while allowing the time for maybe existing processes to work.

Mikey O'Connor: This is Mikey. I think that paragraph's probably worthy of the report, because I think that really encapsulates what we're struggling with here. The notion of providing time for existing processes to work and adding Michele's minimizing the damage notion.

And I think now we're sort of at the nub of agreement.

Michele Neylon: Okay. Any other thoughts on that at the moment? No. Okay.

Mikey O'Connor: That might be if you put it in the BC constituency statement and look really fine.

Michele Neylon: We could do that, which would mean we'd actually get a statement from the BC which would make me really happy.

Mikey O'Connor: Yes, I'm working on that. I think you'll get one.

Michele Neylon: I already pinged Rodenbaugh. Unfortunately, I can't poke him the eye virtually via email, but if I could, I would.



Mikey O'Connor: Well, Berry Cobb and I are hard at work as your drafting team here. So...

Michele Neylon: All right. Okay, then - there was another comment there, "Working groups are first at satisfaction of some TDRP". That's TDRP which one's that now, that's the one which is currently in place where we escalate to the registry? Is that correct?

Barbara Steele: Correct.

Michele Neylon: Okay. Fine. Anybody have any thoughts on that?

Mikey O'Connor: This is Mikey.

Michele Neylon: Again. Hello Mikey.

Mikey O'Connor: I'm wondering if we have - I think, every time we get a statement assess the effectiveness before we act, my immediate reaction is, have we already done such an assessment that the person that broached the comment doesn't know about.

In the last one, we've already got an SSAC report on the first one. Is there work that's been done already on the effectiveness on the TDRP that we could...

Michele Neylon: Well, I think we already discussed how many TDRP's there have been in previous calls. I think the number was miniscule, but somebody could correct me on that.

Mikey O'Connor: Yes, that's true.

Barbara Steele: This is Barbara. Yes they're from Verisign's prospective we've seen very few relative to the number of transfers that are completely especially.

Michele Neylon: Did you actually - Barbara did you have an actual figure on the number that you'd seen per year?

Barbara Steele: Oh, I don't. We do include you know, that information in our monthly registry operator report. So we can go out and pull it, but I don't have it in front of me.

Michele Neylon: If you wouldn't mind getting us some kind of figure so we can just say concretely, okay based on Verisign's experience, there've been X number in a period of Y. Therefore, you know, we feel the following or whatever. If you wouldn't mind Barbara that would be appreciated.

Barbara Steele: Sure, I can pull the information from say 2008 and I'll send that over. I think that, that I believe it was Paul and Tim on previous calls had made some, you know, pretty significant comments though.

Paul Diaz: That's why my hands...

Barbara Steele: Product reviews our results at the registrar level before even getting to us. So if you're just...

Michele Neylon: Oh you know, I...

Barbara Steele: ...TDRP, then I can't provide you that data, because that is what comes to the registry.

Michele Neylon: Well, exactly - you know, this is the point being - the question is being- the comment is referring to the TDRP, which we just need to - just so we can address this.

Paul you have you hand up and so does Michael. I'll take Paul first.

Paul Diaz: Okay. Just for follow on what Barbara said, in previous calls, both James and I have noted what Barbara said that very often because of the way the TDRP's currently written, registrars very often feel it's in their customer's best interest to work it out amongst the registrars, i.e., a really small subset of disputed transfers actually make it up to the registry level through the form TDRP process.

I have no problem with providing whatever the stats are. We just need to make it extremely clear to people that those are the stats based on what reaches the registry level and that it's clearly understood that many, if not most registrars, have informal processes in place to try and resolve inappropriate transfers at the registrar level, that the - any (TD) - official TDRP stats are really going to under represent the volume that's going on.

With that said, it will be very difficult for us as a registrar. I believe most of the others will be the same, to provide statistics on the incidents that going on. That's just information we don't want to share publicly. It's fair enough to say though, that it is enough that it is a serious cause of concern and some participation, this particular working group, and our request to take a look - a much harder look at the TDRP to try and firm up the process, make it a more effective and consistent tool in fighting inappropriate transfers.

Michele Neylon: I think one of the things that came up previously Paul, was either yourself or James was if you went down the TDRP route, it would slow the entire thing down quite a bit. It was like - would that be correct?

Paul Diaz: That is correct. That's why I said, it's- we usually calculate it. It's in our registrant and customer's best interest to try and work it out individually with the other registrar involved, because the process is just that, it's a process that takes time and the registrant often is not willing to wait.

You know, they want to try and resolve this as expeditiously as possible.

Michele Neylon: Okay. Michael Collins?

Michael Collins: Thank you. I just wanted to say that I think that any data or research that we do to assess the effectiveness of the TDRP, in this case we're talking about urgency, should include a - how long they take to be resolved, 'cause I think that's really what we're talking about in the way of effectiveness, not whether they eventually resolve the dispute, but whether they were able to do it in an urgent manner.

Man: (Unintelligible).

Michele Neylon: Okay.

Mikey O'Connor: This is Mikey again. So I think there are couple of things that we can pull out of this conversation. First, I think there's a difference between incidents, the number of times that the formal process is actually invoked and effectiveness.

And I would throw in the proposition that, part of the measure of effectiveness is the degree to which the option of the TDRP helped the registrars resolve the disputes before they get to the TDRP.

And I'd also support Paul's comment and others that maybe what we need to do, is take a look at the TDRP to find ways to make it more effective than it is right now.

Because it sounds to me, like we have agreement that we want to improve this for a variety of reasons, whether or not, there are a lot of actual incidents, because right now what's happening is that, the registrant's interest are being protected essentially one layer away - or one layer before they reach the TDRP and perhaps we want to strengthen that to make it more consistent.

I mean, if the dispute is over a name that transfers between Go Daddy and Network Solutions, my confidence level is pretty high. If the dispute happens

where there's a registrar that doesn't participate for one reason or another, life gets a little bit more complicated.

And so, I think that my concern is that word assessment in this column. I think we could take a long, long time constructing that assessment of the effectiveness.

When in fact, our opinion is actually fairly advanced in our thinking and that we might want to say, we're not going to wait for a research project. We're going to go ahead based on the knowledge that we have in the working group and propose a solution.

Michele Neylon: Okay.

Tim Ruiz: And this is Tim. You just - from our prospective, from Go Daddy's prospective, I would just say that it seem us that the - you know, one of the reasons why we try to resolve these without filing a dispute, is that like Paul said, it is - it's quicker. It's of the best of interest of our customers, etc.

But I guess we feel like that probably will always be the case, that we would prefer to try to resolve that as, you know, part of our, you know, effort to provide good customer service or whatever and that's always going to be quicker when it's done between the two parties that are directly involved.

And you know, while we may be able to look at, you know, some tweaks to the (TRRP) that might make it more effective or you know, more timely or perhaps, but I don't think that it'll ever be as fast or faster than when the two parties involved just get together and you know, resolve the problem, 'cause as soon as you have you know, a third party that has to then play an intermediary or you know, then all of a sudden the other two parties start getting you know, a little more concerned about what they say or what they provide.

And you know, it just sort of is not conducive to making things faster. I mean, it isn't useful in cases where you can't get, you know, the other registrar to cooperate, but I don't think it's necessarily ever going to be you know, the chosen method or the preferred method to solve the disputes, at least in our kind.

Mikey O'Connor: This is Mikey. So if we were to look at the current more effective part of the process, which is the registrar and a registrar conversation, are there any tools that you feel could be provided to make that conversation - make that informal conversation- I don't want to call it informal, but you know what I mean, that conversation more effective, in that are there times where the threat of the TDRP is the only thing that keeps the process moving or is the TDRP just completely irrelevant and that we ought to acknowledge that the preferred and perhaps the only avenue for this conversation really ought be between the registrars?

If in fact, hardly any of them...

Tim Ruiz: No - this is Tim, Barbara might have a different opinion, but I think from what we see in a - in any case, that when something goes to TDRP it very - it will often just go to its default. In other words, you know, the registry ends up having up to make a decision based on the information that it has and it doesn't really get necessarily a lot of cooperation from the other party against which the dispute was claimed against for the other registrar.

So they get the information from the filing registrar and it's pretty much the basis upon which the decision is made. And I think that, you know, it should be - can kind of be expected.

When something happens between registrars, the issue that probably comes up most often from our experience is just one of indemnification, that you know, the parties are nervous about doing anything, because you know what,

they put themselves at risk of a lawsuit or who knows what if they make the wrong decisions.

So that's usually the thing that you know, takes the most amount of time and resulting of between two registrars at Go Daddy's, what we try to do is work that out, you know, with registrars who are willing to cooperate and then we just work it once and we have a situation where then we can address the you know, transfer issues if they come without having to, you know, address the indemnification issue every time it comes around.

Whether, I don't know, if this would do anything about that. That probably would be a little more difficult to try to resolve. But, so I don't know if that helped or not, but that's just kind of our experience.

Michele Neylon: So Anil George and then Barbara Steele will jump in.

Anil George: Yes, I just wanted to comment. I think it's insightful to hear that. Some registrars who definitely are more responsive, they feel that bringing the parties together or the registrars together to resolve things is useful.

I think that's a valuable point. I think the issue really lies in, in the absence of these more responsive registrars or smaller ones that may not use such effective methods, what do we do then? Don't we need something to help in those situations some best practices or something to remedy that, so that the registrants who are - who may be really devastated in terms of their business, what can they do?

Michele Neylon: Barbara Steele you had your hand up.

Barbara Steele: Hi. Sorry let me get somewhere where it's a little quieter. I'm actually working remotely today, so hold on just a second.

Michele Neylon: Okay. Michael Collins still has hand up. Barbara I'll come back to you in a moment.

Barbara Steele: I'm actually okay. Sorry.

Michele Neylon: Oh, you're okay. Okay, go ahead.

Barbara Steele: Yes. Sorry, I'm in the garage at this point. I just wanted to say that I do agree very much with what Tim was saying and the fact that a lot of times we do get very little cooperation from the respondent to a request for enforcement that's filed with us.

But I also do have some numbers relative to the number of disputes that we've seen so far. Through - actually June of 2009, that's the information that I can release, we've seen about 209 cases filed with us.

So obviously considering that we do, you know, hundreds of thousands of transfers, that is a very, very small number. So very few of them actually...

Michele Neylon: Sorry Barbara is that in one 12 month period or what period?

Barbara Steele: Actually in 2008 we had 35. That is since the transfer dispute resolution policy went into effect 2004 that we saw 2009.

Michele Neylon: You have 35 in 2008.

Barbara Steele: Yes. And so far this year we've seen eight through June, which is the only information that I can release. That's the only information that's public at this point.

Michele Neylon: So it's about one point something per month?

Barbara Steele: Yes, it's very, very low.



Michele Neylon: Okay. I'm - it's timing.

Mikey O'Connor: So this is Mikey. It seems to me that this might be a process that's working better than we think and that we just need to describe it well for others to understand better, because it seems to me that the idea of taking the TDRP away is a bad idea, because it's the final, final, final, final safety net for the really, really, really, really unresponsive registrar and a really difficult conversation that otherwise normally takes place between registrars and that we simply want to describe that process as accurately as we can without divulging secret stuff.

And encourage registrars who don't participate to do that, but if they don't, then this TDRP is the final, final, final right now, when all other effort is taken.

Michele Neylon: Anybody else?

Marika Konings: This is Marika.

Michele Neylon: Hi Marika.

Marika Konings: One comment I had on the numbers and it you know, it comes that they're low so it must be working well. Because one of the things, you know, there's some questions related to the TRP coming up later and the follow-up at PDP. They are still outstanding. And I think one of the questions that is raised in the content as well is like, is the number so low because these issues are resolved.

Or because registrars, you know, don't really like going through the process because it's cumbersome. I guess there are costs involved. It takes time. So, you know, looking at a tier, a team might require a bit more than just looking at how many cases are filed. And also links to this question - as it is only

possible at this stage to call for registrars to file a procedure, not for registrants.

And I think it's one of the questions that comes up as well in the later PDP, you know, whether a discussion would (be) had. Whether the discussion should be open as well for registrants to avail themselves of.

Michele Neylon: Okay.

Mikey O'Connor: This is Mikey again. We've talked a lot about this in previous PDP (unintelligible) securities working groups. And it always seems to get down to a question as to whether registrants should be able to pull the trigger on this or not. And one of the, I guess what I'm hunting for is that - is there a way for us to get to some insights into how the registrar to registrar conversations go without giving away secret data.

Because it seems to me that the real kind of consumer question here is how effective is the registrar to registrar process? Because that's an informal one shrouded by the need not to divulge facts.

We're sort of at sticking (unintelligible). And so I guess I'm throwing this one to Paul and Tim especially?

Michele Neylon: There's one thing that I...Was this going to be a 60 minute call? Because it seems some people are dropping off.

Barbara Steele: Yes, I'm going to have to jump off. This is Barbara. I'm sorry I have this hard stop date at 11:00.

Michele Neylon: That's no problem. Thanks Barbara.

Barbara Steele: (Thank you all).

Mikey O'Connor: Yes, I can go for an hour and a half, nevermind.

Michele Neylon: Marika.

Marika Konings: This is Marika. We decided that, you know, at the start of the working group, that, you know, pencil in, it would be 60 minutes but we could go to 90 minutes.

Michele Neylon: All right.

Marika Konings: People would have time and be available. So there's no...

((Crosstalk))

Michele Neylon: That's okay, just checking - just double checking.

((Crosstalk))

Tim Ruiz: Michele, this is Tim. I have some comment if we have time?

Mikey O'Connor: Yes, let us tie this one question off and then maybe we can return. And back to Tim and Paul. I mean, you see where I'm going with this. It's just - it's as though the bulk of the issue is in a process that is difficult to document for practical reasons. It's, is there some creative way that we can figure out how to get insight into how that process is?

Tim Ruiz: Well, yes this is Tim. I can see about that. I think that probably something to that effect that we could share. But again, part of this problem is that there isn't really any, I mean that, the situations are so varied. You know, that there isn't anyway to, you know, necessarily say this is exactly what happens in every case because that they vary quite a bit.

But I can see what we can do there. But the other thing I wanted to comment on was just, you know, what Marika was saying about some of the future questions that we'll be facing. And I think, you know, one thing is that the issue of registrants supplying, you know, submitting a - they're own TDRP. You know, that was discussed when this policy was developed. And there were a lot of reasons why that wasn't, whether there was an implements. You might want to go back and look at that when we get to that point.

And, you know, the other thing is that well, what happens. And I think probably what the issue is. Is that when, you know, Go Daddy will run into registrars who, they are still not responsive. They won't, they don't reply to the email, we can't get them on the phone. You know, there's just nothing we can do. We can't get a hold of them, period.

So there's no way to resolve a transfer dispute when it comes up between those two parties. So I can imagine that when two registrars, when the registrant has a problem between two registrars like that. That, you know, they probably run into the similar situation. They have difficulty getting any kind of response from either one. They're just not dealing with it at all. And so the registrant is kind of stuck. And that's probably where this question about you know, registrants be allowed to file a (PDRP), kind of comes up.

But I think, you know, that's a narrow way to look at it in my opinion. You know, if we have registrars like that. I think that's just one issue. And you know, it's, the problem is much bigger when you have a registrar who just isn't going to be responsive to complaints, or calls, or their customers, or anybody else. That's a whole different issue and I think that the, how that's resolved has got to be a much bigger picture than just looking at a single funnel problem with like transfers or something.

Mikey O'Connor: Well this is Mikey just on that last point. You know, I'm always conscious of operational intrusiveness. But is there a way to find out how many times that problem pops up or, any you know...

Tim Ruiz: Which problem exactly Mikey.

Mikey O'Connor: The non-responsive registrar.

Tim Ruiz: Okay.

Mikey O'Connor: I mean clearly one thing that would be from the consumer standpoint very helpful is some light on this. So that if there are registrars that are repeatedly not participating in the kinds of conversations that consumers know about those so that they don't use those. And that if they, be it seems that if a consumer had one.

If the consumer could get one registrar to respond to them, presumably their own. Then they've at least got a leg-up. But if they've got, if they happen to subscribe using a non-responsible registrar and then transfer happens to another non-responsive registrar, that's when we really run into the trouble.

And maybe (unintelligible) resolves that rather than a policy thing. So, it's, you know, that's where I'm kind of hunting for creativity. Because the issue is really that time when the registrant has no place to stand because neither registrar is responding.

Man: Yes. I don't disagree Mike, I just question whether the solution to that is, you know, whether we want to address it narrowly just for transfers or whether we want to look at it in a bigger picture way.

Mikey O'Connor: Yes, no, in...

Tim Ruiz: And then, you know.

Mikey O'Connor: ...In terms of the big picture.

Tim Ruiz: Yes.

Mikey O'Connor: Creative would be good.

Tim Ruiz: Yes. But as far your question about the data. You know, what - after, again, after we can pull together from Go Daddy that will be helpful to the group.

Michele Neylon: Paul Diaz has his hand up.

Paul Diaz: Yes, they - just to echo what Tim just said. You know, the big picture question looked at a lot of excellent points were made in the last ten minutes and the, this working group search for data points or sunshine. You know, we probably should go back to ICANN Compliance staff. The challenge here is that you know, we have to remember this group, it's charter is focused on issues with the transfer policy. You know, we've seen in, can't remember, it's the beginning of this one. And it's certainly in (other) working groups, where you know often the data that compliance staff has is sort of a little muddy because of a particular problem that's reported.

They don't have a high degree of granularity on the issue. A registrar that is not responsive, you know, it could very well be - has a direct impact on a inappropriate transfer. But, you know the could be a compliance issue just because they're not meeting the (RAA) requirements to have, you know, phone number and you know, the points of contact, et cetera.

You know, so we might ask staff to see if they can at least directionally shed some light. And like Go Daddy, like Tim just said, I'll go back to our staff. I just, you know, want to couch that the - any stats that we might be able to pride and what-not are probably not going to be very detailed because of the sensitive nature, what we're talking about. And even if, whatever we do come up with - go back to points made at the very beginning of the call.

I think Michael Collins made, you know, that with all the transfers that take place, fortunately only a relatively small subset. Are there ever any problems involved. However, for those registrants who do have problems with the transfer whether it was fraudulent or what have you, you know, that's enormous, almost incalculable.

You know, what the impact is to them and so, just you know, advance asking advance for caveat that whatever date of points you may find, whatever stats we may have. But the reason we're here, working in this working groups is because it's been raised up at the council level that there are issues and we need to you know, look into them, see what can be addressed, what's realistic and that even if the numbers seem relatively small based on the data that we can collect, that we not diminish the importance they are to the end-users in trying to address or address these particular problems.

Michele Neylon: Marika, has your - has her hand up.

Marika Konings: Yes, no, I just wanted you to know that I'm happy to go back to the Compliance team to see if they can provide any other you know, this other data on these specific issues. I might ask them to have a look at the different charter questions and provide some input in that way. So, in going forward we can see as well, you know, what kind of complaint they receive and, you know, if there are any specific issues they would like to raise within the context of those issues?

Michele Neylon: So they have those, they made a presentation in Seoul and so with the number of registrars that they send some breach notices to and some other days I think, which was kind of interesting. And these are - compliances is wrapping up quite a bit from what I've seen. Mikey do you still have your hand up for us or is it just left there from previously?

Mikey O'Connor: No, my - I act as a brand new hand up.

Michele Neylon Okay, okay.

Mikey O'Connor: My, you know, I have lots of hands. It's like my hand Number 19, and so.  
Marika...

((Crosstalk))

Michele Neylon: So, you are basically an (octopus).

Mikey O'Connor: Yes, I am. I'm 19, I'm an octopus.

((Crosstalk))

Michele Neylon: Okay.

Mikey O'Connor: ...(at night it brings an optimist). Marika, when you go to the Compliance folks, could you see if you could get them to summarize the complaints by registrar. Because in a way what I'm interested in is, and the problem with that is, and the problem with that is because it is, because Go Daddy is going to get lots of complaints because it's really big.

So, that's not really what I'm interested in. What I'm interested in is finding if the compliance folks have a way of identifying the non-participating registrars in their data.

Marika Konings: I can definitely ask. I don't know if it's possible or whether that information is collected. But I'll definitely ask.

Michele Neylon Okay, anything further? No, silence?

Michael Collins: Well, oh, this is Michael Collins.

Michele Neylon: Oh, sorry.



Michael Collins: I only wanted to present an example of something and ask, you know, how this might play. I have heard second-hand of at least one case where someone had a domain name allegedly hijacked and then transferred. And they went to their registrar, which would have been the losing registrar in this case, and asked them to help them with it. And the registrar apparently didn't want to - maybe they made some contact and tried to resolve it, but beyond it they didn't want to file a TDRP.

The registrar wasn't unresponsive, but just didn't want to take that action, and told them that - told the registrant when they continued to protest that they weren't the registrant on the day it transferred. So they, there was nothing they could do about it. And so it makes - it --I think it's just an example of the case were someone I know would like to have a TDRP available to the registrant in a case like that. That's all.

Michele Neylon: So this goes back to the thing about, I think there was something in one of the comments about changes, where was I? I think it was (Issue C), whether special provisions are needed for a change of registrant when it occurs near the time of a change of registrar.

Paul Diaz: Hey, Michele can I just offer something?

Michele Neylon: Yes. Please.

Paul Diaz: Yes, this is Paul. I just, to respond to Michael. Michael, I'm not sure of the specifics of the case but the excuse that your colleague was given about their, that registrant not being the official registrant at the time. That's often the - an answer that's given when you go through the TDRP itself by the Registry Operators.

They will look, if, the name is hijacked, and often because somebody's using, let's say like a Hotmail account so that the transfer request comes in and

(Pramasatia) looks like it's legitimate. As far as the TDRP is concerned that was a, quote, "Legitimate Transfer Request" because of the, you know, the admin contact at the time of the request was, you know, that particular email request, whether it was hijacked or redirected, et cetera.

Michael Collins: Well maybe the registrar was just realistic and realized that the (PDRP) was not be effective and for that reason didn't want to bother with it.

Paul Diaz: Honestly, it could be any number of things and that's part of it. I mean, there is a sense of frustration amongst some registrars about the veracity of the TDRP process.

Michael Collins: Thank you

Mikey O'Connor: So this is Mikey on that. And then, two thoughts. One, maybe we do need to take a look at the TDRP, and address the problems it causes (described). And then second thought it, maybe there needs to be a mechanism where the registrant can issue a cry for help that doesn't invoke the full weight of the TDRP process. Be it the especially cumbersome difficulty process in that circumstance, you know.

Just a way for that, you know, because I think what the goal for the registrant is getting back to Michael's example. They, at that point got nowhere to go. And it's, so the initial thought was, "Well, maybe we ought to give them access to the TDRP." and I'm pretty sold on the notion that's not a good idea. Because of the nature of the TDRP. But I'm not sold on that idea that Michael's colleagues should have no where to turn.

And maybe what we ought to do is think about a way for us to take care of the registrant that's in that kind of situation. That's not as cumbersome as the full blown TDRP thing. But, gives them some avenue besides just saying, "Well, too bad, you're done."

Paul Diaz: This is Paul, can I respond to that?

Michele Neylon: Please.

Paul Diaz: Yes, Mikey. If you recall.

Tim Ruiz: Put time in the queue too please.

Paul Diaz: Okay, and we're going to earlier on in this working group one of our colleagues had noted that often, very often, in their experience they were representing a, from that IPC. You know, what they found is that the default is to, you know, pursue some sort of legal action and perhaps a UDRP, in these cases, rather than, they said, "In some cases, their clients weren't even aware of the (PDRP) process."

And I think the group as a whole said, you know, "We'd keep in the back of our minds, one of the outcomes of this might be, you know, recommendation for education about what mechanisms are possible." With that said, I very much agree and would like underscore on the point you just made that making the TDRP directly available to registrants is probably a very bad idea.

Certainly at this point given how the TDRP is constructed because ultimately you must have registrars in the particular registry involved.

And I think volume increase you would see if registrants could directly start filing their cases, filing their complaints I should say, without full understanding of how the process works, what the details are - likely will be a very frustrating thing for all parties involved. I'd really not want to go very, you know, seriously start considering that.

Rather would like to look at, you know, how do we tighten up the process. And then, how can we better communicate the availability of that tool to

registrants who find themselves in the situation where they should avail themselves to the process.

Michele Neylon: Tim wants to jump in. And guys I'm very wary of time.

Tim Ruiz: Yes. I just wanted to point out that, you know, the TDRP was never meant to be a, you know, cure-all for transfer issues. And it was recognized, you know, that it was probably, you know, going to be limited in what's to be done. Because some of the problems that surround transfers aren't necessarily to do with the transfer itself. It has to do with things that occurred before the transfer. That it is much more complicated than what the TDRP can deal with or, you know, at least in my opinion should deal with.

In situations such as, the account. Someone's account is hijacked. Plus, the domains that were hijacked we assure you in reality it was the account that was hijacked. And, you know, registrant and other contact information was changed prior to the transfer ever taking place. So if it's a, you know, somebody transferred dispute resolution process, that fixed to resolving transfer disputes. You know it is going to be stuck at that point.

Because, you know, it's for all practical purposes, it may have looked like a good transfer. And so that's, you know, that's about as far as you can go. If we're going to dig back into what occurred before that and that's the whole other issue, is a problem that needs to be addressed perhaps? But, is that related just to transfers - I don't think so. I think it involves other aspects as well.

So I think, you know you've got to realize too what the limitations might be in trying to provide a UD - the TDRP. Keeping in mind that there are other processes, such as UDRP, in place. And, but I don't want us to get that, sometimes what appears to be what results, you know in a corporate transference might not have started with something that's beyond what the

TDRP was even meant to deal with drastically, probably even the fact that they can.

Michele Neylon: Okay, I see hands going up. And now guys, we want to go up at two minutes left. So, Michael Collins and then Mikey and please try to be. And I'm sorry, I won't say the word brief because that would be hypocritical of me, but try to be succinct.

Michael Collins That was a left over?

Michele Neylon: Sorry?

Michael Collins: That was just a left over, sorry.

Michele Neylon: Okay. Mikey?

Mikey O'Connor: I'll be brief. I agree with the notion that should give registrants direct access to the TDRP. I would like to just lobby one last time for the notion that registrants need a clear circuit breaker for when they get into trouble no matter what. And I agree with Paul's notion that good education would be key but, I want to leave the possibility out there that we make in-policy that circuit breaker clear or that suite of circuit breakers clearer to registrants than they are today.

Michele Neylon: Okay. Marika?

Marika Konings: Yes, this is Marika. Just before finalizing the call I just wanted to make sure that we get to point 6, confirming the next meeting. Because if we were continuing the two weekly schedule we would conflict with the ALAC (Axcom) meeting. I think we have one participant from the ALAC on, in this group. So the proposal was to have the next call next week.

Michele Neylon: Right.

Marika Konings: And then go and get to the biweekly schedule upon the breach.

Michele Neylon: Okay, personally I don't see any issue with there being a meeting next week, me personally. I can only speak for myself obviously. Does anybody else have any issue with the meeting next week?

Tim Ruiz: This is Tim. I would not be able to make it next week. I will be (traveling).

Michele Neylon: Okay, anybody else have an issue with next week? Tim do you know if James will be available next week?

Tim Ruiz: Yes, James will be.

Michele Neylon: Okay, so one of you will be available anyway. Okay can we, could we look at scheduling at 4:00 p.m. next week. And taking into account the fact that Tim won't be able to join us. Does anybody have an issue with that? Okay Marika can we proceed to - like that please?

Marika Konings: Okay, perfect.

Michele Neylon: No offense Tim but we'll take James next week.

Tim Ruiz: That's fine and I'm really in with this is as, primarily at the liaisons for the counsel although I do have a lot of opinions from the registrar's point of view but - so, that's fine.

Michele Neylon: Okay. Right then I think we better wrap this up.

Chris Chaplow: Next? Sorry - Chris here, next week the 17th.

Chris Chaplow: And then soon weekly thereafter. Or is this an extra one. Or just clarify.

Michele Neylon: Marika? Could you clarify that please?

Marika Konings: Yes, unless the group decides that it would like to start meeting on a weekly basis. Initially when we started off there was a preference to have bi-weekly calls considering all the amount of other stuff going on. So, it depends on the proposal was to go bi-weekly again, unless the group, you know, has any change in workload and the group feels they can go to weekly calls.

Michele Neylon: So, just to clarify, we'd have the 17th and then when would the next one be after that?

Marika Konings: Seventeen, and then it's the...

((Crosstalk))

Chris Chaplow: ...First.

Marika Konings: ...First Of December.

Woman: First of December.

Michele Neylon: Okay, fine.

Chris Chaplow: Then the 15th.

Michele Neylon: Yes, I personally prefer this is (unintelligible) bi-weekly. Every two weeks.

Chris Chaplow: Yes, I second that.

Michele Neylon: That's my personal preference. Does anyone have a strong preference for going weekly. No, fine. Okay. So move along with us and if there's any issues, people can just let us know by the list. Okay? Thanks everybody for

your time. And for those of you lucky enough, we'll get to spend time with each other later this evening.

Man: Woohoo, woohoo. Hot diggity-dog.

Man: See you then Michele.

Michele Neylon: All right. Thank you, bye-bye.

Mikey O'Connor: Later.

Man: Thank you bye, bye.

END