

**Inter-Registrar Transfer Policy Part B PDP  
Transcription  
Tuesday 16 November 2010 at 15:00 UTC**

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<http://audio.icann.org/gnso/gnso-irtp-b-20101116-en.mp3>

On page: <http://gnso.icann.org/calendar/#nov>  
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**Participants on the Call:**

Paul Diaz - Registrar SG  
Robert Mountain - Registrar SG  
Simonetta Batteiger - Registrar SG  
Mikey O'Connor – CBUC  
James Bladel - Registrar SG  
Berry Cobb – CBUC  
Chris Chaplow – CBUC  
Kevin Erdman – IPC  
Baudoin Schombe - At-Large  
Oliver Hope - RrSG  
Rob Golding – Registrar SG  
Barbara Steele – RySG

**Staff:**

Marika Konings  
Gisella Gruber-White

**Apologies:**

Matt Serlin – RrSG  
Michele Neylon – RrSG Chair  
Anil George – IPC  
Michael Collins – Individual  
Eric Brown – RY (all Tuesday calls)

Coordinator: This call is now being recorded.

Gisella Gruber-White: Thank you. Good morning, good afternoon to everyone. On today's IRTP call on Tuesday the 16th of November we have James Bladel, Mike

O'Connor, Baudouin Schombe, Kevin Erdman, Simonetta Batteiger, Barbara Steele, Chris Chaplow, Bob Mountain, Ollie Hope, Berry Cobb. And from staff we have Marika Konings and myself, Gisella Gruber-White. I don't see Marika on the line yet unless I've missed something.

And we have apologies today from Anil George, Michele Neylon, Matt Serlin and Michael Collins has resigned from the group. If I could please just remind everyone to state their names when speaking for transcript purposes. Thank you, over to you James. Paul Diaz has also just joined.

James Bladel: (Unintelligible). Thank you Gisella. And I do note that Marika sent me a note that she might be just a little late joining this call.

Gisella Gruber-White: Yes.

James Bladel: So we'll probably expect her to join here in a few moments. So good morning everyone or good day if you're in your afternoon. I'm James and I'll be the substitute teacher for Michele who is by the looks of his Facebook pictures having a lovely time in Rome.

So the first order of business you can see the agenda is there on - for those of you that are able to get into Adobe Connect - the first order of business is to provide everyone an opportunity to update their statement of interest or make any declarations with respect to any changes in their interest. So I'll - going once, going twice on that. Any updates?

Okay moving on to Agenda Item Number 2 is planning for the face to face meeting in Cartagena. Now this may be more helpful with Marika on the phone...

Gisella Gruber-White: Marika has just joined.

James Bladel: Oh.

Marika Konings: I'm on the phone.

James Bladel: Speaking of timing, hello Marika.

Marika Konings: Hi, I'm still driving but in a couple of minutes I'll be front of my computer.

James Bladel: Well just stay safe and I'll read through what we have so far. So it looks like we have a time slot on Thursday the 9th from 9:30 am to 10:30 am local time in Cartagena. And this is marked as a closed working group just for the members of the working group so it's not a public workshop.

And I guess the question is does this work for everyone? How do we want to structure this time? Do we want to make this a - I think the simplest answer would be a face to face version of what we do on the telephone calls or if there's anything specific that we would like to designate as an objective for this call. And I see Barbara is in the queue.

Barbara Steele: Hi it's Barbara. I was just curious - I'm not planning to attend Cartagena. Will there be remote participation available?

James Bladel: A good question and normally I think that that is the case. But I think I would defer to staff to understand exactly what facilities we will have available for this closed meeting.

Barbara Steele: Okay.

Marika Konings: Yeah this is Marika. I think we'll have the normal conference bridge and Adobe Connect available. So it shouldn't be a problem apart from maybe the time difference.

Barbara Steele: Okay thank you.

James Bladel: And Barbara I think for you the time difference to Cartagena is plus zero hours.

Barbara Steele: I was going to say one hour max but thanks.

James Bladel: Okay. And then Mikey is next.

Mikey O'Connor: Thanks James, this is Mikey. You know, one of the things we might think about doing is using that face to face time to tackle our toughest issues, the ERTTP thing and actually depart from the normal approach and think about some sort of exercise or, you know, brainstorming thing kind of like what we did in the first VI meeting in Brussels.

Just a thought that one of the advantages to face to face is just that; that you can see each other and the interaction is a little different. And so we might want to take advantage of that. It's not a real strong opinion but just a thought.

James Bladel: No it's a good idea and I think it's, you know, acknowledges that we have honed some of the discussions on ERTTP is tried to tackle some of the other topics and other charter questions. But if we feel like that's going to be a longer discussion face to face might be good.

I would note that the current time block is one hour. I'm not sure if that's a sufficient enough time. I'd be concerned - or I would be nervous about postponing such a large issue for just one hour's face time. But that's just my thoughts there. Bob?

Mikey O'Connor: Well and just to follow up quickly, James, this is Mikey again. It might be that we'd want to do some prep work. I'm not - I agree, I don't think we necessarily want to postpone that issue it's just I was thinking that there might be, you know, some prep work we could do and then kind of finish it off in that face to face meeting some time.

You know, by that time we will have had a lot of bar time as well and so maybe the combination of social time at the meeting plus a face to face to sort of tie it up would be good.

James Bladel: Sounds good. Bob if I could go to Marika first?

Bob Mountain: No problem.

James Bladel: Marika.

Marika Konings: Yeah this is Marika. Just on the issue of timing the meeting basically finishes at the start of a scheduled break so there is some flexibility I think to probably continue if needed. And I've also seen that there is no meeting scheduled in that same room even after that break so if there's a real desire and no other conflicting meetings the group has some flexibility there to go beyond the one hour slot.

James Bladel: Excellent, thanks, that's good to know. Bob.

Bob Mountain: Yes...

Mikey O'Connor: This is Mikey again just to jump in, Marika, should we sort of do a soft booking on that room just to hold it open so that we don't lose that slot?

Marika Konings: This is Marika. I'm happy to ask to extend it - would the group like to extend it to 11:00 then?

Mikey O'Connor: Yeah...

James Bladel: I think it depends on what's coming after that...

Bob Mountain: Yeah.

James Bladel: ...and what other folks may have in terms of conflicts.

Mikey O'Connor: Yeah. But maybe just for flexibility's sake it'd be good to get it reserved anyway.

Marika Konings: This is Marika. I'll ask if that's possible because we, you know, (Deb) told us that they wouldn't make too many changes to the schedule following publication but I guess this is a rather definitely minor one. And again, you know, with that flexibility we can still finish the meeting within an hour if the group feels we're done or if a conflicting meeting is taking place at the same time.

James Bladel: What if we requested - just jumping in here and looking at the whole schedule - there are a couple of meetings that run through that break at 11 o'clock. And what if we just extended this meeting from 9:30 to 11:00; an additional half hour so it's not a whole lot but that least it gets it, you know, on the calendar for a little bit longer time then if folks need to stay over that's - they can.

Because I think there's quite a few things coming up at 11 o'clock that folks may want to attend. But if we at least schedule it through that break if that's possible at this late hour.

Okay Bob, for real this time.

Bob Mountain: Okay, yeah this is Bob speaking. I think all the points have been made but I just wanted to reinforce I think it is a good opportunity to work some tough sessions or some tough topics like eTRP that are more difficult, you know, over the phone.

I would think that as opposed to a general session, you know, we should have probably a more tightly defined agenda with potentially even a

moderator, you know, specifically to prepare for that session to make sure we kind of maximize the use of the hour and a half or whatever we end up doing.

And, yeah, I fully agree with Mikey, you know, as much prep as we can do between now and then and advance work would be, you know, I think also a really good thing towards making sure we get the most use out of our face time. So that's all.

James Bladel: That's a good suggestion. And I'd like to hear more about what Mikey mentioned and how much of the vertical integration work could be used as a model for how they divided up into different groups and came up with different proposals and (intended) to merge them and synthesize them.

So, you know, that might be, you know, if you can maybe provide a synopsis of that on the list, Mikey, it might help us put some more structure around the face to face time if it's going to be focused on eTRP.

Mikey O'Connor: This is Mikey. I'm going to dive in and declare my incompetence. One of the things that I learned from the VI session is that while I am a brilliant and wonderful fellow in many regards I'm not the best at these sort of intensely structured moderated meeting kinds of things.

And so the person that I actually relied on a lot was Ken Bour because he's actually got skills in this area. Marika - well first to put it to the group, I don't know what people's reactions would be but if I were in your shoes, James, and Michele's shoes as chair given that we've got a little extra time it would be nice to recruit somebody who actually knew what they were doing.

And I'm happy to share what we did in the VI thing but I did it sort of ad hoc. And I asked a bunch of smart people and they all pretty intensely coached me on that. And it would be I think helpful if - Marika do you know if any of the Rob Hogarth, Ken Bour type folks are going to be at Cartagena and would be available to help us with this?

Marika Konings: This is Marika. I think Ken is not attending. Rob will be there but he has at the same time a geographic regions working group taking place. I would caution slightly towards the approach of creating breakout groups and, you know, meeting in different corners partly because this is a very small group to start with and not like the Vertical Integration Working Group where there were I think, you know, 70 people subscribed to the mailing list.

And quite a number of people in the, you know, at the meeting itself. And here it looks like we'll have quite a few participating remotely. An also it's very difficult to keep a record of it, you know, it's not possible to record these different kinds of groups meetings.

So I'm wondering, you know, personally I think it might be more effective if we try to do a bit of preparatory work. And, you know, we've talked for example about doing a survey maybe on the different elements of the eTRP that might, you know, provide a basis for further discussion because if we see that everyone agrees that certain elements should be there, you know, there's no need to discuss those maybe in so much detail but maybe focus on those elements where there's difference of opinion on where we don't have sufficient detail and more work needs to be done.

I don't know if that might be a way of actually preparing some of the work and maybe take value out of the session. And a (single) survey because we spoke as well that the survey might also serve in polling on some of the draft recommendations that were included in the paper. And there might be others that members of the working group would like to put forward as suggestions that might be included in such polling.

So we get a bit of an idea of where we sit and it might be easier as well in that way to identify where the remaining work of the group lies.



James Bladel: Okay thank you Marika. I was going to wrap up this agenda item, Mikey, is that an old hand or - oh there it went. Okay so what I've captured here is the recommendation that the face to face meeting in Cartagena be extended by 30 minutes officially so that would run 9:30 to 11:00 local time.

That it be a more structured - a more structured discussion focusing on eTRP that we define in advance what our preparatory work should be. That we have it moderated perhaps by staff. And we consider the idea of putting out a survey to test the various components or level of consensus for the various components or elements inside of the eTRP proposal.

I'd like - if the group feels I've captured everything correctly I'd like to get this sent to the list. There are a lot of folks who aren't present on today's call, including our chair, who may want to weigh in on these recommendations and then we could maybe sign off on that and then we'll have some - a pretty decent game plan for what we're going to accomplish in Cartagena.

So if there are any other thoughts on this Item Number 2 on our agenda? The queue is clear and we are at 17 past the hour starting Agenda Item Number 3 which is a continuation of our review of the public comments received.

Now Marika do you recall specifically where we left off on the comment review tool?

Marika Konings: Yes, this is Marika. We left at Comment Number 8.

James Bladel: Comment Number 8 under - oh...

((Crosstalk))

James Bladel: Yeah, there we go.

Marika Konings: ...on Page 3.

James Bladel: And this is - when they (labeled) this Brussels meeting these are the folks that commented at the microphone in Brussels, correct?

Marika Konings: Yeah, this is Marika. These come from the notes that I circulated following that meeting. There were a number of people as well including working group members that made comments and I tried to capture those in the notes that weren't really attributed to anyone. I'm sure if I can find the back up and go through the transcript and recording of the meeting. But those were the bullet points that I took from that meeting and that I felt might be useful to add here for the record.

James Bladel: Okay and then...

((Crosstalk))

James Bladel: ...are you still in the car?

Marika Konings: No I'm not, I'm behind my computer.

James Bladel: Okay. Do you want me to read these or would you prefer to do those?

Marika Konings: As you want.

James Bladel: Okay well I think you have a much more pleasant voice so if you wouldn't mind reading those and then I'll manage the queue for comments and feedback. If we'd start with Number 8.

Marika Konings: So Comment 8 reads that the eTRP is reactive. Additional focus should be given to the proactive approach of preventing unauthorized transfers the example giving requiring a dual key before a transfer can be authorized.

James Bladel: And I see Bob is in the list. Go ahead, Bob.

Bob Mountain: Yeah, this is Bob speaking. I'm not sure if anyone had a chance to take a look at the aftermarket survey that Simonetta and I had sent out. This did come through pretty loud and clear; not as much the reactive but the proactive approach and where numerous respondents were looking at some of the more advanced registrar security measures and viewing them positively.

So certainly it's a small sample, we're only talking 12 people, but many of them did I think emphasize this point as well. So that's all.

James Bladel: And it looks like we've got quite a queue here. Let me go ahead and put myself at the bottom of that queue. Kevin, you're up next, sir.

Kevin Erdman: Yeah, addressing the comment about preventing unauthorized transfers if you recall in an early draft of the ERTTP we had mentioned about having some sort of, you know, key approach or technical measure that would give presumptions in the ERT process.

Those were ultimately taken out on the thought that it would, you know, impose an additional burden on registries. But in light of this comment maybe that language should be revisited. That's my comment.

James Bladel: Kevin, do you remember specifically was that said in an earlier draft of eTRP or was that...

Kevin Erdman: I think it was in the original draft that our little subgroup first proposed. And then, you know, in the discussion and debate about the various items that was one of the items that was discussed and then revised before we put out the final draft.

James Bladel: Okay. And maybe I guess would you be willing to see if you can take a look for that language specifically and post that to the list?

Kevin Erdman: Sure, yeah, I'll put that in.

James Bladel: Okay. Thank you. Mikey you're up next.

Mikey O'Connor: Thanks James, this is Mikey. Yeah, I think that the language that I'm remembering is the token language and we had a discussion about some sort of token passing (there). Anyway I was just about to take my hand down because pretty much what I'm going to say echoes what Bob and Kevin have said.

You know, I'd say yes please. And I think that the proof is in the implementation. I think it gets complicated. So if we can figure out a way to do it I think that'd be great.

James Bladel: Okay thanks. And Simonetta is next.

Simonetta Batteiger: Yes so as Bob was mentioning this was really the focus of the feedback we got from the aftermarket survey; that people felt strongly that more can be done before you even get to the point of where you have to deal with the high (teching) situation. And I'm not sure - I wasn't part of the work group when you first initially discussed this language that was then taken out but it seems to have been a burden on the registries.

But I think there is a lot of stuff that can be done at the registrar level in terms of just monitoring risk behaviors that we could be putting forward as the recommendation not necessarily as the policy must implement. But things like one registrar was mentioning to us that they have security questions that you need to answer in order to transfer out a domain name that is of high value to you.

Similar stuff like what was your dog's first name or middle name of your parental grandmother or whatever it is, things that you would need to know

and couldn't as easily fake as getting access to someone else's freemail account or something like that that could look up with a simple key logger.

And other ideas like that. And it got feedback not just from the registrars but also individual domainers who were mentioning things like that as being done in the credit card world or in other situations. One person was mentioning phone card issues where all these things are basically done before you even start accessing.

And I know we do stuff like this here at Sedo in terms of our certification requirements for people who are able to bid on names or place - in the market place where we are trying to establish some kind of a - of good or bad profile that enables or disables them to follow through with certain actions in our market place.

So I think that piece if we can come up with a list of recommendations and that could be one of the items we can work on in Cartagena. It could be a very nice additional resource for everyone in the space to help prevent hijackings in the first place.

James Bladel: Okay thank you. And I'm just going to go ahead and take, you know, speak to the registrar in this regard. I agree completely with this comment. The, you know, there are registrars I think that are doing different things with varying degrees of success and sometimes with an eye to their local market or their geographic region that they're serving.

However to my knowledge a perfect or a full proof system like this does not exist. There are still identity thefts and spoofing attempts out there for every service whether we're talking about domain names or online banking or email systems.

So I guess my question to the group is are we mistaken in thinking that these are mutually exclusive propositions that we should not have both an

increased emphasis recommendations and best practices on proactive registrar security as well as some mechanism to revert a transfer that has been done in error or as a part of a fraud.

And I'm thinking that analogy here is, you know, we can thank the credit card industry, you know, you should screen your applications and your customer or transactions much better but that doesn't completely alleviate the need for them to have charge-back mechanisms.

So that's just my thought there. And I see the queue is filling back up again so we'll go to Mikey.

Mikey O'Connor: Thanks James, this is Mikey. I just want to weigh in support of what you said. I support this comment but I don't view this as an either/or thing either. So just plus one would probably have been more succinct.

James Bladel: Okay, Bob, you're up.

Bob Mountain: Thanks, this is Bob. You know, the feedback was, you know, aftermarket working pretty well. The concern about eTRP was that it was imbalanced, that it was too far - too much weight placed on the, you know, the remedy on a problem that isn't really that bad yet. So I think the balance is key.

And I think the perception was that it's pretty - it was pretty far out of balance. Probably my take is inversely out of balance that the remedy would need to be a much smaller piece of the puzzle and that the prevention would need to be a much bigger piece of the puzzle. That was my take anyway.

James Bladel: Okay, thank you. And Barbara.

Barbara Steele: Hi it's Barbara. I agree wholeheartedly with Bob and the others. You know, I think there's actually room for both and agree that the preventative best practices is really a critical piece because to the extent that we can prevent

the hijackings from occurring to begin with, you know, obviously that's what we would want to do.

With regard to the ETRP, you know, I just have to reiterate that the, you know, the registry, you know, while I think we're agreeable to, you know, facilitating the process as much as we can there is going to be, you know, still a reliance on the registrars to - and the data that they provide us - in order to be able to take any action because, you know, at the end of the day the relationship is between the registrar and the registrants.

You know, the registries really don't have visibility into that relationship. So, you know, I think that what we can do at the registry level is fairly limited basically just to, you know, return the name if we do decide to go forward with an, you know, emergency return policy.

And then, you know, as I said, you know, there has to be a reliance, again on the registrars and the data that they provide in order to tell us what needs to be done because we just don't have that visibility.

James Bladel: Okay thank you, Barbara. And I want to point out that Paul Diaz has posted a link in the chat box to the latest SSAC report that SSAC 44 registrant's guide to protecting domain name registration accounts. And I think that there's quite a bit of useful information there that if members of the group can review that in the context of this discussion of proactive best practices that would be - that would be helpful as well.

If I could weigh in just - I see the queue is empty so I can wait and see if there are other folks that want to put their hand up. And again I'm trying to play the role of devil's advocate without, you know, necessarily defending eTRP or sounding like I don't support additional security measures; I do.

But as Mikey said, you know, the implementation is where a lot of these challenges lie. And, you know, from our perspective some of these

recommendations have significantly different costs. We're in, as you are all aware an environment where 25 cents or 50 cents different than registration fees can make the difference in a customer choice.

So selling a premium security service is sometimes not something that you customers are saying they want with their, you know, when they open their wallets.

And once again just wanted to point out that when we say that we're, you know, wanting to make recommendations or best practices we're leaving some - we're leaving the door open to an uneven or an inconsistent application of those best practices or an interpretation of the SSAC report so that registrars in one market segment or one geographic location may behave in a certain manner but others may behave differently.

And the problem with domain name hijacking is that the hijackers know exactly who the weakest link in that chain is. They know which registrar is closed for certain holidays; they know which registrars are home-based businesses perhaps and, you know, someone's in the hospital, etcetera.

So, you know, this is something that we just need to be aware of when we're making these recommendations that we are also kind of expecting the registrars to exercise some judgment which not wanting to take it an earlier conversation but this is kind of what we're doing at Go Daddy with our 60-day lot.

We consider that to be a sequence of transactions that raises our suspicion and therefore we have some internal policies in place and we naturally we catch a lot of grief for that. But this is one of those areas where we are trying to be more proactive and instill a greater sense of security into the system.

Simonetta, I saw your hand go up and then go back down. Do you want to jump in?



Simonetta Batteiger: I just had one additional thought on something you said earlier with - I agree with - I do think you need both; you need some kind of way to hopefully prevent them more and I also think you need some mechanism to return a domain name.

I think the - from all the feedback we've heard from the aftermarket, the point where people had the most trouble with is this piece of it that is basically - it's immediate and there is no recourse to it whatsoever; there is no way to state your case from the other side.

I think that is where most of the emotional response is coming from. So if we can take a look at that piece and maybe figure out what can be done about that it would make the whole aftermarket feel much more comfortable with this whole approach.

James Bladel: That's a good point. And I think that that was one of the really - I didn't spend more than 20 minutes going through that report this morning in preparation for the meeting. But I did see that there were a couple of key areas or components of eTRP that really rose to the top as being at the head of the list of aftermarket concerns.

And if there were some way - if we can find some way to address those then I think that it'll be - it would be a much more palatable process issue. Berry, you're next in the queue. Good morning.

Berry Cobb: Thank you James, this is Berry. Just really a quick question. I - and the comment to proceed that question is I'm getting the idea that - or the impression that what is going on now is that there's not as many hijackings that are occurring out there in the marketplace.

And then on top of it if, you know, based on the feedback that we're getting on the eTRP that if we need to take a more proactive stance and that it - and

if we came up with some kind of proactive methodology that implementing it would be difficult and/or costly I'm kind of beginning to wonder where, you know, the bang for the buck would be.

So I go back - and I don't have the reference unfortunately for how IRTTP got started. But I'm trying to - if somebody can refresh my memory for how the IRTTPB decided to take on the ERTTP. What data do we have that made us go down the road to create the eTRP?

Did we have something very significant kind of data that said this is indeed a problem and that we should create a policy for it? Or - I guess I just don't recall that so if somebody could refresh my memory how we got into creating eTRP.

James Bladel: I'll take a swing at that if you don't mind, you know, the fact that it is just that, a swing. This is based upon our first charter question discussing whether or not the need exists for an urgent return mechanism. And I think that included some discussion of existing mechanisms and whether or not they fit the bill for urgent returns.

And I think that we discussed the fact that those were rarely if ever used, the existing mechanisms, and so we then set off to put together what a more functional or useful return mechanism might look like.

I think a lot of registrars weighed in anecdotally, registrars and other folks, weighed in anecdotally about the hijacking issue. But this is probably an area where they're reluctant to share any statistics.

So does that align with how other folks remember it or am I just, I mean, it was a while ago so I'm admittedly probably foggy on that.

Berry Cobb: Thank you, James, I appreciate that. It helps, because it's starting to give the impression that, I don't know, we're trying to attack a problem that doesn't yet exist extensively.

And even though it does occur, at least based on - not to steal the thunder from the aftermarket survey report, but it does seem as like as though where we have come across hijacking cases that one way or another, they are getting resolved, albeit it may not be as pretty as we had liked it to be. So, all right, thank you for that clarification.

James Bladel: Yes, and if I could - actually there is a queue coming, but if I could weigh in, you know, I don't think anyone is saying that the incidence of hijacking is frequent so much that it can be compared to the, you know, daily transaction level, let's say, on all the aftermarkets.

But I think what we're saying is, when it is, when it does occur, the damage to that individual registrant can be significant, especially when you consider that it's high traffic Websites that are usually targeted for hijacking, so it's, you know, we're talking, you know, Alexa Top 50 sites.

And so just the, you know, even if we had an effective but slow return mechanism, like a TDRP, even that is not very useful because, you know, these folks measure their business impact in minutes or hours of downtime. So that's just another perspective there. I'm going to give prerogative to staff and go with Marika first and then we'll pick up Robin (there). Marika?

Marika Konings: Thank you, James, this is Marika. My response to Berry's question, how this charter question got into the working group's charter I think it might be helpful as well to look back at the issues report that basically outlines the process and the different discussions that were held on the IRTP issues and that identified as well some commons in relation to this issue.

And I think this is an issue stems as well from the debate around the panic.com and I think there's some link there, too, as you exchange that or having relation to that - the date.

And also some recommendations that were made in I think another previous SSAC report in relation to what measures might be taken, so it might be worth checking back there for some history on the issue.

James Bladel: Okay, thank you Marika and I think that's a good point that you mentioned there at the end, all linked to SSAC 044, which is the report on this topic, but it's also mentioned in, I think it's SSAC 039 or 040, something in there. Rob, you're next. Rob? He may be on mute.

Rob Hull: I'm sorry, sorry, didn't hear my name. Yes, I mean, I went through the secondary market report and the general consensus from all but one who's suffered hundreds and hundreds of hijacks and hijack attempts, is that they're relatively happy with the existing processes but they're viewing it not in the respect of hijacks but largely in respect of sales gone wrong where they didn't get paid.

So it's not so much a worry regarding the urgent return of domain because in those instances those domains generally weren't being used and were up for sale and they'd started, time and time again through this registrar, the registrar interaction has been the best way that they've managed to get those issues solved and get their domains back.

However, the times where we as a registrar have been involved in what we would term fraudulent transfers and they have almost all been disputes, if you like, between a Web designer who is the current admin contact and the registrant who is the user of the domain over who can or can't change their Website or who can and can't renew their domain or things like that.

And in those instances, we've had to end up actually getting the courts involved because they generally ended up getting transferred out to registrars who don't even want to reply because the contact information at those registrars is just the designer, not, as was originally the designer and the original registrant.

So whilst the aftermarket survey overall feel is that they don't think there needs to be one, there are still issues where you want to get the domain back quickly whilst you sort out the legality. It took us seven weeks to get control of the domain for a customer by going through the courts and involving the authorities in it and that is too long for some businesses to be offline.

James Bladel: That's an excellent point there. Thank you, (Bob) and - I'm sorry, Rob, and we'll go to Simonetta is next.

Simonetta Batteiger: Yes. Thanks, Rob, I think that was a very good point. I think we may - it may help us think about this if we think of in terms of categories of when those actually apply and I think - but you guys or I could really see that it would be really useful to have a very quick return of a domain name as in the case of like, you have a business the size of Facebook or a Microsoft or someone like that lose their domain name.

And they obviously, they really - every hour counts, you'd want to be able to return that domain name to that business ASAP. At the same time, I really think those are exactly those types of businesses who really don't care to pay an extra X amount of money on some kind of super lock or whatever security feature.

Because that Website is so critical to their operation and I really wonder if, in other cases, you wouldn't almost always have a situation where you need to listen to both sides and weigh what the situation really is and as Rob was just saying, oftentimes, this has been - actually had to go to some kind of a court.

So I really wonder if we do ourselves a favor to enable a quick executed return to one party when the other side may have a very legitimate case to make themselves. And I don't know if a registrar would want to be in that spot where they basically have to decide which side to pick when they can really only listen to one of the two parties. I'm just wondering if it really is such great of an idea to just execute what one side is telling you.

James Bladel: Okay, thank you, Simonetta. I wanted to respond to something that, actually I think Rob had brought up earlier, but I'll go ahead and put myself at the back of the queue. And Paul, next.

Paul Diaz: Thanks, James, appreciate everybody's comments, I mean these are really good and should definitely be, things extracted from the transcript for our final report.

One thing that I just wanted to weigh in on, you know, how this all came, I guess, answering Berry's original question was, what's become very clear in the comments that have just been made by all of our invited - by Simonetta - there is obviously a lack of consistent process in dealing with transfers that are in some way or shape or form disputed and I think, at least that's how I read part of our Charter A mandate.

You know, is there need for something like this and if so, what would it look like? And I, unfortunately, I think has sort of been set off on the wrong direction or distracted because people became so fixated on eTRP's only going to apply in a hijacking case.

When admittedly, these are not the most frequent things, frequent cases, but they can be very high profile, use the panics case, for example. More importantly, I think the - one of the root causes or root desires of eTRP is to come up with a process so that when you have an instance of - a debate about a transfer, that there's a quick mechanism, a consistent mechanism,

one that we can all look to, everybody can understand, it applies universally, to get the name back to the original registrar and then work it out.

And so just following, you know, I was really keen with everything Simonetta said until the very end. I don't want to simply sit back and say, "Let the courts decide it."

Because I think all too often, there you go with a very long process, whether it's TDRP or the courts, those processes take a long time to work out and for a registrant who claims that their name has been wrongfully transferred, that time period can be crushing. So, you know, maybe the eTRP I guess, there's a better balance that needs to be struck.

There needs to be, you know, the focus on the, you know, the proactive versus reactive, okay, that's what this group should be focused on, but I don't want us to lose sight of, there really is a need for a process that will bring some consistency to what, at a broader level is a more common instance, challenged or questionable transfers.

James Bladel: Thanks, Paul, and I think it's always good to understand, you know, where we're coming from with some of these things. That's why I think a serious question is, was very apropos. Bob, you're next.

(Bob): Yes, this is (Bob). I guess there are - just thinking, and this may be a little bit too granular, but the - it almost seems there are two categories of domains that we need to worry about. The Alexa Top 50, you know, ultra high value sites that are based on a Website that's getting, you know, millions of unique, that - it almost seems like that's a separate case because there are, absolutely, I think, you know, maybe the registrars can chime in, but there are ways to lock that type of domain down.

That type of domain is not for sale, usually, unless the business is, right? Facebook isn't going to sell facebook.com. They might buy fb.com, but

they're - so there are registrar locks, registry locks, you know, ways to really lock that down so it's not going to be hijacked.

It might be a little different with a domain that's owned by a domain investor or a marketplace because that domain might be high value, extremely high value, but also needs to be sold.

So there's, I think where the balance, where the, you know, where the security measures that are in place can't or shouldn't necessarily affect the fluidness of the market that domain is ultimately in a position where it is to be sold.

You know, the other thing is that these ultra high value domains are probably not a candidate for a fast transfer type sale, so again, the security for these ultra, ultra high value is probably in a different category, you know, than I think some of the other domains that we all think about where, you know, thousands of these sales happen every day.

Security needs to be much more balanced with an aftermarket, a fluid, auto, fast transfer aftermarket, so I guess, you know, kind of sorry for the rant, but I guess the question I would have is, do we really feel that there are not sufficient mechanisms today to lock down an ultra premium name? Or are those security provisions available and do they just need to be communicated or to the, you know, to these domain owners?

James Bladel: Yeas, thank, (Bob). I see your point and what you're getting at with those names that are unlikely to be transacted. I certainly would be reluctant to write something into the policy that draws, you know, distinctions and different classes of names, because even though someone may have a - what's determined to be a low value, low traffic name, it's important to them.



And so therefore, they would be upset if it were hijacked, but I see your point about the ones that are less likely to be - have the need for portability and therefore can benefit from some extra security.

And so but I don't have a good answer for your question directly. I just wanted to chime in here a little bit and this is something I brought up I think earlier in the working group and I think in light of the aftermarket survey results, maybe it bears repeating.

I think that we're at a fundamental difference of - I don't want to say difference of opinion, because it's not like folks are, you know, being argumentative, but it's more of a difference of perception in that registrars see IRTP and they see transfer and they see registrar to registrar transfer.

Aftermarket participants say IRTP transfer means transfer between registrants, so it's more of a transactional operation. So naturally, when something like eTRP is proposed, registrars see it as an operational function and the aftermarket folks would naturally perceive that that's something closer to a dispute mechanism.

And so I guess my question is, you know, is that different, you know, coming at this from different directions, is that the root of what we're trying to address here?

And are we, you know, if we were to sit down for an hour and a half in Cartagena and tweak out each ERP or throw it out the window or do whatever we did down there, would be kind of missing, you know, as a group would we all kind of be missing the point that there's this fundamental difference of how transfer is perceived and how it is being used?

So I'm just - I don't know, you know, if there's an answer forthcoming to that. I just wanted to put that out there as, you know, we don't have these operations that trades names from Entity A to Entity B.

So we're kind of - we're using the transfer for that purpose, which I don't know that that's necessarily always the case. We could use, for example, if both customers were within GoDaddy we have a change of account procedure. So RGP isn't involved at all.

So, you know, I think that, you know, we need to kind of get a better understanding or maybe get a better - get our minds around a little bit that idea of how different parties use the RGP process with different things, and how therefore solution two the problems of one party are not going to be seen as solutions to the problem of the other party and vice versa.

Mikey, you're up. Oh, we're getting a queue here. Let's just - let's get through the queue that we have and then we'll probably need to adjourn for the day. We have six minutes left in our call. Mikey?

Mikey O'Connor: Thanks, James, this is Mikey. Just two real quick points, one to sort of amplify what you were just saying which is this notion that what we're talking about is getting the domain back to the registrar it originated from. And the key point there that we talked about in the earlier part of the discussion was move quickly to restore the domain to its prior state and then allow time for dispute mechanisms to resolve the actual dispute. So that's Point Number 1.

And then Point Number 2 is to remember that distinction I made last week which is the distinction between good guys and bad guys. If there's a good guy on the back end of the transaction things are likely to unfold in a really different way than if there's a bad guy.

And maybe we can figure out a way to get this built where the bad guys simply will disappear and the good guys being there is a way for us to distinguish use cases. That's it for me.

James Bladel: Okay, thank you, Mikey. Yes, and I think that that's a good point is that, you know, each transfer, let's say, each ERP is a dispute about where a domain lives, not necessarily who controls it. There are other mechanisms, or there should be other mechanisms, for disputes over who controls a mechanism.

But - or who controls a domain name. So we were looking to - and maybe that's the ERP fails to address it and that's something we can discuss further. Simonetta?

Simonetta Batteiger: I was originally going to say something else, but I like where your thoughts are going with this. If you return - quite simple, if you restore the previous (lay set and aspect) immediately enable the functionality of any kind of Website again.

And you could, for example, put the domain in an account, maybe even with the original registrar that isn't the same one that it used to be housed in, until you have a way to have the other sites state their case, and then you could either leave it there until the dispute has been solved by court XYZ or you could return the domain name once it turns out that yes, this was really a hijacking situation.

That was comment number one. But the one that I really also wanted to make was - and this is just a brainstorm, I don't know if this is feasible. If you could somehow flag names that are listed for sale in an aftermarket and this would be kind of like some notification mechanism that goes out to whoever the (admincee) is of that name that's just been listed for sale in an aftermarket like (Ceeto) or (Buy Domains) or (After Nick).

So that you guys have some indication of, "Okay, this domain has just been listed for sale." That may give that registrant a chance to respond and say, "Hey, no, I never wanted to list this domain for sale." Or you could look at stuff like, "Okay, we have just had a change in (admincee) email address and

now we get this flagged domain has been listed for sale. Maybe we should take a look at this situation right now."

But I'm not sure how this would work operationally but this could solve the issue and you could also say, "Okay, if someone had been flagged, if this name had been flagged as listed for sale, no one responded to," or maybe the registrant has even responded and said, "Yes, I want to list this name for sale." Then this person can't come back three months later and say, "No, I never meant to have this domain name be transferred." Because you have a very good indication in the first place that this person agreed to sell.

So I'm - it's just a brainstorm, I'm not sure how this would work, but this could solve the issue of the sellers remorse case where you, as a registrar, would have some kind of way to now, okay, this isn't - this is likely not a hijacked domain name, but this person has agreed to sell in the past.

James Bladel: Okay, thank you, Simonetta. And I think that there's, you know, there's definitely some value there. Whether that's a policy or a new business model or maybe you just invented a whole new type of aftermarket function. Since we have - but we will have to hold the comments for today.

I will let Mr. Neylon know that we got through number 8, that was our achievement for today. But, you know, I think that the rest of the comments are more incremental. I don't think that they necessarily need to be open - well, I guess if we don't allow them to they don't necessarily have to reopen a lot of these well worn topics and maybe they just add new perspectives and perceptions to some of the things we've already discussed.

There's one other item here, and I know that we're just one minute past the hour, but there's one other item here which is my take away from my last call we noted that we were going to push this PDP to include at the - at or around the San Francisco meetings, which is less than 220 days away per our

milestone (coming about) in our charter. And therefore we wanted to communicate that (helpful).

I did go back to where council representative Tim Ruiz the council liaison we mentioned that we - I did discuss the fact that Mikey and (Bob) and someone else were working on an updated work plan with revised milestones. And so I wanted to give Mikey an opportunity to speak to that real quickly, and then if we could get that closer to the list and everybody can sign off on it then we can deliver that to Tim to take it to council.

Does that sound good, Mikey?

Mikey O'Connor: This is Mikey, that's fine. I think that we just - actually (Bob) did it, I'm doing the "royal we," just posted a first draft work plan to the list yesterday late in the day. And you'll see in the language that it's very Mikey-esque language. We probably want to tune up the language just a little bit.

But what we wanted to do is give this - get this out in front of you all to see if this approach is right and maybe weave Marika into our little group can help us with some of the back dating stuff so that maybe - I don't think this is quite ready to communicate to the council.

James Bladel: Okay.

Mikey O'Connor: But we wanted to see if we were on the right track and then if we are we could tune it up just a little bit so that it wasn't quite so casual. Basically the idea that we had was that we would take the major blobs of work and sort of do a little sequence of steps under each one.

And as I look at it, I think there's the possibility of doing some work in parallel. And then once the four or five or six major blobs of work are finished then we have a single track work plan to get the report out.

We didn't know whether we needed to go back out to public comments again, that was a question for Marika. So if people could take a look at the first draft very quickly, with really two things in mind. One is, do we have the right major blobs of work out there?

And then two, does this first try at an approach feel like it'll work? And get comments back to the list by say Thursday. You know, put a little bit of time pressure on this. Then (Bob) and Michele and Marika and I can turn around a cleaner draft for next week that could then be suitable to send up to council. That's kind of where we're at.

James Bladel: Okay, sounds like a good plan, Mikey. You know, if we could set a deadline to have some folks respond to that.

Marika Konings: James, can I make a response?

James Bladel: Marika, go ahead.

Marika Konings: Mikey, I don't think it has gone out to the list yet, or maybe I've missed it. But I did receive an email from (Bob) asking for comments, and I actually provided him with some input already on your draft. Because I think there are some items there probably don't need to be there, and some other issues.

Because I had actually sent - because I wasn't sure anymore who are working on that and whether the little sub-team had already met because I'd actually sent out a template that was used for other working groups to Michele and James ahead of this meeting. And I also shared that with (Bob) where it's a bit of a different approach. It basically focuses more on the meetings and aligning work with the meetings, you know, heading up to the deadline.

And actually doing that, you know, just for the group's information. And if we take all the meetings between now and the publication deadline for the San

Francisco meeting, we have 11 calls, you know, providing that we would meet on a weekly basis, not taking the time between Christmas and New Years.

So it's a relatively short timeframe. So I think it would be very helpful if we could put this work plan together. And I commented to (Bob) as well, because I saw that one of the categories you've identified was the person responsible for each task that might help us moving things forward if we clearly identified who's doing what and by what meeting or what timeframe things need to be delivered if we're really committed to meeting the deadline for San Francisco.

Mikey O'Connor: Thanks, Marika, this is Mikey again. Just real quick I just realized that I was looking at the wrong email from (Bob) and you're right; it hasn't gone to the list yet. I was just testing you. You've passed the test with flying colors.

Marika Konings: I'll forward you my comments to him because I wasn't sure anymore who were involved in that little sub-group. So I'll send them to you as well, so you have that as well.

Mikey O'Connor: Yes, it's - right now it's (Bob), Michele and me and now hopefully you. And so James, why don't we leave this that we'll circle back to the group by next week with a revised version of this thing? And forget to go out to the list at this...

James Bladel: Okay. All right, thanks, Mikey, that's noted. And I appreciate everyone sticking around for a couple extra minutes, and apologize for running late.

We'll follow-up with Michele and debrief him on what we discussed today and otherwise, thanks for your time.

Marika Konings: Thank you.

Mikey O'Connor: Thanks, James.

Man: Thanks, James, great job.

Man: Bye now.

Man: Great, James, thanks.

Woman: Thank you, (Miriam), enjoy the rest of your day.

END