ICANN Transcription

Transfer Policy Review PDP WG
Tuesday, 14 September 2021 at 16:00 UTC

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JULIE BISLAND: All right. Well, good morning, good afternoon, and good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group call taking place on Tuesday, the 14th of September 2021.

In the interest of time, there will be no roll call. Attendance will be taken by the Zoom Room.

For today's call, we have apologies from Tom Keller (RrSG) and Steve Crocker. They have formally assigned Eric Rokobauer (RrSG) as their alternate for this call and remaining days of absence.

As a reminder, an alternate assignment must be formalized by way of a Google assignment form. The link is available in all meeting invite e-mails. All members and alternates will be promoted to panelist. Members and any alternates who are replacing members, when using the chat feature, please select either panelist and attendees or select everyone in order for all participants to see your chat and for it to be captured in the recording. Observers will remain as an attendee and will have access to view chat only.

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Alternates not replacing a member are not permitted to engage in the chat or use any of the other Zoom Room functionalities. If you are an alternate not replacing a member, please rename your line by adding three Zs before your name and add in parentheses alternate after your name, which will move you to the bottom of the participant list. To rename yourself in Zoom, hover over your name and click Rename.

Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing none, if you do need assistance updating your Statements of Interest, please e-mail the GNSO Secretariat. Oh, we do have Tom Keller. Go ahead, Tom.

THOMAS KELLER: I just learned that I'm actually represented by someone else. I thought that I said that I would be back today. But now Eric is the alternate, so I'm happy to leave him his spot as representing me, basically, and just be the alternate listening in, if he's prepared for that. Or if you have not enough representation, I'm happy to do the job since I'm here anyway.

JULIE BISLAND: Okay, Tom, we'll go ahead and change that. My apologies for the date issue there. Thank you.

Also, please remember to state your name before speaking for the transcription. Recordings will be posted to the public wiki space shortly after the end of the call. And then as a reminder, those who take part in the ICANN multistakeholder process or to comply with the Expected

Standards of Behavior. Thank you. Over to our chair, Roger Carney. Please begin.

ROGER CARNEY: Thanks, Julie. All right. Well, welcome, everybody. I don't have any major things to bring up. I will ask again, like I will every week, hopefully—hopefully I remember—to see if there's any input or comments from any representative groups. If you've talked about any of the issues with your groups over the past week or so and gotten any input from them that you'd like to share, I open up the floor to anyone that has any comments from their working group or their stakeholder groups. And if they want to bring anything forward, now's a good time. Okay. Again, we'll try to do that every meeting. If something comes up in your group that is relevant here, please feel free to bring them up at the beginning of the meeting and we can get them discussed and talked about. Okay. Holida, please go ahead.

HOLIDA YANIK: Thanks, Roger. This is Holida Yanik for the record, Contractual Compliance. So we reached an alignment with the team regarding the templates for notifications, track request, pending transfer, and about the notifications of pending transfer. So Compliance basically will not have really much problems with enforcement of the notification-related requirements without the mandatory templates provided. But we also would like to know that having an optional template for registrars to follow, if they choose to, would be helpful. The reason for that is that some registrars may really have trouble with implementing notification

requirements were not given a clear example or what they should be doing. So, as Compliance, we know that this scenario is mostly seen with APAC registrars who tend to prefer explicit examples and instructions. Thank you.

ROGER CARNEY: Great. Thank you for that update. That's great to hear. Yeah. And I think that's something we should look to do. Even if we're not making them mandatory or saying they're optional, we can draw up what we think should be included in those messages. So, great. Thank you for that update. Anyone else? Okay.

So there was quite a bit of activity over the last week on Sarah's transfer steps here. Thank you, Sarah. Since you weren't here last week, I'll thank you now. We got a lot of comments and staff actually went through and updated from our discussions last week as well. In light of all the discussions that we did have last week, good discussions— thanks, Berry, for putting the link to that—and in this being laid out like this. I think that the staff and I talked last week about redoing the poll questions that we did a few weeks ago, with maybe the hope that there's a little better understanding of where things may fit in or may not fit in, and that the poll questions may have a little more usefulness this time around.

So I think we'll jump into—Steinar has a question. "Did ICANN Compliance approve not required to have a fixed language in English in the notifications?" Thanks, Steinar. You're talking about maybe not being English in the notifications. Steinar, please go ahead.

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STEINAR GRØTTERØD: Hi. I didn't pay enough attention. Sorry for that. But one of the things that we have discussed in At-Large is actually the wording here. From my understanding of the discussion in the working group is that it's not necessarily preferred to have strict wording as it is today in English, and then it can be translated. I need some clearance about whether I can feel it's okay. Of course, based on whatever we come up to is that there is no requirement for kind of a fixed wording in English for the notification. I just need clarity on that one, bring it back to the At-Large.

ROGER CARNEY: Great. Thanks, Steinar. Yeah, I think that it's a good point to bring up. And not just a discussion, like you've said, that we've had of not necessarily dictating specifically what it has to say, but drying out the point that may be easy to do if it's that way and we can translate it. So I I'll have Holida jump in and give that input again. Thanks.

HOLIDA YANIK: Thanks. As for Steinar's question regarding the language of the notifications, as you know, when we are requesting the evidences of providing notifications to the registrars, for example, for ERRP, we look for the evidence that the registrant was informed, for example, about the instruction how to renew the domain name. We usually review the records and e-mails and if it's in a different language, we find that the registrar compliant with that requirement, we accept it as compliant. But as a template, the working group may think about developing a

template in English language and may provide an option to use it in different languages or not.

ROGER CARNEY: Holida, I think what Steinar was trying to get at is the idea that the working group is not talking about being strictly providing the exact language in the notices but making it more up to the contracted parties that are actually communicating. I think his question is based on is Compliance okay that the working group is suggesting not providing specific language and leaving that open.

HOLIDA YANIK: Yeah. As I mentioned, providing may be optional because, as you know, in PDP process, APAC registrars, in my opinion, are a little bit underrepresented so they might be able to voice their requests. Because I see the list of musts and mays in proposed notifications are seem to be quite long and this might be confusing for them. But maybe not making it mandatory but providing an optional template that, hey, you can use this one as an example, but not making it, as I said, mandatory.

ROGER CARNEY: Okay. Great. Thank you. Steinar, if they didn't answer your question, you can jump back in, but I think that answered it. Okay. Thanks, Steinar.

All right. Again, hopefully, the polling that we did a few weeks ago is a little more relevant now for everybody with the steps in front of them

that they can see and have looked at for a couple of weeks now. So I think we'll go ahead and jump right into the polling questions once again. Again, this is for active members, so just those that are participating today, not the alternates. Julie, if you can start our polling for us. Thank you. Again, two questions here at a time, the first leading to the second.

Should the losing registrar notify the registrant when the TAC is requested? To be the kind of specific here, I think this is what we're talking about is where line two is in the Transfer Steps and Notifications, when that registrant actually or whoever makes the request is making the request initiate the transfer steps. So it'd be step two, should the losing registrar notify the registrant?

Sarah's not sure about Question 2. What if anything should be required in this communication? All the items listed in the working doc, only some of those in the working doc. The notification should include different sets of elements should not have been discussed or do not support this type of notification. Sure. It already needs more discussion. Sarah, please go ahead.

SARAH WYLD: Thank you. Hi. For Q2, I just think if in Q1 we answered that it should be optional for the registrar to send that notification, and I would think that which elements from our list they include should also be optional and that that wasn't quite represented in the responses, like whether it's all of them or some of them. I guess I probably could have selected some of them, but maybe they want to include all. Thank you.

ROGER CARNEY: Yeah. Good point. Thank you. Okay. Let's go ahead and show the results on those first two. As Sarah mentioned, if you're looking at optional, obviously, the responses are optional. But to Holida's point, we'd probably come up with some kind of template. Again, this is optional but this is an example of what one would look like.

Okay. So, looking at the results, it's fairly heavy on the top there, kind of split between requiring it or not, but definitely 97% of the people believe the notification is worthwhile. Again, 50/50 on if it's required or not, so it does look like someone thought that notification was not all that important. If that person wants to jump in and say why they feel it's not that important to have with the other 90-some percent thinking that is at least worthwhile. So, anyone want to own the no? No? Okay. Holida, please go ahead. Holida, if you're talking, we cannot hear you.

HOLIDA YANIK: Oh, I'm sorry. I'm double muted.

ROGER CARNEY: That's okay.

HOLIDA YANIK: Sorry. My question is not about what should be included in the notifications but whether or not they will be instruction not to include some irrelevant information. For example, including some kind of information relating to advertisement of other services may be

irrelevant and might confuse the registrants who are receiving the notifications.

ROGER CARNEY: Okay. Thank you. Thoughts from the group on—if people do send this out, should there be parameters on what can be included? And again, most of it is going to be optional if it's an optional idea. If it's required, then we'll have to work through all those things. Sarah, please, go ahead.

SARAH WYLD: Thank you. The thing Holida just said is very interesting to me. Are there other comparable requirements that we can look at where we are not allowed to advertise other products or where a message … I know the old FOA that doesn't exist anymore was very specific as to this is the only template you can use and this is all it can say. Are there other things like that that we can compare with? This is my question. Thank you.

ROGER CARNEY: Good question, Sarah. Holida or anyone from staff know of other examples of notifications that are sent and detailing out these types of requirements? Holida, please go ahead.

HOLIDA YANIK: This is not exactly the response to Sarah's question. But yeah, we have a lot of examples and a lot of cases where the reporters get really

confused even with clear instructions from us or from registrars. And yeah, maybe this could be thought over to help the registrants understand clearly and speed the process.

ROGER CARNEY: Thank you. I see Owen put in chat that he thought he could add things to the renewal reminders. I was thinking the same thing, and Sarah thinks it's true as well. The one thing that popped in my head when Sarah said something was the old webpage WHOIS has some specific format to it where the top part was what was supposed to be there, and then there was a below section where you could add basically what you wanted as well. So, I don't know if something like that makes sense. But I think that if we're creating a template and if we're requiring it, then I think it's a little easier to control if it's optional. To Sarah's point, if the whole notice is optional, then really, I suppose we couldn't require it. Okay, if you send this, then you have to include the domain name or something. So I think that, obviously, we can tweak that a bit.

Yeah, thanks, Tom—Tom's note. I think both of the FOAs are pretty strict, the first one obviously being very detailed about what has to be in there. Okay. It's something we should definitely look at and see if that makes sense to restrict any, making sure that nothing gets in there. And maybe it's even making it—should certain personal data not be included, things like that.

Kristian chat, "If it's optional, why should it be in the policy?" Good question. Anyone have thoughts on that? Sarah, please go ahead.

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SARAH WYLD: Thank you. One reason to include an optional thing in the policy would be so that we can provide a suggested template which might be helpful to some people. And then also, I'm really wavering back and forth as to whether I think this should be optional or required, and I'm pretty sure I answered differently on different calls. Because sometimes I think this is just overbearing and why do we need to do this? And then other times, I think what if somebody, not the domain owner, requests the TAC and then the domain owner needs to know. So I wonder if we should consider requiring the registrar to give the domain owner the option about whether they would want to receive this message or not. Maybe that gets too complicated but maybe the domain owner can opt out of it. I don't know. Thank you.

ROGER CARNEY: Thanks, Sarah. Tom, please go ahead.

THOMAS KELLER: Thank you, Roger. So are we actually really talking about the domain owner or are we talking about the account holder? Because there's this two different roles we always keep on confusing. I'm with Sarah. I think I just voted that should be optional. But thinking about it, I think if someone is entering your control panel and he shouldn't, and he is going for a transfer, there's absolutely no means for the current domain holder to really figure that out until it's over. So as a safety precaution, I think it would make absolute sense to actually have it. And then it should follow at least a minimum requirement of what to send to the customer so that I say that willing registrar cannot obfuscate the e-mail

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in a way that's unreadable. I wouldn't really go for the format per se what we have currently because I think a lot of people really cannot read what was sought out years ago, but at least certain elements should be part of it.

ROGER CARNEY: Great. Thanks, Tom. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Yes. If the e-mail address from the account holder to the domain holder is different, then maybe it could be sent to both in terms of kind of leave it up to the registrar to decide whether they want to send to both. Just a thought.

ROGER CARNEY: Great. Thanks, Keiron. That's a good twist, too. If you're looking at that and they're the same, are they necessary? I don't know if Theo's is on. I know Theo has talked about this a lot. Some scenarios of resellers transferring names around make—oh, there's Theo. Theo, please go ahead.

THEO GEURTS: Yeah. In the reseller model, it can create unnecessary notifications, it can create confusion, it can create support load. Resellers do want to move their portfolios to registrars who maybe have better services, better support, better prices, etc., etc. If you start moving around 10,000 customers, yeah, if all the registrants get notifications, yeah,

that's going to create a boatload of support. Regardless if reseller has informed its customers of the move, I mean, usually they try to minimize the support load so they already warn in advance a couple of times. But only people don't read e-mails as much as they used to do like 20 years ago so most of the stuff goes unwrapped. And then suddenly, there's notifications and people get the wrong ID. And then, yeah, you have a very expensive transfer, which is usually the reason that resellers just sort of stick it out with a current registrar even though their service are subpar, etc., etc. So yeah, I think it's not really necessary.

And from the safety perspective, I already said I don't believe in it. I mean, if I'm going to steal your account, I'm going to hack your e-mail account, and then I'm going to request the credentials and registrar which will reach you by e-mail. So the whole idea that you will prevent unauthorized transfers by one notification, I don't see it but that's my take on it. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Sarah, please go ahead.

SARAH WYLD: Thank you. Good points from Theo, as always. I want to go back to the idea that it could be required to send this if the TAC was sent to a different e-mail address. Because at first, I really liked that idea, but then it made me wonder, when might the TAC be e-mailed somewhere else? So have we defined … like, in row four, we've got provide the TAC to the domain owner. Is it an option to send it by e-mail to not the

domain owner? And if so, who would it be going to? Because my thinking is the only way that someone who's not the owner can get it is if they log into the control panel and get it. In which case, then having the e-mail not send because it was e-mailed to the domain owner doesn't apply here.

ROGER CARNEY:　　　　　Yeah. I think there's a couple of scenarios, Sarah, on that. At some registrars, there's an account holder idea that may or may not be the actual registrant of a specific domain. They may be managing domains for people or however that works. There's an account holder, and then there's a registrant of that domain. So, to your question, that's a good question. That's something we need to solve is, if the TAC is provided— and again, I want to try to avoid e-mail—but provided to the requester, who may be the account holder, and the registrant who may be somebody different. Theo, please go ahead.

THEO GEURTS:　　　　　I was just going to sort of echo what you just said there, Roger, where you were trying to avoid the word e-mail, I think notification in whatever shape or form is much better. I mean, if we want to do it through other means than e-mail, something which is more secure, whatever, that should be an option for a registrar to do it. If you want to do it fully encrypted through some kind of chat messenger, go ahead.

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ROGER CARNEY:	Thanks, Theo. To Sarah's question, a little bit deeper, someone that requested it, it may be available in the registrar's control panel, and maybe that's the secure method they're using, so that whoever has access to the account can log in and see it. But the question I think is that may or may not be the registrant. If it's not—again, I think Keiron brought up that option—should it also be provided in some mechanism to the registrant? So again, open question. Jim, please go ahead.
JAMES GALVIN:	Thanks, Roger. Jim Galvin for the record, Donuts. I like Sarah's question and it's really pushing me down a particular path here. I think there's an interesting question operationally about what all these means. And I think there are two issues on the table. One is, is it a different person or a different identity that's involved with receiving the TAC versus getting the notification? And that really is the question that Sarah asked. She was wondering the circumstances under which that might be different.

Let me expand on that question and add that a related question here which we're trying so desperately not to mention a particular mechanism. What matters is the mechanism by which the TAC is delivered as well as the identity that it's given to. Because if there's an option for the TAC to be provided by some instantaneous method, just a concrete example, just to make this play out, it could be that I'm logged into the portal, I asked for the TAC, it's displayed on the screen, I write it down, and then I can walk away with it. I may or may not be the same person who's the domain owner. And that really is what all this boils down to. Whoever is asking for the TAC may not be the right person. If we're not going to specify the delivery mechanism as part of policy—

and I'm not suggesting that we do—if we want to leave that completely open for registrars to do something and to do whatever seems to work, because imagine this is an automated method, maybe there's a way for them to say, "Gee, ship off the TAC to this registrar over here because I'm going to get a real time transfer." I don't know. I'm just making stuff up here. But I think that that's the point. And I think that having a policy that says you have to do both things is really the right model because there are too many ways in which those are going to be two different things.

Now, Sarah did offer—I'll end on this note—I thought I heard her say in the end of her comment that, well, what if they're the same thing? What if you know that notifying the domain owner, whatever mechanism you use for that and providing the TAC, whatever mechanism you do for that, what if you know the recipient in those cases is the same or the destination is the same? That might be an interesting thing to put into the policy that says you don't actually have to do both if you can confirm that they're the same. I don't know if you want to go down that path. It seems to me it's just easier to say, "Just always send them both and be done with it." Because I do think it's important from an overall security posture, maybe the notification is duplicative but it's still important that those—it's an essential security notification. I think it's appropriate to send it even if it gets ignored. It's an important part of an overall security posture. Thanks.

ROGER CARNEY: Great. Thanks, Jim. I think one of the things I do want to grab a hold of that you mentioned—and I think Sarah mentioned in chat—is that I

think that, yes, the mechanism, and as you've mentioned, Jim, the actual person ID, whatever you call that, is both important in how that gets done. Maybe it's easier for a registrar to say, "Okay, I'm picking one," or "Just a couple of different ones." To your point on how complicated it gets if you're trying to cross the domain owner, gets a fax for some reason and whoever's logged in gets instantaneous. I think that that gets a little complicated. I think the important thing is the mechanism that it goes across on has to be known and it has to be recorded. Otherwise, I'm not sure how Compliance can validate any of that. But to your point, Jim, whoever is authorized to get it as well. Tom, please go ahead.

THOMAS KELLER: Thank you. The one thing that came to my mind is that if you're already in a control panel of one of the registrars, you might as well change the e-mail address. This is really, if you go down the path that you have to make sure that that person is the same person that you can basically just invoke one of the actions, I don't think that makes a whole lot of sense. It just makes it a bit more complicated probably for the fraudster to actually pull it through. In a lot of that, I kind of think that sending the e-mail regardless, even though it might be an instantaneous transfer, still some kind of security measure because at least a person is notified that something's going to happen even if it's post fact. But he will know that process has been instigated. I mean, maybe the person that wants to get the domain name is stupid enough or smart enough to actually leave it on the same name servers for a while. So the domain owner isn't even aware that the domain name does not belong to him anymore.

From my point of view, I think a notification that has to be sent to the domain owner is always a good idea. Going to Theo's point, I think that's all valid. But I would rather postpone that discussion to potential bulk discussion than doing that on a one-to-one basis. If you're a reseller and you want to change registrar, I think it makes a whole lot of sense to actually talk to the registrant and then invoke some kind of a bulk process. But you can certainly get rid of all these notifications because it's just a mad change of registrar provider. But this is a completely different issue.

ROGER CARNEY: Great. Thanks, Tom. Theo made a comment on that suggestion that you made there at the end as well. Just a couple things on what you mentioned about if I'm in the control panel and I can just change the addresses or whatever mechanisms to sync up, I think that Kristian may have thrown it in there that a change of e-mail or change of whatever is probably going to drive a notification as well and should drive a notification as well. Along with today, something that we had to think about going forward, is a change of e-mail address is—I can't remember the term they've used in the transfer—a big enough change that it actually stops a transfer from occurring. I think that, obviously, we got to talk through those points of if they're not using e-mail, then a change of e-mail isn't that big of a deal anymore. So, how does that get handled or how do you stop it? So just some thoughts thrown out there. Keiron, please go ahead.

KEIRON TOBIN: Thank you. I think in terms of this question, some of it seems to be compulsory while some of the other information in regards to what works best for each business model may be a secondary kind of proposal. As you said, 93% in terms of the people who have agreed for both, I just wonder what in terms of the percentage of that 93%, how many people actually sit in the middle of those two fields.

ROGER CARNEY: Thanks, Keiron. We definitely need to figure that part out. Sarah, please go ahead.

SARAH WYLD: Thank you. I have just kind of attention to your point. But I just want to take a second to emphasize that everything we are saying here about this is dependent on a change that we are making to the transfer process overall, which is that the TAC will not always exist. And right now, it could. So if, at some point, we decide not to make that change and allow the TAC to exist forever, contrary to row three on the sheet on screen, we just need to remember to come back to this. Thank you.

ROGER CARNEY: Great. Thanks, Sarah. Yes. Berry, please go ahead.

BERRY COBB: Thank you, Roger. Berry Cobb from staff for the record. Hearing some of this conversation, I think it's clear that there are multiple roles involved, whether that's the domain owner, the account holder, the registered

name holder. In some cases, they can all be the same. In other cases, they can be partially the same. And in some cases, they may all be different.

So one thing I'm going to suggest is that staff will take an action item to apply at least these three roles, and whatever else we might come up with so that we can lay down some initial definitions around these. Because I think we might be using them interchangeably and they may or may not necessarily be applicable to what we're discussing at a specific moment in this process, for example, who gets the losing FOA. I'm saying this because it made a question come to my mind that I think we might want that we'll probably check with our legal colleagues, and maybe this touches on picket fence kind of stuff. But in terms of consensus policies, I'm unsure and I don't know definitively, but can consensus policies be developed around concepts of account holder versus a domain owner versus the registered name holder? I think that that's going to be interesting or helpful to note with certainty.

The final thing I'll say here, which is almost to what Sarah's point was about there's an existing requirement about the losing FOA, which is it is a consensus policy that is part of the transfer policy. And looking at the separation of room temperature taking here from Question 1, I think thinking ahead down the road we're going to need general consensus or high degree of consensus to undo that existing requirement. So that's something that I recommend the group think about when you're considering whether this remains as a requirement of the transfer policy, or if not, that it becomes this "optional" that there's going to need to be significant support for that. I hope that's helpful. Thanks.

ROGER CARNEY: Great. Thanks, Berry. I appreciate that. That makes sense, to make sure that we're all saying those things in the same way. I'm going to lean to what you said. I lean to your side there in that I don't think that we can, in policy, say anything, requiring anything on the account holder or whatever it is that they're called. I think that is outside of the policy work. Maybe others have a different view but that seems like that's definitely outside of that.

But as we've gone through this discussion, I'm thinking there's several people that may have said optional but now are thinking maybe it's required. But I also want to tie back to we're crossing the line of this whole first notification of "when the request is made" and we've kind of jumped into "when the TAC is provided," which I think are several steps away from each other. I want to draw back to, okay, let's not talk about when the TAC's provided yet. Let's talk about when the request is made to retrieve the TAC. And if there's a notification there that's required or not—and then we'll get to the question of, okay, when the TAC is actually provided, should there be a notification there and where to? Just those thoughts in mind.

I'm going to ask Theo if he wants to come to the mic and talk a bit about what Tom mentioned on the bulk, if he's okay maybe delaying that discussion until we talk about the bulk in more detail. Thanks, Theo. Please, go ahead.

THEO GEURTS: Yes, we can delay that. No worries.

ROGER CARNEY: Okay. I think it's important just to keep in mind as we go through it so that we do know that that bulk is going to be a slightly different path. Thanks, Theo.

Again, keeping in mind that this first notification in the first two questions here dealing with the actual request to the TAC, not the receiving of the TAC, should there be a notification prior to receiving the TAC? Again, I think Theo had some questions on that last week. It's more of whoever is requesting it has requested it. And there's a proposed five-day window which exists today. But everybody is suggesting to keep from when the request is made to when the TAC has to be provided. So it's up to five days window there. I think the question is should that notification exist at the beginning and, as we've discussed, who that notification goes to. Thoughts on that? Again, want to separate receiving the TAC versus requesting the TAC. Or did I just confuse everybody? Sarah, please go ahead.

SARAH WYLD: Thanks. I'm typically confused. Not more than usual. If we're thinking about who received the notice that the TAC has been provided, do we first need to decide who is allowed to receive the TAC? Maybe that's the thing we have to figure out first and then we build on that.

ROGER CARNEY: Yeah. I want to go a step before that, though. Because line two is the TAC is not even available. Someone's just making a request. Should that

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request initiate a notification? When someone comes in and request a TAC be provided, should whoever's requesting—it seems a little weird—but whoever is requesting it or the domain owner, more specifically, should they get a notice saying someone has requested a TAC to be issued? Sarah, please go ahead.

SARAH WYLD: Okay. Thank you. I don't think we should have two notices that one says someone requested the TAC and then another one says someone received the TAC. I feel like one or the other is sufficient.

ROGER CARNEY: Okay. Is there a preference, Sarah?

SARAH WYLD: Well, I think I want rows two, three, four, and five to all be instantaneous. I think they could all be basically instantaneous. I think they are today. Maybe we have to figure out where the five-day window lives. Maybe we give people the option.

ROGER CARNEY: Okay. Thanks, Sarah. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Isn't that where the domain lock would come in place? In terms of if you unlock a domain and ready for it to be transferred, that's where that would fit in? Or am I missing something here?

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ROGER CARNEY: Yeah. The request would start multiple steps. In here, we've got them laid out. The request and then some unlocking may happen. Again, some registrars allow certain access to certain lock mechanisms so they can remove them themselves. But some registrars might remove them on their own as well. Again, I think if we look at step two and three, no TAC has been created at this point until the end of step three, I think, is what we're looking at here. Again, the discussion we had was, if someone request it and it's a three-letter domain name, are you going to get the TAC as soon as you requested it? Again, look at other models of maybe a corporate domain who is really one on one with their customers and they get a transfer request in, are they getting provide the TAC right away, or they're getting confirm that with their customer somehow? I think that's where that five-day window got identified and that possible delay between step two and step four and five on this line here. Keiron, anything else? Or is that an old hand?

KEIRON TOBIN: No, that's everything. Thank you.

ROGER CARNEY: Thank you. Daniel, please go ahead.

DANIEL NANGHAKA: Thank you very much. I'm confused here, too. Since the TAC hasn't yet been generated, and once the TAC has been generated, if we keep on sending constant notices about the TAC right from the point whereby

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the TAC has been generated, the TAC has been sent, it's good to create a series of so much notifications coming to the users and that some users may not be happy with it. Then someone else mentioned that the TAC has to be sent in a secure manner. Is it also possible to clarify what would be the secure manner in which the TAC is going to be sent? I think also too many requests is going to create a problem somewhere. Thank you.

ROGER CARNEY: Thanks, Daniel. I think the general idea is you want to send that in a secured mechanism as possible. But I think that everyone's trying to leave the mechanism itself out and allow for current and future implementations of notifications. Again, e-mail can be secure, it's just not necessarily the default for everyone. So I think the security is going to be somewhat depending on the registrar model and their customers themselves. So it's something to consider when we're talking about that. Tom, please go ahead.

THOMAS KELLER: Thank you. I would like to focus a bit on the five-day window. From my understanding, this is the time the registrars having to do it if he likes to. That means that providing the TAC can be between instantaneously and five days. It's up to the registrar to define his own security measures, whether he wants to do that or not. Of course, if you were always as a corporate registrar, you probably want to—and it's an important domain name, they're probably going to call your contact first and say whether he really wants that or not. With a John Doe

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registrant, with a normal retail registrar, he would probably say, "Yeah, I can get it right away and send it." Since we have that, I would say there should be the notification requirement that this has been done. And if that is not wished by the registrant or by the domain owner, then he should come back to the registrar to actually complain. But I wouldn't overcomplicate that. At the end of the day, we've seen that as a pretty normal behavior we see with most registries in the ccTLD world, that they sent you something, "Yeah, this is up for transfer. Do you really want that?" And if there's no reply, then they just go follow through with it.

ROGER CARNEY: Great. Thanks, Tom. Barbara, please go ahead.

BARBARA KNIGHT: Thank you. I guess my comment is really relating to who we're providing the TAC to. I know in the existing policy, the registrant and the admin contact are the ones that are basically authorized to initiate a transfer. To the extent that there is a disagreement, then the registrant, in essence, trumps the admin contact. And I'm wondering if it makes sense to perhaps continue along that vein because those contacts are the ones that are listed in the WHOIS and are available to the extent that it's not redacted. But I'm wondering if it makes sense to continue along that vein.

ROGER CARNEY: Great. Thanks, Barbara. Kristian, please go ahead.

KRISTIAN ØRMEN:
Thank you. I wanted to echo that I like Sarah's suggestion in the TAC that we should make the notification flexible and give the registrar the option to either notify the registered name holder, either at the request or at the provision of the TAC. I don't see why we should make it a requirement to give it directly at request. It maybe makes more sense to give it when it's actually created. Also because there might be time to live on it for some days, it makes sense.

Also, I just wanted to say that I don't think we can put in the policy who to provide the TAC to. If we put in the policy that we have to provide the TAC to the domain owner directly, then we have a problem with the reseller models, the account holders and so on. Because many people would say that it's not really a super secure method to deliver the TAC by e-mail. And in many cases, the registrar will only have the e-mail on the domain owner to provide it to if they would have to provide it directly. We need to leave it up to the registrar how to provide the TAC since it should be possible to provide it via API to the reseller and other measures as long as it's a secure method. But this is also why it's good that we notify the domain holder directly when there is a TAC created. Thank you.

ROGER CARNEY:
Thanks, Kristian. Okay. What I think I'm hearing is people are thinking that the line two notification is optional but the TAC notification is not optional, and that the TAC notification in line four or five is going to possibly go to multiple people. Whereas the request, again, that line

two be an optional and provided to the domain owner. Is that what I'm hearing?

Farzaneh, I think we'll get to that question. But I think that the idea is the TAC would be provided. Okay, Sarah. No problem.

Line two is the early step. And it sounds like everybody's saying this notification that someone requested it is optional for the registrars and it would go to the domain owner—I mean, whoever is requesting and knows they're requesting that so it's not useful to send to whoever's in the control panel. But the domain owner could receive an optional one from the registrar on line two here. Again, a TAC's not been created. Nothing's happened. It's only been requested.

Does that make sense there? Does anybody disagree that we're saying that that notification in line two is an optional notification? And as some people have noted, step two, three, four, five may be almost instantaneous or it may be up to five days between step two and step four.

Again, we'll continue to discuss, but I think that the notification for number two at the request of a TAC, not at the receiving of a TAC, but at the request of a TAC, should be optional for the registrar provide that notification. And if they do, it should probably go to the domain owner, not whoever's requesting it, obviously, because they're the ones requesting it. Okay. I'm getting a lot of feedback that number two should be optional. Line two should be optional communication. We'll assume that and if we come circle back and someone has some issues with that, we can talk about it. I think we can close this first set of poll

questions here. Again, going up to the next set of poll questions, Julie, if you can bring those up.

Okay. Now we're talking about when the TAC has been created. I think someone's mentioned that, maybe Steinar mentioned in chat, if the TAC was not created. And there are reasons for this. I think that obviously that's something that we're talking about denial reasons and things like that. There'll be a denial reason if it's denied for some reason for whatever it is. We're supposed to talk about those denial reasons in Phase 2. We can obviously discuss those now as well. But we're scheduled to solve those in Phase 2. But to Steinar's point, yes, there is a possible path there but we're talking about when they actually get a TAC. We'll talk about when they don't at a later time.

This is when the TAC has been—the registrar has spent the time to do it or it has automated this process to this point. This could be instantaneous or this could be five days later. Should the losing registrar notify the registrant when a TAC is provided? Again, I think the important part of this question here is the registrant be notified because they may provide the TAC in the control panel, which maybe someone else has access to. But here, could we notify the registrant when the TAC has been created and provided? So that's the Question 1. And then Question 2 is what should be included in that TAC notification if it is required? Again, we're talking about lines four and five here, basically, in the Transfer Steps and Notifications document.

Okay. Let's go ahead and show the results. Heavily weighted on requiring a notice to the registrant when the TAC has been created and provided. Someone picked optional and someone picked they don't

support this type of notification. And it looks like most people selected a link that was not requested. I think that Sarah's point here in chat is—we can talk about this—what should be included? But definitely it looks like people are heavily favored toward requiring this. Again, I'd like to hear from the people that think they should be optional or think it's not needed at all. Barbara, please go ahead.

BARBARA KNIGHT: Thank you. From my perspective, I support in providing a link. But I guess I would prefer to be something to the effect of if it wasn't requested by or supported by the registrant. Because it could very well be that the registrant didn't necessarily request it but they still are aware that the name is going to be transferred and that somebody else who they have talked to, presumably the admin contact has requested it and that they are in support of it.

ROGER CARNEY: Great. Thanks, Barbara.

BARBARA KNIGHT: Thanks.

ROGER CARNEY: Okay. Thanks, Catherine, for your comments in chat there. I think what we're talking about is it may be to multiple people but one notification here. So it would be whatever it is, it's just one notification that says, "Here's your TAC, however it is. Here's how you find your TAC,"

whenever that is. But the main question is should that be required to be sent to the registrant and some mechanism? Again, it may be e-mail or whatever, however that mechanism is, but should the registrant be notified that the TAC was created on the account or on that domain.

Agreed, Sarah, we are talking about row five here. Again, row two wasn't optional. Some people probably won't send that. Maybe different registrar models may find that it's useful to send it out. And people that are doing different steps in between that five-day window may feel it's necessary to send out or not even necessary but appropriate to send out. Now we're talking about step five where the TAC was created at the registry and it's being provided so someone can transfer this now.

Crystal, good point. I hope that that was clear to everybody. If steps two through five are fairly instantaneous—again, step two we're saying that it's only optional to begin with, to notify. But if step two through five is instantaneous, that should be probably one notification, that there's no reason to send two notifications. Step two through five is occurring at the same time or at least close together. Yes, thanks, Crystal. That's the question I think. People support that idea of allowing some registrars who are going to take time or not just want to do that on step two provide a notification. But it sounds like when the TAC is created, that is a requirement we set is what I'm hearing from everyone.

Line two, that's optional. It doesn't need to be done. And if two through five are done together, it makes sense to do one, but if you do get to number five, you have to provide a notification to the registrant. So I think we have agreement there. Again, I think that we can work on what

that is. I've heard a couple of good ideas of link to if this wasn't requested. Again, I think that that notification may be, "Okay, go to your control panel if you want to get your TAC," or whatever it is, whatever messaging that they're using. Good. Okay, Sarah, please go ahead.

SARAH WYLD: Thank you. Hi. I have gone [inaudible]. I changed the text in D2 to say optional pre-transfer, and then D5 to say required.

ROGER CARNEY: Perfect. Thank you. I think that that's what we were agreeing to. So if anybody reads this and thinks, "Oh no, that's not what I meant. Please bring it back to us." I think this is what we're saying is that yes, the request is going to be optional for the registrar to provide the actual presentation or notice that the TAC has been created, has to be is required to be sent to the registrant.

Okay. Again, I think that that message, whatever that notification is, if it's a secure communication already, they may provide that TAC on that line during the communication. Or they may just provide a link back to a system or a place that that TAC does reside so they can get it. Sarah, please go ahead.

SARAH WYLD: Thank you. So I just added a point into 5E that if the TAC itself is sent by e-mail, which would be the row 4E, then row 5 doesn't need to have it. We don't need two notices. It's one that says, "Here's your TAC," and

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one that says, "You've got your TAC," both sent to the same person. Did we agree on that or did I just think that? Thank you.

ROGER CARNEY: Thanks, Sarah. I think that that's what we agreed to. It was that there would be just one. Okay, good. I think that we have that general understanding now. All right. Sarah, your hand's up. I think that's an old hand.

SARAH WYLD: Sorry.

ROGER CARNEY: No problem. Thank you. Okay. So I think we've got it through to the TAC spot. So now someone has access, the TAC is created. So in theory, the transfer can go through as quickly as possible at this point. All right, let's move on to the last set of questions in the survey.

All right. So this is an interesting set of questions. I think we've talked in the last couple of weeks about this pending transfer. Is that the right term? In today's vernacular, pending transfer is when the gaining registrar has provided the Auth-Info Code and the registry notifies the losing registrar that a transfer is in process.

So, this pending idea, maybe it shouldn't worded this way but today is basically the pending is it gives a window for the losing registrar actually another five-day window today for the losing registrar to evaluate and either NACK it or ACK it and creates another possible five-day window

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there. In this scenario, the pending transfer is the TAC is created so at some point, once the TAC is used, there is no such thing as a pending. So this would be pending state after the TAC is created and how it's actually used, it would be a pending state. Or if TTL is an option, until that expires as well.

So, this question is, should there be a notification of a pending transfer which, as we've walked through this providing of the TAC to the registrant, to me, when I look at it, seems like it's a pending notification. But I just want to lay it out there so that it's an option. Again, Steinar, please go ahead.

STEINAR GRØTTERØD: This is when the registry has received a request for transfer, the first one. Am I correct or is it in a different phase?

ROGER CARNEY: Okay. Again, to me, like we've discussed, there is no equivalent of pending as of today. Because once the registry gets the TAC, it's transferred. There's no interruption there. Tom, please go ahead.

THOMAS KELLER: Thank you, Roger. I have to admit, I'm a bit confused. I thought that we discussed that because at the end between issuing the TAC and having this pending status, I think there's not a big difference. I think what we should do and what we should require that—and I think that's how Sarah phrased that—if the transfer is initiated, then the domain owner should be notified by it. It doesn't really make any sense to have various

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periods and various requirements. It's a rather straightforward thingy and for the whole process is a five-day window where the registrar can check whether the entity requesting it is the right person or not. But in the worst case, in the scenario we're looking at, we could have three notifications for basically the same thing, and I would rather go for one. And if people would love to send more than one, that's okay with me, but it should definitely not be mandated. That's at least my understanding. Maybe I'm confused after that.

ROGER CARNEY: Okay, no problem. Yeah. And I think that this came in just as ideas came through. So I think that we're starting to solidify some of these. I think that we've got a couple more poll questions after this, which actually talks about the combination of all these. So maybe it will be easier. But, Jim, go ahead.

JAMES GALVIN: Thanks, Roger. I think as you've identified here, Roger, just now you're sort of going in this, and it's been said a few times, there's a couple of similar themes that are coming out of each of these steps. I just was in my own mind taking a step back and trying to establish some overarching principles that I think apply here. From my point of view, from a from a security posture, I think that it's always appropriate to notify someone of significant changes that happened to their account or happened to their domain name. I would suspect that most of us would agree with that on principle. So that just says that that has to happen. And now the question becomes there's a series of things. What we're

walking through here is a series of potential steps. At least conceptually, they represent discrete and immutable steps that have to happen. And the question that we seem to be coming to each time we examine one of these steps, is the timing of this particular event. Is it happening alongside of something else? Or is it actually happening independent of that?

So I think the concept of always notifying somebody of important steps along the way in the process is exactly appropriate and should be mandated by policy. But what the policy has to allow for is some of these discrete steps are not independent. They, in fact, are dependent and they happen together at any given registrar depending on how you implement things and what you do. So whereas it looks from the point of view of the sequence of steps that there's potentially three notifications, the principle is you have to notify the registrant, if that's what we decide is the recipient of all of this. But the action is, well, these are the three times, if you will, or the three moments where it would be appropriate to send a notification. If they happen together, you only have to send one. But if they happen independently, then you have to send three. And that's the way you want to reflect this, I think.

I think that's sort of a question which keeps coming up here. The timing keeps coming up and I think we need to abstract the timing constraint out and look at it sitting above these immutable steps, and each of these steps to just reflect what ought to be available at this point in time. And then when you implement, you can take a step back and look at the timing of them and decide that you don't need more than one. I hope that makes sense. Thanks.

ROGER CARNEY: Thanks, Jim. I think that makes really good sense. It was a good way of clarifying, I think, hopefully for others as well. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Yeah, I agree with what James has just said. I don't want to jump too far ahead. But I think potentially, in terms of if it's like a bulk transfer, then maybe obviously more steps need to be put in place. And I say that very loosely because obviously I don't want to go down that track here with everyone else. But yeah, obviously, in terms of more security is needed if there was bulk. But for just a single domain transfer, obviously less security is needed so we don't have to send three notifications.

ROGER CARNEY: Great. Thanks, Keiron. I think everybody's coming to the same conclusion. Again, we can answer this poll question but I think everybody's already kind of answered it and maybe answered the last set of questions, too. But let's go ahead and finish this and go ahead and answer these poll questions. I think we're actually answering some of the further poll questions, which is great. It'll make it easy.

But I think that Jim's model—and then I think I saw a lot of people support it—is that the timing is separate but obviously somewhat linked to this. Maybe there is only one notification and maybe there is multiple notifications. We'll have to decide if policy even dictates any of that. Obviously, there has to be one and maybe it doesn't dictate the others,

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or maybe it allows for it. So I think that that's something we have to look at.

Okay. Let's go ahead and show the results here. I think we talked through them. Okay. I think, again, the answers here are heavy on the first two points, 87%. And again, we've talked through a lot of this and that this seems like it's possibly part of another notification or could be. So it may be just one. So I think that that supports that, I think the results do at least. I think that the link to deny—and again, we'll go back to I don't want for Steinar, Kristian mentions this—this is kind of where the possible NACKing of it can occur is providing in that notice a link to stop this transfer request. Okay. Let's go ahead and move on to the next poll question. I think we'll get this straightened out as we got through them. All right.

So now let's go to the end of the transfer and the registry has actually made the move. Should the losing registrar send a separate notification to the registrant when the transfer is complete? Again, I think the key here is we've talked about on previous calls that the gaining registrar would probably send something some kind of welcome message or something. But I think here is do we require the losing registrar to send anything once it's been moved away from them? So I think that that's what we're trying to get at it, Question 1 here. Again, what should be included in that? Jim, please go ahead.

JAMES GALVIN: Thanks, Roger. While folks are thinking about their answer to the question, I want to repeat my comment that I made before, maybe

frame this just a little bit differently and repeat the way that you said it, Roger, which is just keep in mind, I think the principle here is there are moments in time that a registrant should be notified. So I think it's appropriate to agree that a notification should be sent to the registrant for each of these individual elements or most of them anyway. But it's the timing of them, which is a separate question which has to be worked out yet. I think that we should try not to think about each of these steps as a separate notification, just that it is something that needs to be indicated to the registrant. And the timing of it, we can come back to once we see all of the things that are there and we can allow for different implementations to combine notifications, and I think that will simplify all of this. My big suggestion here is to take the timing of the notifications as a separate question and just think in terms of this being an event the registrant needs to know about, and we'll figure out when to do that as a separate question later. That's the point that I'm trying to get to here, my suggestion. Thank you.

ROGER CARNEY: Great. Thanks, Jim. Okay. Some good things in chat there between Sarah and Kristian as well on who can send and who should send the notices, and why. Steinar, please go ahead.

STEINAR GRØTTERØD: I'm thinking about the scenario. If one of the previous notices there is an option for the registrant domain holder to actually acknowledge the transfer and kind of approve it, then another message from the losing registrar saying that you have approved it and know it is transferred

away, in a month it doesn't really make any sense. So I think there are dependencies for when the final notification about a complete transfer should be sent. Maybe this is one of the scenarios that it doesn't need to be sent and still are in line of good information to the registrant at least. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. Okay. Let's go ahead and pull up the results on the poll. Okay. So 93% thought it should be required or should be optional to send. Again, I think one of the keys here is Sarah brings up the fact that the gaining registrar may not know who the pre-transfer registrant was. I think that's the question of should the losing registrar notify that person. It may be the same person or maybe somebody else that made that transfer. I think that's where the requirement of notification for the losing registrar comes up. So I think that's where we had to draw that line between, yes, it should be required or it's optional. Again, it's one of those—I'm not sure how you would select that but opening it up for discussion for everyone to see. Thoughts on that?

Again, going by the poll, it seems like people think requiring it makes sense. So if you don't want to require it, maybe that's how we can approach someone coming into the mic and talking to why they think it should be required. No one? Okay. Again, the majority, 60% of people said that it should be required. So I'm going off the assumption, okay, let's make it required. Anybody that wants to talk about why it shouldn't be required, bring it forward or anyone that wants to support why it should be required, I guess, could speak as well.

Again, looking at the poll, I would say the group thinks it should be required. So I would think that when we make any decisions here, we're going to say, "Okay, the post transfer, losing registrar has required to send a notice of transfer complete to the registrant." Okay. Again, if anybody doesn't want that, we can talk about it and think about it. Once we get it written down, maybe it makes more sense.

What should be included? A few people selected all the elements. Majority of the people, 67%, have selected that some of the elements make sense. Again, a few of the elements that we should require and then make some of those optional to be sent as long.

Sarah mentions in chat she likes sending all of them, including all of the elements. She's interested to hear from anyone that thought only a few had to be sent and not requiring all of them to be sent. Kristian, good point in chat. One of the most important ones is the ID / name of the new registrar on record at the registry. Obviously, domain name, the basic info makes sense.

Sarah in chat talks about the name not being readily available. Registrars can use the ID and find out the name. Or another option is in the poll message that the registries are creating, they provide the name along with the ID. Yes, that would be nice, Sarah.

And most registries actually have registrar objects that do list that, and most of the most of the time, they have both value. I don't think it would be a heavy lift but, registries, please speak up if that's not true. I think most of the registries have registrar object that has the ID and the registrar name in it. Thanks, Barbara.

Oh, sorry about that. We are at time. Okay, great discussion. Again, I think we made it through this. The last poll questions that we didn't get to were exactly what we talked about this whole time which was, which one of these should be combined and which ones can be combined, and how do we do that? Again, we've talked through a lot of that and we can continue working on this document so that we can straighten that out between now and next week so that hopefully next week we have a clean document here, everybody agrees to it, and we're good to go from there.

Any other comments/questions before we end the call? Okay, great. Thanks, everybody. Great discussion today. Next call is next Tuesday. Thanks.

JULIE BISLAND: Thanks, Roger. Thanks, everyone, for joining. This meeting is adjourned. You can disconnect your lines.

[END OF TRANSCRIPT]