
ICANN Transcription

Transfer Policy Review PDP WG

Tuesday, 08 February 2022 at 16:00 UTC

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JULIE BISLAND:

All right. Good morning, good afternoon, and good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group call taking place on Tuesday, the 8th of February 2022 at 16:00 UTC.

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ROGER CARNEY:

Thanks, Julie. Welcome, everyone. Hopefully everyone took advantage of the week off and got their thoughts together on the locking proposals we've been talking about.

Before we jump into that discussion, I don't have anything major to bring up, but I would like to open up the floor to any of the stakeholder groups that may have some comments or discussion that occurred over the past couple weeks that they want to bring forward. If any of the stakeholder groups have anything they want to bring forward, please do so now.

Okay. And I think we're still waiting on Beth and Jim to discuss a few things on the registry side. So just as a reminder for them that we're looking for a few things.

But let's go ahead and jump into our work today on the locking. We've got a nice document started here, and I think that we ended up in a fairly good spot last week. I don't know that we set any definite timelines or anything for it, but I think we've come to a fairly good agreement on shortening down the mandatory locking period and trying to make it consistent for all our creation and for post-transfers.

So I think that we got to a fairly good spot. We probably just need to nail down what those dates are, the time periods for them. We came up with some fairly good rationale on the last call for why at least there's a minimum needed on those. So I think we're in a fairly good spot. But I think where we need to really focus our discussion today is kind of hammering out what should those timelines be. I think we ended up with everybody agreeing it's got to be at least greater than five days, but what's realistic? And most of that five-day was around the grace period issues. So I think that moving forward, let's discuss more precisely what dates or timelines we're looking at making it for mandatory. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. So I did a bit more research just in regards to, obviously, we're trying to bring the creation date and the transfer on kind of a much easier path so there's not as much confusion out there. The problem we have five-day on initial registration is

obviously the AGP period. Seven days doesn't really support enough, in terms of the data that we've seen, to prevent chargebacks.

So I think looking at it, a ten-day minimum process in there would probably be for both new creations and transfers—seems to be about right. Also looking at some other registrar policies as well, I feel ten days is probably the right amount. I think if we look at five, we're going to come into problems, and seven, there's also potential of chargebacks as well. Thank you.

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

KRISTIAN ØRMEN: Thank you. I just wanted to repeat what I said last meeting, that if possible, I think we should stick with weeks to be sure that there is no misunderstanding in days versus workdays. So if we are ten, I think we should just consider, say, two weeks, and that will clear some misunderstandings somewhere. Thank you.

ROGER CARNEY: Thanks, Kristian. Yeah, and I know that several people have proposed being as precise on that as possible so we don't get into the quandary of, "What was that, calendar days or business days or Jupiter days or whatever it is?" And I'll note that Berry prefers hours, so I'm sure we'll see a parentheses of hours in there as well somewhere.

Okay, any other comments on that? I know that we've been toying with, again, the five-day. Keiron is suggesting a minimum of ten days' lock on create and transfer. Any comments on that, any questions, any support, but more than—anyone suggesting other times? Zak, please go ahead.

ZAK MUSCOVITCH: Thank you, Roger. Just in terms of the ten days that Keiron mentioned, I would like to hear more about what it is about ten days precisely that serves to avoid the chargeback issue. Is it something to do with credit card processors' policies that ten days is a key date in those procedures, or does that just seem better rather than five days? Because I understand that maybe 30 days is a better day for chargebacks, or maybe five days will serve the same purpose as ten days. I just think we should get a better idea before we pick a number. Thank you.

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

KEIRON TOBIN: Yeah, so what we established is—when I went to our accounting team—we got some figures. And obviously, everyone knows—anyone who is on this call who has been sadly a victim of fraud or anything in regards to that, you'll know that sometimes it can take a couple of days for transactions to appear on bank accounts due to the pending process. Once you identify something that you might not necessarily identify, that's when you contact your bank

and the chargeback process, depending on the issuer, can also take a couple of days as well.

So that's where the issue occurs for registrars, is that we need to ensure that we aren't being hit, because potentially as well, if we allow people to start transferring registered domains out within a couple of days—let's say five days or ten days, whatever we decide to put on this, and the issue that we're going to have is we're going to have to contact the gaining registrar to inform them that a chargeback has been done or whatever, and it just creates a whole mess of a process whereas ten days, we've seen from the analogy that we've done and from accounting, ten days is when the majority of them are reported, and that large majority—because obviously, as soon as you identify fraud, then it takes it down. Thank you. Zak, I hope that helps clarify. I'm happy to go into a bit more detail. I can't give you exact figures, but I can go into it a bit further. Thank you.

ROGER CARNEY:

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Thank you. I just wanted to say that personally, I'm okay with the 7, 10 or 14 days, but I think I have to note that on several ccTLDs, this is not an issue. You can transfer the domains right after you register and so on. I think that's important to note, because if we propose 7, 10, 14 days or whatever we propose, there will be probably public comments that say, "Why do you have this when all these ccTLDs don't?" JULIE BISLAND: All right. Good morning, good afternoon, and good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group call taking place on Tuesday, the 8th of February 2022 at 16:00 UTC.

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

ZAK MUSCOVITCH: Thank you. Yeah. No, I appreciate that explanation. It does make sense. Of course—well, not of course but I do prefer 10 days to 60 days. So I'm not arguing against the ten days per se. But I do think that, you know, I think it was Theo just mentioned, that it does seem that we're asking for a little bit of trouble if all that we have to back up the 10 days is evidence from one particular registrar that we're not able to share. I think it would serve us well if we're able—I don't want to go through the trouble of acquiring all this evidence from various registrars. But we do need to formulate some kind of defense of the ten days based upon some evidence, I would think. Thank you.

ROGER CARNEY: Thanks, Zak. Absolutely. I think whatever dates we set, we need to have rationale. Obviously, I think that the AGP is, obviously, a big factor in setting that date to not zero as Kristian mentioned that a lot of the ccTLDs do. But obviously, we need to come up with rationale for the dates that we do pick. So, Keiron, please go ahead.

KEIRON TOBIN: Thank you. To come back to Kristian's point, yeah, with ccTLDs, they have their own kind of IPS tags and stuff like that, depending on obviously the ccTLDs. So they have their own internal kind of

stuff where they can physically take it whereas if we were to ask registries on a larger scale such as I don't actually want to mention names but to start doing that for domains where there may be multi-millions under management and stuff like that, we may go into a couple of problems there. And then, just to go to Zak's point, I think every registry and registrar on this call will probably argue the five days if we were to go for the same policy for newly created domains, and also transfers is just not viable in our industry. Then, you look at seven days, but then we've got the potential fraud issue. So I feel ten days is perfectly right in regards to that. It just seems to sit best I believe with the way the industry works. But yeah, like I said, I'm happy to have an open discussion in terms of that. Thank you.

ROGER CARNEY: Thanks, Keiron. Theo, please go ahead.

THEO GEURTS: Yeah, thanks. So when it comes to chargebacks, I think there's more levels to it. When you talk about credit card fraud, most of these credit card merchants process that pretty quick, and they are able to mark stolen credit cards pretty quickly. But you also have all these other services—mentioned PayPal in the chat—where you have an actual dispute process. That process can take up a little bit more longer than sometimes five days or ten days. Because you have the PayPal, there is this process going on between the seller and the buyer. PayPal has to make a decision at some point for what to do. Will they do a chargeback or not? That process is not automated. There's people involved. So that is

sometimes not the slowest process out there. Then, there's the other issue. We don't know for sure what's going to happen in the future. When I look at stolen credit cards, at the moment, there's a lot out there. But I think the credit card merchants are pretty quick now but that might change. Thanks.

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

KRISTIAN ØRMEN: Thank you. As a response to Zak, I think it's pretty easy to find a lot of statics on chargebacks. So we don't need to publish numbers from a specific registrar. Just when on this call I just Googled chargebacks statistics where the first result was every 6 out of 1,000 transaction will be a chargeback. That's over all industries. I think some industries, and it could be ours, would probably be a lot more.

Also, if you look at the chargeback days, which is what we are I think discussing here, it says that a lot higher than the ten days, even up to 120 days. So the number we need to find for locking a domain name because of this issue, we need to both, of course, factor in the registrars and the chargebacks. We need to factor in the consumer protection and the easiness of being a domain registrant. So I, of course, hope we would never get to 120 days. But I understand that some registrars really do need to have locks in place because of chargeback.

Personally, for my own personal view, I want to have this number as low as possible. But yeah, I think it's a valid argument. We don't need Google's numbers to do that argument. Thank you.

ROGER CARNEY: Great. Thanks, Kristian. I think everyone here supports you, Kristian, on the fact that we don't want to go to one hundred twenty days. So Lutz, please go ahead.

LUTZ DONNERHACKE: Lutz Donnerhacke, for the record. On taking the point of the registrant of the domain, I try to understand what's the reason behind this lock. If I understand correctly, every time a domain changes to a new registrar, we have to deal with the payment. The reason for the lock after registration or a transfer, in this case, is to have the lock for ten days now proposed in order to deal with payment issues or anything like this. Do I understand correctly that's the main point here?

ROGER CARNEY: Thanks, Lutz. Yeah, and I think that the other thing was the grace period that's already built into this also is a five-day window from create. So that's also trying to account for the ability to use that grace period as well.

LUTZ DONNERHACKE: So the question I have is what's the impact for the registrant? Does it mean that he didn't own the domain up to this period not

so quite well? Because the registrar is able to [seize] the domain if there is some issue with the payment. Thank you.

ROGER CARNEY: Thanks. Lutz. Greg, please go ahead.

GREGORY DIBIASE: Yeah. I think this was said earlier but I just wanted to say it in a different spin. I think it's more than just the registrar potentially getting their money back. There's a fraud deterrence element here. If an abusive registrant knows they could register with a fraudulent credit card and then transfer to a new registrar before the old registrar finds out, there may be a motivation to do that. If they know that they will not be able to transfer by the time they're able to transfer, the registrar will have been able to run this check and find out if it's fraudulent and potentially suspend the domain to mitigate abuse. That could have, I think, a deterrent effect. I think that was the original thinking behind the 60 days, which was too long, or I think that's the consensus of the group, that that might be too long. But in our explanation of why this is necessary, I think we can discuss a fraud deterrent element as opposed to purely focusing on the chargeback or money recovery from a registrar perspective.

ROGER CARNEY: Great. Thanks, Greg. Yeah, and it's great. That's another good point. I think it's been several weeks now, but I think that Sarah mentioned even initiating a transfer dispute and not specifically in regards to that but if there is a ten-day block, then you're talking

about when we've seen it, obviously, we've all seen a domain get hopped from three or four different registrars. But if there's a ten-day lock on each one of those, then that time period obviously comes into more effect and maybe someone gets their dispute in before it gets to the fourth or fifth [inaudible]. Then, it's probably a little late by that time, but then it also helps that, again, getting back to that fraudulent idea. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah, just echoing what Greg said, I think in terms of also looking at the At-Large, as well, obviously, we do want to reduce the 60-day [kind of] on here. So by reducing that as well, we are also making it more registrant-friendly. So there are some perks in it there. Whether we decide to drop down to 40 days or 30 days, we could put a maximum thing on that. So, for example, once the domain has been registered or transferred, put a minimum of ten days on a minimum of all registrars, for ccTLDs a minimum of ten days on there, and then say a maximum of, obviously let the registrar decide but then put a maximum of 30 or 40 or whatever we decide that number to be on. Then, that way we're ensuring that we're looking after the registrant as well and they've also, got an additional point to that, as well. I will also just note, as well, that this week as a registrar, I had a massive issue in terms of a gTLD that had a specific lock. It's not a huge extension but yeah, it had its own rules. I tried to contact the registry. It became really complexed as to what it be, and standardizing something like this across the board I think would help a lot of registries and registrars as well. Thank you.

ROGER CARNEY: Thanks, Keiron. You brought up an issue I was going to bring up once we've just finished this discussion. Maybe we'll table it for at least the next few minutes anyway is, is there a mandatory minimum, and is there a flexible maximum or—But let's focus on that minimum number and the reasons why that minimum number. Again, I think that's the biggest thing that Zak and Kristian and several people have brought it up now is that rationale of that minimum number. So Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. Some of it has already been said, but I think I just needed to add a bit on that this is not only chargebacks. It's very much fraud in a lot of different sense. It could be like if you have domain theft on a highly valuable domain or someone you want to hack. It will just be so much more difficult to investigate if this domain have transferred ten times between ten different registrars. It takes a long time to cover that trail. A lock of even just a couple of days would help that investigation quite a lot. So the lock in that sense absolutely makes sense. Then, there's the chargeback with the new registrations. There's the AGP as well. So there is a lot of different reasons to why a lock makes sense. Thank you.

ROGER CARNEY: Thanks, Kristian. Lutz, please go ahead.

LUTZ DONNERHACKE: Lutz Donnerhacke, for the record. Two points. First, we are discussing two types of locks here. We are discussing a post-

creation lock and the post-transfer lock. The post-creation lock is fine for me with five to ten days or something like this but a post-transfer lock is quite different. As just said here, we have the problem with fraud and domain theft. With a new-created domain, there is no issue with domain theft but with a transferred domain which is already in place. So those post-locks need to be different for different reasons. On the other hand, there was a discussion about minimum-maximum lock periods. I vote strongly against such ranges because it's hard to explain to the registrants or even to the resellers that you have to deal with different time frames that completely depend on the contract you have, not on the top-level domain you have. So that will cause a lot of confusion, I heavily vote against it. Thanks.

ROGER CARNEY:

Thanks, Lutz. Yeah, and I would say the one comment on obviously the after-transfer is more prone to theft. I would say that you're right, that on creation, it's less. I wouldn't say there is none but yeah, it's definitely not a huge factor on the creation theft-wise. But obviously, it still happens. But yes, it's definitely more of a focus on the post-transfer. So Mike, please go ahead.

MIKE RODENBAUGH:

Mike Rodenbaugh speaking for the IPC. I don't talk too much on these calls but I do listen intently. I appreciate the dialogue, especially amongst the registrar experts. I agree with Lutz, particularly on the confusion issue around this. I thought we were talking about a number that was going to be set for all registrars and all registries, period. No discretion to increase it or decrease

it. However, of course, registrars, once they do have indications of fraud, can then suspend for any reason, per their terms of service typically. So from the IP perspective, the feedback that I've got on this, and I did take this back to the constituency over the past couple of weeks, and now I've got some feedback, is that we would strongly encourage a very consistent lock both as to creation and to transfer and not allow any discretion for the registrar to change that unless they've got evidence of fraud and otherwise would suspend. I think that that's critical to this policy. Thanks.

ROGER CARNEY: Thanks, Mike. Just a follow-up for you, and maybe you've talked about it in your discussions, was the consistency also across the two different concepts of create and transfer?

MIKE RODENBAUGH: Yes, most definitely.

ROGER CARNEY: Okay. Great. Thanks, Mike. I saw someone else's hand up, but they must have got their point across, I guess. Any other comments or questions on that? Again, I wanted to focus on what we've been talking about, and Mike just touched on it again, and Lutz talked on it a little bit about if there's an upper limit, or if it's just a minimum. So I think that, again, a lot of good discussion around the minimum. Again, obviously, I think the group agrees that five is a little short just because of the AGP timewise. It seems like there's a lot of support from the registrars anyway of

the ten day with some reasoning behind that. So I guess let's look at that. Obviously, greater than five, and look at that ten. If there's any issues, again, I think Zak and Kristian and several people have mentioned the rationale makes the biggest difference. Ten is definitely a different, an improved number over the current 60-day but yeah, I think that no matter how you improve it, there still has to be logic behind it and reasoning behind it. Mike, your hand is still up. Is that an old hand, or did you want to add something?

MIKE RODENBAUGH: An old hand. Sorry, I'll take it down.

ROGER CARNEY: No problem. Thanks. Okay. So let's assume the ten days. Again, we need to put the rationale in there. If others feel that that ten days isn't appropriate and it should be shorter, we can discuss those rationales if that makes sense or not. Let's move away from that bare minimum lock period and see what the appetite is for—and, again, Mike just suggested that it seemed odd. I think Zak said the same, that it seems odd too that there would be a variable number here. But let's discuss the idea of okay, there's a ten-day mandatory lock. Obviously, we'll have reasons that that lock can be broken in itself. Obviously, one of the things here highlighted in our document we'll talk about shortly, and we'll talk about reasons for NACKing and things like that after we're done here.

But let's get into the conversation, is, should there be a flexible time period of lock, as well? We've already heard a couple times

today that that seems to move away from a consistency point. So I think that's one of the considerations we need to look at. But I'm going to throw it to the floor and say hey, is there an appetite for an upper bound that registrants/registrar have flexibility? As Mike mentioned, obviously, they have flexibility in their ToS and whatever else. But from a transfer policy itself, should there be flexibility for a, and I think I heard a think I heard 30- or 40-Day maximum lock period. Theo, please go ahead.

THEO GEURTS:

The simple answer is no. There are certain situations as discussed before that you could NACK a transfer because you suspect fraud and you have a good reasoning behind it, which you can demonstrate to ICANN Compliance, why you didn't proceed, why you NACKed the transfer. But you want to have a standard all across the board. If somebody goes like 10 days, and you go like 15 days, I don't think that's going to fly over pretty well. Thanks.

ROGER CARNEY:

Thanks, Theo. I think the idea would be something along the lines of a minimum 10-day lock or mandatory 10-day lock with an option up to x-day lock. So it would be everyone enforces a 10-day lock. But for whatever reasons, it's an "up to" date. So just on that thought.

THEO GEURTS:

Oh, so you're saying 10 would be the minimum. But if registrar chooses to reduce that period, that would be an option also.

ROGER CARNEY: So I think it would be registrar that for some reason, whatever their environment is, maybe they do have a lot of chargebacks. So they think, obviously, they're going to enforce a 10-day minimum. But maybe they say, like you said earlier, maybe they go 20 days just to cover their fraud issues.

THEO GEURTS: Yeah. But if you are encountering a lot of fraud issues, one, maybe you have to do something to make sure that you don't get drowned in all these chargebacks. Because that is definitely—I can't imagine that situation. If you are in a situation that you have lots of chargebacks, you're going to be running into a lot of problems with a credit card merchant, they're not going to like it or kick you out. And then you don't [get to] process credit cards. That's how it works. So I don't see that as a very realistic situation. Thanks.

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

ZAK MUSCOVITCH: Thank you. So just listening to that discussion you had with Theo there raises an interesting question for me. And that's that if one of the primary reasons for post creation lock is to protect registrars from fraud—I'm not saying it's the only one. But if it's one of the primary ones, suppose there's a registrar that isn't that concerned about fraud, that doesn't encounter it or has credit card processors

which insure against it or provide two factor authentication or whatever the reason is, the register isn't concerned, could they lower or waive that lock period? That's the first question.

The second thing that I thought that I had was more of a concern. And that's that if there's going to be a minimum, let's say 10-day creation lock, it would be very disappointing, I think, if you know, all the dozens or hundreds or whatever registrars all pick their own creation day lock above the 10-day period, because that really brings us back to the situation we're in where it's a hodgepodge, there's no consistency, etc.

So I think the formulation that Mike Rodenbaugh presented a few minutes ago really is compelling. And that's that, if there's going to be a 10-day post creation lock, it should be 10 days uniformly subject, however, to registrars suspending that domain name or putting their own lock on it, rather, based upon some reason that they have in the circumstances. So I think that that preserves the registrars' business interest, while not changing the uniformity of the lock, thank you.

ROGER CARNEY:

Great, thanks. Yeah, and I think, you know, obviously, that's, that's what Mike was trying to get at and I think Theo was saying the same thing as well. Okay, so just to kind of put the minimum or the mandatory lock—whatever you want to call it. Let's not call it minimum if there's no maximum. So mandatory locked is part of the transfer policy whereas the other reasons that a registrar can lock it or not necessarily part of the transfer policy is actually

accounted for elsewhere in the contracts and such. So, okay, Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah, I think with standardization across the board here for, let's say, a minimum 10 days across the board for both creation and transfer. The problem that you've got is that when you start allowing, as Zak was saying—I get worried about any registrant who wants to transfer a domain out less than 10 days. And let's be clear, everyone on this call, and everyone knows, no one is immune from fraud, you can have a one week where there's no fraud and you can have another week where there's a massive amount of fraud. That's the way the world works. And that that's the world that we live in.

I think looking at a registrants' perspective as well, a 10-day lock also gives them a kind of form of unity as well in understanding that domains can't be transferred as quick. And if we had it across both transfers and registrations as well, we're also reducing the minimum amount that some companies place on that at the moment, such as Verisign, where they've got a mandatory 60-day lock in.

So by reducing it from that perspective, it can't always be about essentially looking at the wider picture, we need to ensure that registrars are both safe and the registrant is protected as well. If we were to go up to maybe something of around 30 days, it would give registrars the opportunity to prevent that and registries as well. Maybe Verisign doesn't want to drop down to 10 days as a minimum. And maybe they have some rationale behind that as

well. And so let's not just kind of jump off the fact that registrars and registries will be immune from fraud, because that's not the world that we live in. and I just want to echo the fact that we're trying to get a standardized process, I think here, especially from what I saw after Sarah's point, and we're trying to get a unity together and not create confusion in regards to the transfer and to the creation. Thank you.

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

KRISTIAN ØRMEN: Thank you. I would like to first of all support Mike in what he said that they need to be the same for everyone. It needs to be strict, the same. The minimum lock doesn't make any sense because a lot of people would just keep it at 60 because it's easy not to change anything. I could agree to a maximum of whatever we decide. So people could decide not to have a lock. But to say minimum 10 days, then why even talk about it, we could just keep it at 60. Either strict, whatever they would choose, or maximum whatever they would choose. And then registrars that decides not to have a lock, they can do that.

From the main market I myself am in, which is Denmark, we have one registrar that are extremely good at getting new registrations but not keeping them. So quite often we see that the registrants they would register at this registrar and they would move it directly because they want webhosting elsewhere. And quite often it's much more expensive. But they just think that this is the place to

register a domain name. Apparently, they're very good marketing in that sense. So from for that view, of course, I would like to be able to transfer these domain from this other registrar the same day as they are registered. But I can definitely agree if the majority thinks that we need a lock, then it's fine. Let's do it. But not a minimum. That's like we can just skip the whole conversation. Thank you.

ROGER CARNEY:

Thanks, Kristian. So yeah, I think let's get away from the minimum talk of say, a mandatory lock, or, as you just suggested, and I think Zak was kind of alluding to as well—or I shouldn't say that, I should say this maybe solves one of Zak's questions. If there's a maximum set—and again, let's say there's a mandatory or a maximum, one or the other, I guess, is where everybody's kind of leaning. I think the maximum solves the question Zak had on, okay, what if someone wants a quicker—a registrant or a registrar wants a quicker turnaround on their business model. I guess that kind of solves that.

So I think the issue is still—and maybe the more transfer specific people here can add more detail. Is there really—can you transfer the day after without impacting the grace periods? What kind of impact is that if it happens regularly that something's happening within that grace period? So, again, I think we've got to think about that as a possible issue. So Theo, please go ahead.

THEO GEURTS:

Thanks. So those grace periods are going to be a problem, a big problem. To track that, that's going to take some massive overhauls at registry and registrar [inaudible], that's not going to be very cheap. Then we're talking about a minimum lock. We talked 10 days. But why is the reason—what I'm trying to get at is, we have several reasons that a registrar of record may deny a transfer under specific instances. We can lock a transfer if there's evidence of fraud, or if there is a dispute over the identity of the registered domain name holder, if there are payment issues, etc. And you may block a transfer, if it was requested within 60 days of the creation date.

We are now reducing that timespan from 60 days to 10 days, and maybe even a little bit shorter depending if your business model allows it so you're maybe looking at 5 to 10 days, but I think we need to set it to 10 days and not go beyond it with extension of locks. We already have those extensions. If there's evidence of fraud, you have it, you can lock the domain name and keep it locked and not provide the registered domain name holder with the authorization code or a TAC in this case. So I don't think there's much of an issue. Thanks.

ROGER CARNEY:

Thanks, Theo. Okay. So it sounds like the majority of the group here is leaning toward—And again, I'm going to throw it out here and everybody can bring it back at me—that a mandatory number of days is the preferred model. So whatever it is, if it's—again, I'm suggesting greater than five. But if it's 10, or if it's 30, whatever it is, let's set a date and not say an “up to” date. Is that what we're hearing? Mike, please go ahead.

MIKE RODENBAUGH: Well, I, what I was trying to say is there should be no minimum, no maximum, just a mandatory number, precisely with no discretion. That would be the easiest, that'd be the least confusing mechanism. And I think the most justifiable if we're going to make this kind of change, because it applies equally to all registrars without wiggle room. Thanks.

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

KEIRON TOBIN: Thank you. Yeah, if we're going to have the same policy in place, which I think a lot of us are agreeing here, for both the transfer and new creations, it needs to definitely be higher than five, because otherwise, you're just creating problems on an astronomical scale for both registries and registrars. We work on this on a daily basis. It's just not something that we could kind of function. And the cost behind it would be, like I said, astronomical. I think 10 days is right because it also allows, like we said, for fraud and things like that. And I think trying to move it down as well. I don't know what your registrants are doing. But if they want to transfer a domain within two or three days, I'd be wary of that in itself. it's madness.

ROGER CARNEY: Great. Thanks, Keiron. Yeah, and again, I think that we know that it would be generally odd for someone to transfer in a short time

period, but obviously it does happen and it was brought up here once. But I think one of the one of the issues that Kristian put in the chat, I think the problem is our grace period, there is a there is a minimum we have to enforce which is the grace period.

Now, that being said, we don't have to say that it's a minimum, but if we're selecting a maximum, say, whatever it is, 30 days, registrars can only set a lock for 30 days, then there also has to be a minimum to avoid the complications of the grace periods. So that that's where the difficulty for me comes in. Setting a plain date. Yeah, sure, 10 days, it has to be done in 10 days, or it can't be done within the first 10 days, that solves both of those problems. But if we're talking about setting a maximum, to me, then you have to set the minimum. Just my thoughts. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Reducing it down from 60 I think is definitely the right approach, especially if we're going to standardize because for a yearly registration, it's 60% of its lifespan. So we definitely want to reduce that. I think, maybe a maximum time of 30 days. It's still, yeah, a month of the domain under registration. So I think it's a lot better than 60. But it also allows registrars to fit within that category and make a decision of what works best for their model. As we know, we've got a variety of registrars and registries here. So having something where 10 days, up to 30 days, they can allow something that works best for them, but put in a minimum 10 day—well, a minimum mandatory. The discussion's out on that. But yeah, potentially, I think 10 days as a baseline, and then up to 30 days. And then we're reducing it from the locks that are

currently sat with registrants for 60 days on new creation. Thank you.

ROGER CARNEY: Thanks, Keiron. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you, I just reacted to the 30 days. What is the valid arguments for doing a lock for 30 days? I really don't see it. Not at all.

ROGER CARNEY: Thanks, Kristian. Zak, please go ahead.

ZAK MUSCOVITCH: Thank you, sir. I kind of liked how the discussion seemed to be gravitating towards the 10 days. I'm starting to hear a bit more about the 30 days. And now I'm also hearing that there could be a wide range of dates. And so I want to take the opportunity to again emphasize that from my perspective, a hodgepodge of lock dates for creation locks alone—and we haven't even talked about the other ones yet—is just going to make the landscape all that much more confusing for registrants, and for registrars perhaps, but particularly for registrants. And so I really think that we should do everything we can to make it a firm date. If it's 10 days, it's 10 days, but not permit some to do 30,40, 60, whatever it is, because as Mike Rodenbaugh suggested, registrars still retain the right to

lock a domain name due to particular circumstances. But yeah, I'll leave it at that. Thank you.

ROGER CARNEY: Thanks, Zak. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Just coming back to Kristian's point, Kristian, if you believe 10 days was perfect for your registrar, then obviously, you would be able to set it at 10 days. I think just adding that extra protection of a maximum. Because some registrars may need additional time in order to kind of facilitate that. But you could set that up for your registrar at 10 days, whereas maybe for a larger registrar, 30 days maximum to make sure that we allow registrants opportunity to transfer out if they need to be. Thank you.

ROGER CARNEY: Thanks, Keiron. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. I believe that it's best for the community if we have a set date. And I don't see argument for 30 days. I think it's too much. And I think we should have the same date. That's totally what I would vote for if I had a vote. So be it 10 days, 14 days, 30 days, I would still say we should have the same if we can for everybody. And I just don't really see the argument for the 30 days. And if I remember correctly, basically just when we started

the meeting, you presented details which talked for a 10 day lock, not a 30 day lock.

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

THEO GEURTS: Yeah, I don't see a 10-day lock in combination for some registrars with a 30-day lock. I don't see how that's going to float. That is just going to be—if you have that business model, which I dispute that requires 30 days, I think you're going to have very interesting discussions with your customers, why you are forcing a 30-day lock while your competitor is using a 10-day lock. That's going to be lovely at those help desks. Thanks.

ROGER CARNEY: Great, thanks, Theo. Okay. So I think that the general—I guess the agreement here is it seems like everybody is agreeing to maybe a 10-day lock and there's rationale for a 10-day lock. And I think we can document that rationale for the 10-day lock. So I think that moving forward, let's assume that it's a mandatory 10-day lock. And again, I'm going to say here is on to create and transfer. And maybe we change that when we get into the transfer specific discussion, but for the consistency aspect of both, as Theo just mentioned, the odd thing of some can have 10 and some can have 30, that doesn't seem like it fits our consistency model. And again, from my perspective, I'd like to see both ends the same. And if it doesn't work out, that works out fine. I mean the create and the transfer time window being the same, it just

seems that that's easier for registrants, but obviously, it should be easier for everyone as well.

But let's move forward and let's get documented. There's a rationale for a 10-day mandatory lock on the domain create, and then suggest that for the transfer create. But let's move forward with saying that. And if those that want something more variable can add into the document a rationale for that variability, let's take a look at that. But let's have that discussion in the document and moving forward. And we'll assume that it's a mandatory 10-day lock right now. And I will grab everybody's comments here first, and then we'll move on. Owen, please go ahead.

OWEN SMIGELSKI:

Thanks, Roger. While my registrar particularly does not want any locks, so obviously, there are others that do want that. So we support that, but certainly for the shortest period possible. I just want to make one clarification and that we make sure that we specify this that we're talking about calendar days and not business days, because sometimes there's ambiguity in there. It may not necessarily make it into the final, final policy specifying calendar days, but just to make that clear that that's what we're intending as opposed to business days. Thanks.

ROGER CARNEY:

Great. Thanks, Owen. And yes, at least that my understanding was 10 calendar days, or the easy math here, 240 hours. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Yes. So I think I'm where we was going up to 30 days would be down to the individual registrar, it doesn't mean you have to have that. But as a baseline, 10-days was there. Because the problem that we have as well, looking at fraud and chargebacks, as well, is obviously as we all know, with credit cards and stuff like that, you get up to six months to issue chargebacks. And in terms of the percentage that is within 10-days is high, but there is still some that is out of that time scale. So we just want to kind of ensure that we're covering all business aspects of it. Thank you.

ROGER CARNEY: Thanks, Keiron. Kristian, please go ahead. Thank you.

KRISTIAN ØRMEN: Thank you. So with that argument, we could say up to 120 days, and I don't think we should do that either. Which is also why we should not do 30 days.

ROGER CARNEY: Great. Thanks, Kristian. Okay, so we'll draw a line here on this and say there's a mandatory 10-day lock, and we'll put the rationale in the document. And anyone that wants something different, please put comments in the document. And hopefully you can put some rationale in there to explain any difference to that. And then we'll take a look at those comments and discuss them when they appear in the document. Okay, so let's go with the 10-day mandatory on domain creation. And I'll open up the

floor. It should be 10-day mandatory lock on transfers as well. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. Just a quick comment from the chat that, please, let's specify that we're talking calendar days, and put that exactly in the document as calendar days and not just days.

ROGER CARNEY: Thank you. You bet. And we'll put in there 240 hours, because that's easy math. Okay. So a discussion on post transfer. Again, I'm going to suggest for consistency purposes that it's 10-days. Is there logic, rationale for a different date, set of time, I guess, a different timeline for post transfer versus post create? I know we heard some discussion about, obviously, there's a potential of theft, bigger potential effects on a transfer versus a create. Does that impact that 10-day idea for post transfer? So any thoughts? Lutz, please go ahead. You're cutting out

LUTZ DONNERHACKE: I know. [Internet in Germany is well known] for this. [inaudible] the post transfer for the registrant because it took some time to notice that a domain might be transferred. Because it might be still running on the same name service, but it's not in the possession of the registrant anymore. So we need a lot of more time. I think that 60 days for a post transfer lock is appropriate in order to fight fraud, and to trace down an erroneous transaction. Thanks.

ROGER CARNEY: Thanks, Lutz. All right, we've got two concepts, keeping it consistent, Lutz saying there's more fraud or theft possibilities after transfer so there's a reason to actually keep it to where it's at today. So, Zak, please go ahead.

ZAK MUSCOVITCH: Thanks, Roger. Right now we're talking—this is genuinely a question—right now we're talking about a lock that would be placed on a domain name when it's transferred from registrar A to registrar B, it can't be transferred again.

ROGER CARNEY: Yeah, so registrar B would not be able to transfer it for X number of days.

ZAK MUSCOVITCH: Right. So I'm just trying to think through this. But I'll lower my hand for now. Thank you.

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

THEO GEURTS: Yeah, I find the 60 day lock after a transfer, I find that more problematic in the sense that when it comes to domain and theft, there isn't that much going on. So that's issue one. And B, I think if you're talking about domain theft, you are actually going to discuss that aspect in your clawback procedure, which we haven't

discussed yet, because that's still on the agenda at some point. But I think you need to address it there.

And it could of course be at the moment there is domain name theft being mentioned by a former registrant, I think most of us already will place the domain name on a lock anyways to sort it out. I mean that's usually what I see most of the times, and those are most of the times, but in the rare instances that I had to deal with domain name theft, either they were transferred in or transferred out. And the registrar I work for, either I would have put them on lock, or the gaining registrar would put them on lock. So we had enough ample time to sort out the issue. So to me, the 60-day lock can go and reduce it to 10-days. Thanks.

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

KEIRON TOBIN: Thank you. Yeah, I was just going to say what Theo—I just wanted to put a bit of clarity out there in case it wasn't making myself clear before. And so the new registration and transfer lock would both be the same amount of time, set at 10-days as a bare minimum.

ROGER CARNEY: Thank you. Great. Thanks, Keiron. Zak, please go ahead.

ZAK MUSCOVITCH: Thank you. So two points about this. Unlike with the post creation lock, with the creation lock, it's hard to really envision many circumstances where a registrant may register the domain name with a particular registrar, create the domain name, and then want to transfer it right away. And waiting 10 days probably isn't the end of the world in a situation like that.

But I think there's contrasting situations when we're talking about change of registrar. And one example that I thought of is that many domain names are purchased on the secondary market where—and you guys will know more about this than I but a registrar drop catching registrar will pick up a domain name. And that will be a change of registrar. And then the purchaser of that domain name at auction on a marketplace will then want to move it to their own registrar, rather than leave it at that drop catching registrars. So having a lock period would prevent that from happening, I would think.

And the second point is that really if there is a customer of a registrar and a willing registrar when they to communicate, and they say you know, I've got no problem with you changing to a different registrar, you still have a lot of domains with me, you want to move this one for some reason, or whatever. There's no reason to save the registrant from themselves if the registrar feels comfortable allowing that transfer. And so there's really no general policy reason to prevent it if there's two willing parties involved. And so in this sense, a lack of—removing the mandatory requirement may be appropriate. Thank you.

ROGER CARNEY: So Zak, just trying to think out of the consistency aspect. Are you saying—and I understand you're making that comment to the post transfer. But would that still apply to the post create if there's both willing parties? Does it make sense?

ZAK MUSCOVITCH: Yes, I do think the argument would apply to the [inaudible] parties argument applied to post create, but I don't think the circumstances are as significant in a post create situation than in a registrar to registrar transfer just for reasons I outlined, how many people need to change registrars immediately after they create a domain name. How many variants are created?

ROGER CARNEY: thanks, Zak. Yeah, Lutz, please go ahead.

LUTZ DONNERHACKE: There is quite a difference between post creation and post transfer, because post creation is a new domain name, which is never used before, is created for a registrant, maybe by a company like web service provider or something. So there might be first created on registrar, which is not the correct registrar for the registrant, for the company using domain after that. But they want to consolidate it.

If it took 10-days, that's fine, because they are currently starting using the domain name. Post transfer is completely different. It's a domain which is currently in use, which is maybe very important to make business at all for the company. And if such a domain is

lost, the company's at risk or the customer's at risk. So we have to handle this differently.

Saying this means that we had to reduce the notification forms earlier in the last month, always saying, we can change this later, we can miss the following information of the registrant because it's a post creation or post transfer lock, it can be unwinded. But now we are discussing that all these procedures are dropped too. And I don't think that's appropriate. If we dropped the notes for the registrant and then we dropped the time where the registrant is protected and is able to make a transfer unhappen, to rewind it, it needs a stable situation. If the domain is transferred and transferred and transferred again, it's gone. So in order to protect the domain holder, the registrant, we need a very strong lock after transfer, any transfer. Thank you.

ROGER CARNEY: Lutz, just going to get your input on Zak's comment about if there's a dual party agreement, registrant to registrar, does that have any impact on what you're saying? Is that an option in your mind?

LUTZ DONNERHACKE: If I understand correctly, there's not so much reason for a domain transfer directly after first creation of the domain. There are some issues where it's possible. And of course, I understand there are business models out there, which are dealing with the second market. But I'm sorry, we are here at ICANN, we are here for a stable and usable Internet. We are not here to protect business models in order to make something out of vapor.

ROGER CARNEY: Okay, thank you, Lutz. Mike, please go ahead.

MIKE RODENBAUGH: So I want to push back a little bit on Lutz. I think the secondary market is a very significant percentage of sales. And many people out there don't particularly know or care whether they're buying a domain name that is on the secondary market or not. Because some of the business models have gotten so good at sort of blurring the distinction. So I'm not sure that there's really justification for what you're saying there.

And then I want to push back a little on my friend Zak too, in the domain theft situation. And it typically means that somebody is taking over a registrar account or an email account, and has been able, therefore, to enact a transfer. So therefore, there's no reason they can't also create consent to avoid the lock. So I think that that sort of exception would swallow the rule and be a bad idea. But I'd love to hear more from people that are more expert in this than me. But that's my initial thought that I reacted to when we got that comment from someone else in my constituency. Thanks.

ROGER CARNEY: Thanks, Mike. Theo, please go ahead.

THEO GEURTS: Yeah, I think the idea that Zak proposed where the registrants and registrars agree that in such a situation, as pointed out when it

comes to the drop catching and then transferring the domain name, it's something we observe frequently. I think if everybody in the process agrees there, then I think there could be an exception to the 10-day rule or 60-day rule, whatever, because everybody agrees there. There's a procedure there. So that wouldn't be a bad idea.

But when it comes to the comments from Lutz, I agree, it is extremely important if you are the registrant of a domain name where you depend your business on—if that domain name gets stolen, yeah, you're in a world of hurt. And we've seen that from time to time with devastating consequence. However, either be that a 60-day lock, 120-day lock, if I'm going to steal the domain name, I will observe the ICANN policy, and will make sure that my domain name theft will go unnoticed for that period of time. And we've seen that happen, that domain names way past the 60 days lock get noticed that the domain name has been stolen. So that is just an arbitrary number, in my opinion, and it's a very strong opinion. If you depend on your domain name so much that your business is depending on it, you must use a commercial version of the registry lock, and make sure that the typical transfer process will not affect domain name under any circumstances. That is how you protect your business. Thanks.

ROGER CARNEY:

Theo, a follow up to you, in your support of Zak's idea of the registrant-registrar agreement, or however you want to call that. To Mike's point about a lot of—I think we've discussed this prior, a lot of theft occurs because most likely the thief has control of

something. Does that break that idea of the registrar-registrant agreement?

THEO GEURTS:

My first question would be, is that a reality that occurs a lot? I think that that is a big question. And I think the answer to that is no, at least I don't see it. I'm not really in that kind of business model. I just see people just buy a domain name and they want to transfer it to us. So I'm not on the receiving end of that stick. So I'm not 100% sure there.

But regardless, if there is indeed a breach of account, then I think regardless what you do, if it is a 10-day lock, 60-day lock, you're just in a world of hurt there, that's not going to change regardless how many days to lock is. If there's a complete account takeover which goes unnoticed, I don't see how any period of time is going to change that. Thanks.

ROGER CARNEY:

Thanks, Theo. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah, just to go back to what some of you guys were saying. From a security aspects, it's absolutely, I don't know, it astonishes me to the fact that you believe that the Internet could work without kind of barriers. You're making it sound like a free for all. And maybe you should be on a forum for the dark web as opposed to this. It's absolutely mind blowing.

But yeah, in order to prevent and have bare minimum, 10 days seems sufficient amount for both policies, that would be easier for registrants, registrars and registries to understand the operation. I think going into this in terms of where we're looking at it from a security aspect and how we've developed, just going down to even talking about not having any forms of abuse in there just blows my mind. Thank you.

ROGER CARNEY: Thanks, Keiron. Zak, please go ahead.

ZAK MUSCOVITCH: I'm not sure if I'm one of the ones responsible for blowing your mind, but I'll give it another shot. So just looking at what's on the screen in front of us—and this concerns my understanding, of course, is that there is no current requirement in ICANN policy to lock a domain against transfer for 60 days following the transfer. So what we're contemplating here is a new mandatory lock, because there isn't currently one. And the way that it works now is that many registrars to my understanding do impose a lock, but it's not something that they're required by ICANN to do.

I got a wire transfer in from a client last week and my bank put a hold on it for 20 business days. That's their standard policy, but I was able to speak to my bank manager who knows me and said we're going to waive that lock for you because we know who you are, we've confirmed your identification, etc. And that kind of flexibility is very important for some registrants and registrars. Registrants have to balance portability with security and not just

concentrate only on security and sacrifice portability. Registrants need to be able to have the freedom to transfer their domain name from one registrar to another. And if a registrar's policy is that we put security far before portability, they can make that clear to their customers. And some customers will gravitate to that registrar because they too put security ahead of portability. But other registrants, customers, who want a different balance between portability and security will gravitate to registrars that will allow them to contact their account manager at the registrar, because maybe they have large portfolios of domain names or maybe they're at a kind of a boutique commercial registrar that caters to brand owners in particular, and for a business transaction, they'll want to move the registration for some reason, despite the 60-day lock that the registrars impose. And the registrar is free to do that currently. And so I'm very concerned that we're making this more strict without any evidence that the current way of doing it is worse than what is being proposed. And I'm also concerned about taking away all aspects of portability for two willing parties. Thank you.

ROGER CARNEY: Thanks, Zak. Yeah, and just to follow up on the one, I think that a registrar can impose a 60 day lock after transfer.

ZAK MUSCOVITCH: That's right, can, but isn't required to.

ROGER CARNEY: Right. Exactly, I think that's correct. So thanks, Zak. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. And that is correct that today, it is an optional 60-day lock. I think 60 days are way too much. I think we need it down. And I think the 10 or 14 days is a perfect maximum, not minimum. I'll try to respond to a couple of things. One of them was the secondary market. And I don't work with secondary market myself. So I'm also pretty sure that none of my group companies does. But secondary market is part of this market space. It's part of how gTLD works. And the policy needs to reflect that.

And I can say that even though I work with nothing of secondary market at all, but we need to make sure that this policy works in all business models and all types of registrants, for all types of registrars and so on. The portability or the transfer between registrars is down to the very core of the gTLD shared registration system. We need to make sure that this works great. One of the ways to make sure that is that it's very easy to understand for all parties. Having either a very strict lock of a specific date or at least to put that maximum down to something that would be more acceptable to most people is in my mind that way going forward. Thank you.

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

LUTZ DONNERHACKE: I do not understand the opt out model or the consensus model for different post transfer lock. Can somebody please explain me how fraudulent transfer can be prevented if it goes to such a registrar

who is able to lower the transfer lock and retransfer to a different registrar and transfer it again? So if I have a domain at a registrar which has a long post transfer lock in place, that means the domain I have for a long time is possible to be transferred and I want to transfer to someplace else but it goes wrong. I got credential stolen or something like this. And the domain is transferred to a registrar which choose not to impose such a long lock, and the domain is transferred again and again and I'm a victim of fraud. How does an opt out model or consensus model prevent that I as the original owner of a domain have interest of a longer post-transfer limit than the registrar and the new registrant after the transfer? Thank you very much.

ROGER CARNEY: Thanks, Lutz. Jim, please go ahead.

JAMES GALVIN: Thanks, Roger. I've been listening to this conversation for this entire meeting. And on the one hand, neither myself personally nor on behalf of registries have a vested interest in how all this plays out. But I have a comment that occurs to me in this, and I just want to add to the discussion here. I'm wondering—what I don't understand, what I'm not getting out of all of this discussion is what the industry advantage is of this post lock, whether it's a post create lock or a post transfer lock. And the reason why I asked that question, and I really want to focus on that question, I really want to focus on what the industry advantage is.

I do hear some discussion about some broad and some people have it, some don't, there's fear about stolen names, and sometimes it happens, sometimes it doesn't. But as a practical matter, what's going through my mind is, why wouldn't a registrar automatically put a no transfer allowed lock on every name as soon as it comes in? And that's just automatic. And you just do that. And that seems to me that that takes care of all of these issues.

If a user wants to transfer, they're going to have to log in anyway because they're going to have to ask for a TAC in order to effect the transfer. So one would think that as whatever process you've got for requesting the TAC, you could add whatever steps you want to protect yourself from fraud or stolen names or quick transfers, that kind of thing. You could build in those checks, and you could deal with that. And then you give them the TAC, and you remove the lock, and it is what it is at that point. So you don't need any mandatory lock.

And if you don't want to lock it as it comes in, then that's your choice. And names come and go and that's just where you are in the industry. So as a practical matter, it just feels to me like registrars can already control this. And I apologize if I'm missing something obvious. And I would be delighted to be educated if I'm missing something. I really, really would. But I still have my question about what the industry advantage is to this post lock. That's really my question. And that's why I asked the question. Thanks.

ROGER CARNEY: Thanks, Jim. Yeah, and just a quick response to that. I think the big thing is the consistency for the registrant. Your suggestion that when a domains registered, that the registrar can just lock it, but if they buy a domain at two different registrars, the experience can be quite different. One register may not—and again, right or wrong, a lot of times it's wrong—not allow you to transfer it away because they don't want you to transfer it away. It's not in their best interest to let you transfer it away, for some people's thinking. So I again, I think it's more the consistency aspect from the registrant of anything, of trying to pick a consistent process anyway.

JAMES GALVIN: So if I may, Roger, I apologize. not to put too fine a point on it. But it feels to me like we're solving a problem of bad actors, not solving a good actor problem. Okay. That's why I'm asking, what is the industry advantage to this? Because it just feels like you already have the opportunity if you're a good actor to do the right thing and to make the right thing happen. I'm struggling with the industry advantages here. And I'm sorry, I'll be quiet now. Thanks.

ROGER CARNEY: Thanks, Jim. Berry, please go ahead.

BERRY COBB: Thank you, Roger. A few comments as the dialogue is continued. Hopefully I get this correct. So, first and foremost, from prior policy development around transfers, we have experience of applying a 60-day lock. And that's with respect to change of registrant. And I

understand that's not our scope right now. But I think—and of course, we'll be getting into that in phase 1B.

But in effect, we're having the same conversations that were had several years ago when this was brought up under the core discussions and then later implemented. And I'm channeling Zak's use case that he mentioned earlier, as well as Jim's intervention. We're talking about a mandatory lock of some duration. And there always does need to be a relief valve. But the relief valve is something that needs to be somewhat challenging or involved to a certain degree, that in Zak's use case, it does mean a manual call to his bank to get his money transfer unfrozen. And, you know, to Jim's point, the rationale mostly about why we're having this discussion is to mitigate registrar bounces in the instances of compromised or stolen domains, and then maybe secondarily, trying to have some consistency across the market.

So when we look back at the core implementation, the relief valve was placed first, before the intent of the security, meaning that the default is pretty much the registered name holder can opt out up front. And it really negated the intent of what was trying to be accomplished there, which is to mitigate abuses. And so I think the group needs to take that into mind.

And I'd also—I think I'll conclude, there's mentions of the aftermarket as well. And I think everyone agrees here that that is a significant, relevant and important part of the marketplace. But I do want to remind the group that the consensus policies being defined here around the transfer policy don't necessarily apply across the board to all participants in the aftermarket place. It just

so happens that some contracted parties or registrars participate in aftermarket activities.

So the consensus policies we're defining here are for specifically registrars via the transfer process. I'm not suggesting that we need to completely ignore a significant part of the marketplace, but do understand that the policies that are being deliberated here, and potential recommendations are with that, first in mind, and then secondarily, understanding any possible impacts in the aftermarket aspects. Thank you.

ROGER CARNEY:

Great. Thanks, Berry. And thanks for the reminder, I was going to bring that up earlier. And again, I'm not focused on the market itself, but those that participate in the aftermarket, secondary market, are still registrants. So we're still having to account for registrants no matter how they are, where they come from, they're still a registrant. So they're still important to our process. So we have no time left, but I will give Keiron the last discussion point here, and we'll pick this up next week. So Keiron, please go ahead.

KEIRON TOBIN:

Thank you. I was just going to mention if we were to look at zero days in terms of the transfer, then we would probably need to look at registries in terms of a clawback to ensure that we can make sure that domains aren't being stolen. And so that's another thing that we need to discuss. I'm conscious of time and I do have another meeting. But thank you, everybody.

ROGER CARNEY:

Thanks, Keiron. Okay. Thanks for the great discussion, everyone. It was a great discussion. We got through a lot. And we actually got to some solid spots. So I think that's great. We will pick this up next week. Again, think about that. And I know that several people have talked about the transfer and the clawback process. I agree that they're very intertwined, and we have to discuss them that way. And when we discuss transfer disputes and clawback, we'll revisit these timelines slightly. But I'm hoping that we get to a spot where we can solidify these now and that used to discuss our transfer dispute mechanism. So, again, thanks, everybody for the great discussion. We'll let everybody go a minute late and see everybody next week. Thank you.

[END OF TRANSCRIPTION]