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## ICANN Transcription

### Transfer Policy Review PDP WG

**Tuesday, 02 April 2024 at 16:00 UTC**

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JULIE BISLAND:

All right. Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group Call taking place on Tuesday, the 2nd of April, 2024. For today's call, we have apologies from Osvaldo Novoa (GNSO Council Liaison), Owen Smigelski (RrSG), Sarah Wyld (RrSG). They formerly assigned Heidi Revels (RrSG), Rich Brown (RrSG) as their alternates for today's call. As a reminder, the alternate assignment form link can be found in all meeting invite emails.

Statements of interest must be kept up to date. Does anyone have any updates to share today? If so, please raise your hand or speak up now. All right. All members and alternates will be promoted to panelists. Observers will remain as an attendee and will have access to view chat only. Please remember to state your name before speaking for the transcription.

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As a reminder, those who take part in the ICANN multistakeholder process are to comply with the expected standards of behavior. Thank you, and over to our chair, Roger.

ROGER CARNEY:

Great. Thanks, Julie. Welcome, everyone. Not too much to go over before we get started. Just a reminder that our homework is due next Tuesday, so April 9th, and that homework is to take a look at those group 1B recommendations, 1 through 4, and place them into the tables on the worksheet, each one of those for each of the stakeholder groups. So, again, we want to wrap that up next Tuesday. The only other thing to mention is I think we are, for those going to the contracted party summit, we are five weeks out from that. So, it's approaching quickly, and I believe we'll be off that week for our transfer meeting. But let me go ahead and call for any stakeholder groups that want to bring anything forward, any discussions or comments or questions that they have for the working groups. So, I will turn the floor over to any stakeholder groups. Ken, please go ahead.

KEN HERMAN:

Yes. Hi, Roger. Good afternoon, good morning, wherever everybody is. Ken Herman for noncommercial. Thanks, Roger. Yeah, I've shared the proposed recommendations with the noncommercial community. Starting to get some questions, not really any comments. It's still early days. Our group can sometimes be a little slow in getting back. I do have a couple of questions that I couldn't really answer, and I could use some help from the group here.

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So, the first question I have is not really related to the recommendation. That might not even be really, strictly speaking, a part of the scope. But when it came to the 24 hours of notification for a change of registrant data, I did get a question about what compliance mechanisms are in place to ensure that that happens. And I think what's driving this question is sort of the other question that I had that I found I struggled with answering, not because I didn't know, but because I'm not really clear on what were the factors that influenced the decision about eliminating the confirmation of the changing of registrant data. I know we talked about that a lot, but honestly, if somebody can sort of come back. I did go back. The justification rationale document was really helpful, but it only focuses really on one of the recommendations. So if we can have, sort of help me out and understand, first of all, what, and this would be a question, I guess, for our ICANN colleagues, you know, what sort of mechanisms are in place. And also, if somebody could say something about what really drove the issue of eliminating the confirmation. I have a feeling it has to do with things like, you know, the amount of work associated with it, et cetera, but it'd be good if I can summarize that over. So thanks.

ROGER CARNEY:

Great. Thanks, Ken. Yeah. And I'll let maybe someone from compliance answer the first part. And to the second part of your question on the changing from confirmation to notification. I think that was a good discussion we had, and I think it happens in more than one spot, but yeah, we did move that from an active confirmation to just a active notification. And I think the most of that was based on confirmation. I don't think it's the amount of work, Ken, that goes behind that. It's more of the follow-up from

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that, you know, it's registrants not making the change, but not coming back and confirming or anything like that. So I think it was more of, you know, that follow-up where it just didn't happen as often as you would expect it to.

KEN HERMAN: Okay. Yeah. I kind of sensed that, but thanks for kind of reassuring for that. But yeah, if somebody can talk to me a little bit about what the compliance mechanisms might just briefly, I mean, and then we can, I can take it offline with ICANN if it gets a more detailed, that's not a problem.

ROGER CARNEY: Great. Thanks Ken. Yeah. And maybe I'll let ICANN think about that, the compliance and I'll go to the rest of the queue and we can circle back to make sure we get that closed. Steinar, please go ahead.

STEINAR GROTTOROD: Yeah. Hi, this is Steinar for the record. First of all, I have distributed the document to the Consolidated Policy Working Group together with my recommendations. And this is something that I guess, and we have a meeting tomorrow. So I hope to complete the input from At-Large in due time. And I have a kind of a question because my understanding is that those who were in favor of the opt out of notifications kind of argued that they didn't want to spam the customers and et cetera, et cetera. But what Jim told us last meeting, this opting out of the notification could be seen as a security risk and it's kind of reduce the whole package

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of security tools and measurement that we have tried to propose in these updated policy. So my question to the group is that, is everybody agreeing with what Jim is saying or is it to be seen in a different way? And I also have this thing with, maybe it's a little bit about spamming, but we have proposed in recommendation 3.6 and 3.7 a way for the registrar to actually merge a notification for the same account into one notification. And I think that kind of reduced the spamming in brackets, but it's still, it's mandatory to send out this notification when there is change or registrant data. So I would really like to have some argument for what I'm proposing, because I guess that will also be questions by the consolidated policy working group. So thank you.

ROGER CARNEY:

Great. Thanks. Yeah. And I'll let Jim speak to it, but I think Jim was more focused on the ability to break the 30-day lock. I don't, and again, maybe Jim can say, but I don't remember him saying the opting out of the notification was much of a security issue or not, but the ability to establish relationship, a concept of breaking that 30-day window. I think Jim was mentioning last week about that being a security concern on his side, but again, and Jim can talk to that if he wants to, but I think that's how I remember it. Jim was as concerned about the notification as it was—Okay. Thanks, Jim. Not as about the notification, but more about the established relationship and the breaking of that rule of the 30 day window. So but I'll go ahead and go to Theo. Theo, please go ahead.

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THEO GEURTS: Yeah, thanks. I'm going back to Ken's request on sort of how to frame this for his stakeholder group, because this is a stakeholder group that is very driven on many issues. Data protection is one of them. I mean, Stephanie Perrin was one of the initial persons who sort of introduced me to data protection. So I thank, yeah, a lot to her, you know, and when we are talking about why we switched from confirmation to notification. Well, first there was of course the operational issues for the registrants, the confusion. We talked about this over and over. I mean, we got the statistics from ICANN compliance, but basically when you're talking about data protection and accuracy, you know, like with that is sort of enshrined within the GDPR and other data protection laws, you know, you want to make sure that the data subject can change his data to make sure it's up to date without any barriers. I think that is the most key message for your stakeholder group, because you want as less barriers to make sure that data is being up to date. And I don't think I need to explain to Stephanie Perrin or Kathy Kleiman on why that is so very important to have updated registrant data, that the accuracy is sort of always there because that is very, very important. That's why it's one of the key principles of the GDPR. Thanks.

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

RICK WILHELM: Thanks, Roger. Rick Wilhelm, registries, although this is not necessarily a registry position. I was the one who had brought up the bit about the opting out business causing a lot of complexity

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for the registrars. And the fact that registrars would need to track this and maintain very, very careful records. Because if later, if there's ever a problem where that's related to the fact that someone had opted out and they say, "No, I didn't opt out," then you're going to need to drag up all these records of the opting out. And so I was suggesting to the registrars that it would be in the registrar's interest to remove this notion of the opt out and instead put in householding provisions using that term taken from the securities industry to consolidate notifications where you're in situations where there are many notifications that would be sent. Because I think it's just a simpler situation for the registrars. But I'll know that this isn't a situation where the registries have a stake in the solution. And I would just offer it as a solution to make things operationally simple for the registrars in that regard, but that's the point that was being made there. Thank you very much.

ROGER CARNEY:

Great. Thanks for clarifying, Rick. And to be honest, when I look at it, I think the ability for registrars to do this, I think this is going to fall pretty much in line with business models of the registrars themselves. I suspect many registrars won't provide the opt out feature where some that may be closer to their customers or larger customers or things like that, they may implement that. So I think you will see a mix of that depending on the business model of the registrar themselves. So Prudence, please go ahead.

PRUDENCE MALINKI:

As a registrar, that is one of the aforementioned registrars that does have a business model that actually can utilize or have

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multiple benefits from an opt out. There are, because of said business model and the differentiators from other business models, the issues that have been raised with regards to being able to prove or create an audit trail to substantiate when someone says, oh, we didn't agree to this. It's a different setup. It would be easier for us to actually provide that evidence. However, it's noted that the registries don't necessarily have a stake in it. So it's nice to have your opinion. However, as a registrar that does benefit directly from an opt out, we just wanted to go on record and say we can actually, we can benefit from this and we can utilize this. Apologies for me sounding a bit wonky. I'm actually a bit ill. I just wanted to go on record saying that there are benefits to an opt out and we would be a registrar that would benefit from said opt out. Thanks.

ROGER CARNEY:

Great. Thanks. Thanks for that. And thanks for the input. Again, many different models in the registrar community and we're trying to make a standard policy fit all those. So I think that that's one of the issues we have. And not all registrars do business the same way. So any other questions or comments? And I don't know if I can answer Ken's compliance thing or not, but I'll call Christian. Christian, please go ahead.

CHRISTIAN WHEELER:

Thank you, Roger. Yes. So just to speak to that compliance aspect. Now, I'm not part of compliance. So we can take that back or maybe we can go to the owners here. But I think that my understanding is that the compliance team do audit registrars as

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part of their audit program. But by and large, it would be someone submitting a complaint to compliance that the registrar perhaps didn't submit that within 24 hours. And then the compliance team would then review that complaint and see if the registrar was possibly out of compliance with that. So my experience with it is more so that it's reactive to complaints submitted by registrars. If they didn't submit it within that 24 hour window, for instance, could be one reason that they could submit a complaint.

ROGER CARNEY:

Great, thanks, Christian. Appreciate that. And again, I know you put on your I'm not a doctor, I'm not a lawyer, I'm not a compliance officer hat there. But a lot of ICANN compliance is done that way. It's not necessarily a proactive evaluation of all the items. It's that reactive when a complaint comes in that has driven most of those. So, Zak, please go ahead.

ZAK MUSCOVITCH:

Thanks, Roger. So just getting back to that householding concept and Prudence's concern, under the draft recommendation—so one of the draft recommendations, I just had it, but it's the one where we say we can consolidate notifications into a single notification in the case of multiple domains. 3.6. There we go. So to registrars that have the concern that Prudence has expressed, is that not a fix to the concern? Thanks.

ROGER CARNEY:

Great. Thanks, Zak. Prudence, please go ahead.

PRUDENCE MALINKI: Hi. So I guess there's a couple of things. Firstly, I understand that there's been issues raised specifically relating to security concerns, and I just want to address that as well. Now, the optional opt-out, if what has been inferred is correct, that if by creating an optional opt-out, we're creating a security issue that's so potentially devastating, that it's going to put everything out of whack, then obviously we really shouldn't proceed with something that could cause such an issue. And I don't want to be going on record pushing for something that could be causing a security concern down the line. The optional opt-out is just for very specific instances where all parties don't need the email, and there are realistic situations where that does occur. With the bulk option, where you can have them all listed on one, this is a workaround. I'm not saying this isn't a workaround. However, if there is the option where you don't have to have anything at all, and if a registrar does have the facility to make that happen, and they have their own infrastructure, and it is a pain in the backside potentially to implement, but we can implement it, I don't see why we shouldn't have that.

ROGER CARNEY: Great. Thanks, Prudence. And just to add on to that, I think you had to look at this a little bigger than, hey, someone's changing things on 100 of them. I think that maybe that's easy for a consolidated notification, but it's those people that are very active and going and change things daily or every other day and don't want those notifications. Then how do you group those that are spanning multiple time periods, I think is what gets a little tricky

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and can be useful. So just my thought on that. But any other comments there? Zak, please go ahead.

ZAK MUSCOVITCH: Thank you, Roger, Zak. Just to put your last point, Roger. So I get it. I've got to admit, I'm not entirely persuaded yet that that kind of difficulty is so significant as to enable opting out of the notifications. I think I would want to hear of a scenario where it's more serious than somebody who makes changes on an hourly or daily basis not wanting to receive notifications. That seems to be a fairly edge case. Thanks.

ROGER CARNEY: Thanks, Zak. And again, I don't know if we call it edge or not, because I think, again, it goes to the registrar model and the customer, the business model of the customers themselves. I know from our aspect, I don't know that GoDaddy would do this or not, but I know that we have customers that are constantly in their accounts updating certain things. So I can't say that, is it an edge? Is it one out of the 100 million customers? It's a good number of customers, but it's not going to be 10% of them or anything like that from our aspect anyway. But Owen, please go ahead.

OWEN SMIGELSKI: Thanks, Roger. Owen Smigelski here for the record. So I'll kind of jump in here on behalf of Prudence, who's a little under the weather. I've used services in the past that Prudence provides, MarkMonitor, a brand protection service. And what you do is you use this company not primarily as your domain name registrar, but

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to search and track people who might be infringing your trademarks. You can take action against that. And then as an ancillary service, they also provide domain name registration to that. So I don't know what percentages, but say 90% of the work that that company does for you is not related to your domain name registration. So for them, they are dealing with a customer directly. They are working on infringement cases and stuff like that, a long and ongoing history with the customer. And say the customer then changes their business address or something like that, and they want to do the update. Because they have an ongoing and existing relationship with the customer, sending out those emails will just kind of be out of the blue and really confusing to a customer who is not expecting to receive email notifications, because that's not something that they really do with that. So that's why you may want to offer that opt out. And I know that there are other business models where this may happen as well, too. So this is one possible example. And so that's why there and it's not that we're just saying, oh, every registrar is going to opt out. In fact, I think most registrars will not provide this option from that, because it is a security risk. But we have to acknowledge that registrars are not we're not all the same. In fact, we're very different. And there are business models where there may be something going on where some registrars may personally deal with somebody have to meet them in person to change their information. What's the point in sending an email address there? So we don't want to prescribe and require something where it may be really confusing to a customer in the, I'm not saying an edge case, but in for a business model where it may not just make sense, but they have other things in place to make sure that this

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isn't being a security risk or a problem. It's just, this would just be an added extra thing on top of it. That just doesn't make any sense for their customer and their business model. Thanks.

ROGER CARNEY:

Thanks, Owen. Yeah. And again, to Owen's point, I think a lot of registrars won't do this. And I think it goes back to Rick's point mostly, is it does take some work to make this happen where you can opt out, opt in and track it and make sure everybody's in agreement and everybody's understanding the opting in and out. So I think as Rick mentioned, there's a pretty good operational overhead here, but to the point, it may be useful to others in that that operational is not as big of a cost because of how they use it. So, but Theo, please go ahead.

THEO GEURTS:

Yeah, thanks. You know, and to go a little bit back on those edge cases what is maybe an edge case today might not be tomorrow. And when you talk about all these different business models, I mean, going back in 2011, when we suddenly had a policy where we needed to send the registrants those renewal notices, back then we let the resellers do that. But being a bit in a hurry and wanted to comply with the ICANN policy, we just decided, you know what, we're gonna email those registrants when their domain name is going to expire. How much harm can that be? Well, as it turns out, it was a total, it was a disaster. I mean, we got so many resellers going like, wait a minute, that registrant is actually a business customer. Okay. Is there a difference? Yes, there is a big difference. Certainly within the Netherlands, where

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you just make special agreements with those registrants that their registrations can go up to 10 years and you don't pester them every year with a renewal notice. So that's another outlier there. Maybe an edge case. I don't know. But we are talking many different business models and as you mentioned, this will require a lot of work for a wholesale registrar to go with an opt out situation. But maybe 10 years from now, I'm going like, yeah, that opt out, that would have been a real business saver then. I mean, you don't know, you can't predict the future. I can't, nobody can. So having that flexibility for those who really have that business model, go with it, create that very complex system. I hope it works. Thanks.

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

JODY KOLKER: Thanks, Roger. This is Jody. You know, speaking on behalf of GoDaddy, where we have several different business models, I can't see us actually wanting to implement this opt out, just because of the added complexity. It's just the added extra something that we need to keep track of and then not send out these emails. I would rather that we continue to send out the registrants the emails that they need to. Now, to Prudence's point, I can understand if you have large businesses that are white glove basically customers where someone does the changes for them, they don't need to know about, or they don't need to continue to get these emails over and over that something has changed on their account. So I can see why we would want to do that. But I'm

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just saying for GoDaddy, for our retail registrar and our wholesale registrars, we would not want to implement this opt out feature just due to the tracking, due to the amount of development that would have to be around it. I mean, this is a significant amount of development and the auditing that would be required in case there is a complaint from ICAN that comes up. We would rather actually just send out the emails and make sure everyone gets them as needed for retail and wholesale customers. Thanks.

ROGER CARNEY: Great. Thanks, Jody. Prudence, please go ahead.

PRUDENCE MALINKI: Thanks. I really wanted to get through a call without using the terms white glove because it weirds me out so much. But thank you so much, Jody. You really articulately put it. And I really didn't want to go into business models because this isn't, but it is where we are, right? So we're a corporate registrar. And as pointed out previously, we have a very different mode of how we interact with clients, with different relationships with our clients. And we usually have named contacts that we actually know on a physical basis that we see once a year, shake hands with, break bread with, and the like. So our situation is very different and we can very easily create audit trails. So if five years down the line, someone goes, I did not say that. We can literally go through emails and find the exact email with instructions to substantiate that. So we have a very different setup. And I understand and appreciate that the opt out isn't for everyone, but it's not being asked for everyone. It's being asked for specific registrars and specific circumstances.

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And yes, it is a little bit more complex, but sometimes the most beautiful things in life are complicated rather than easy. But yes, we do. And I still can as a corporate registrar, see the need where some of our clients will not want to receive notifications. And there's a whole myriad of reasons. It's not just a case of bulk and lots of numbers. As the white glove service goes, sometimes our clients don't want to receive notifications to do with certain actions. They are aware of the action taking place. They've consented to the action taking place and they don't want to receive notifications. And I can see that happening, which is why an opt out. An optional, I'm just going to keep using the word optional. An optional opt out would be great in these instances. Thanks.

ROGER CARNEY: Great. Thanks, Prudence. Jothan, please go ahead.

JOTHAN FRAKES: Hi, thank you. And apologies for arriving late, but it seems I arrived at the right time. It's very difficult to follow Prudence with her very articulate and fantastic accent. I just, I always feel so unpolished and rough. I'll put it in very plain terms. I have celebrity clients who operate through their agents or managers and they don't want to deal with domain names. They want to make sure they renew. They need me to move it around, but they essentially just assign that stuff to me or to my registrar to take care of for them. And this notification stuff is almost tantamount to harassment in some cases to them. They don't like to get the information. They just want to know that their domain is safe and moving. And that's probably a very caveman version of the very

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articulate scenario that Prudence presented for corporate clients. But I'd say it's quite akin to it. These are folks who just can't be bothered with the bips and bops of our business and just want to have this taken care of for them. And I'm not going to begrudge them for that. I want to leave room for that in this. I don't want that to erode any other registrants' sense of security or agency in their domain transfer. I just want the freedom and the opportunity to continue to operate in that manner because that's been working very well. And I've got people who are very pleased with it. And that's all we're asking for in having a means to opt out here. Thank you.

ROGER CARNEY:

Great. Thanks, Jothan. Okay. Any other comments or questions on the comments or questions that were brought up? Hopefully, the working group was able to provide some good information so that you can take back to your stakeholder groups. Okay. If there's nothing else, I think we can go ahead and move on to our agenda then. Okay. Yeah. Let's go ahead. And I think Caitlin is going to be up first here for us.

CAITLIN TUBERGEN:

Yes. Thank you, Roger. This is Caitlin Tubergen from the support staff team. And I think this is something that's relevant to the conversation that we've just been having. But as the group has been moving into more solid recommendations and is going through the review process of looking at those recommendations, in the background, the support staff team, along with Roger, have taken a look at the impact of those recommendations, specifically

for the group 1B CORD recommendations, and looked at, in a nutshell, how do the proposed policy recommendations differ from what is currently required in the transfer policy?

So in some cases, the recommendation may be a small change. And in some cases, it's actually a rather large change. And before we get into this table, we just wanted to kind of talk about the reason why we are working on this. This is in part to help the working group as it solidifies its recommendations, in that when there's a recommendation being suggested that's defined as a high impact to the policy, or in other words, a really large change from the current policy, the working group will be working on an accompanying rationale as to why this big change is being requested or recommended. And also, this will signal to folks that are reviewing the recommendations, whether it's a working group member who hasn't been able to attend all of the meetings, or whether it's someone reviewing the final report, or excuse me, the initial report when it goes up for public comment. While there are a lot of recommendations being put forward, some of them are more minor changes, and some of them are more significant changes. So it signals to the group, here are the ones that you may want to pay more attention to. And here are ones that really aren't big changes.

So we saw an example of that recently, where a working group member inquired about a recommendation for the removal of a privacy or proxy service, triggering or not triggering a change of registrant. And I believe Owen, our working group member, explained that this is really how things are operating now, so it's not a huge change. But also, we wanted to signal what the big

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changes are. And I did want to note that this is a living document, because the recommendations may change. And also, it's a document that we expect working group members to contribute to. So it's not a mandate. If you disagree with any of the categorizations, by all means, you're welcome to input those. I would recommend, however, that we're sharing this now to kind of show what we'd like to do for all of the recommendations in the group's consolidated initial report. But as of right now, we'd like the group to really focus on the text of those recommendations, rather than putting its effort into looking at this impact analysis now. We just wanted to show what we had been working on.

And as you can see in the legend options, we've gone through and looked at the recommendations as either a low, medium, or high impact, and given examples of all of these. So a low impact could be something as small as a terminology change. So we're changing change of registrant to change of registrant data. That's a pretty low impact change. Whereas the example of a high impact would be the removal of that 60-day post-change of registrant transfer restriction. The group talked a lot about removing that, even before this working group came together. So I think what we're trying to say here is just because something is classified as a high impact, that's not a qualitative assessment on the recommendation. The working group would just need to explain why it's recommending a large departure from the current policy. We use that as an example because that was one that the group has talked about a lot in terms of the confusion that it causes or the inconsistent implementation of that 60-day post-change of registrant transfer restriction. So again, just wanting to note that this is a first pass at the support staff team looking at

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these recommendations and flagging what might be considered a high impact change.

So Christian, if we could just scroll down slightly, you'll see that the high impact changes are really in reference to what we've just been talking about as an example, changing mandatory notifications to either removing that or making it potential to opt out of that recommendation. So again, not speaking to whether that is a good suggestion or a bad suggestion, but rather that the working group will want to explain in its rationale why that particular course of action is being recommended. So we've gone through, you'll see that there's a recommendation number as well as the description of what's being changed in that recommendation or the rationale for the specific policy impact rating. But we will be keeping this up to date and again sending it out to the working group to make contributions. I guess one other thing that I'll note is you'll see that some of the child recommendations, so for example in recommendation three, this talks about the notification structure and because that notification structure is changing pretty significantly in what the working group has recommended, we flagged those as high even if maybe that child recommendation by itself wouldn't be a high impact, but taken together these recommendations could be seen as a large change to what's currently required in the policy. So I'll turn it back over to Roger. Oh, nope, I see Berry has his hand raised. So Berry, please go ahead.

BERRY COBB:

Thank you, Caitlin. A couple of items here, Christian, if you can scroll back up to the top. So first and foremost, a

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recommendations impact or analysis of the change, an analysis of the recommendations that change policy or introduce new policy are actually a requirement for PDPs per the working group guidelines. You know, previous working groups have kind of struggled with this and quite honestly, I've struggled trying to come up with some kind of method or framework by which we can conduct some sort of analysis about the impact of the recommendations. And what you see here is kind of a new bright idea or great idea, however you want to phrase it, in an attempt to try to build some kind of reusable framework. And so this is kind of a first iteration about this concept and this idea.

So because it is brand new, we completely is it's open for input on how to improve upon this and make it more fit for purpose, not only for this working group, but for future PDPs. So in that light, one of the things that I want to point out is the criteria can to consider when gauging impact. You know, there's a couple of different ways that this could be approached. You know, let's say we came up with seven different kinds of criteria. And to Caitlin's point while qualitative versus quantitative is it conceivable that some of these criteria could be graded on a scale on a quantitative perspective that would then produce a low, medium, or high impact rating some kind of calculation kind of aspect. Or in its current form, the policy impact labels that we have described here are kind of subjective, and it really depends on the framing of when you're reading the recommendation text. So that's also another path. And to Caitlin's point, some of these impact scores may adjust as the recommendations adjust, or take for example the conversation the group is having about recommendation 17, and whether there's a known customer exception procedure, if

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that didn't find support, that could, in fact, maybe lower some of the policy impact on the recommendations being proposed in the COR. And I'm not suggesting that is a real use case, but kind of a derivative of that. So I would ask that we would welcome feedback from the group about are there other criteria that we should be considering here? Are some of these not fit for purpose? And so we're very open to ideas.

And finally, I'll conclude that this is really just kind of a starter table. What staff envisions, as Caitlin noted that we would like to try to apply this to all the recommendations. And I think one of the challenges with this table approach here is we're really trying to summarize column two about what is really going on, because this group is pretty much intimate with each of these recommendations. But from a practical perspective, you've got to have the actual recommendation text over on the left side of your screen. And then on the right hand side of your screen is this table. You know, how we envision this is that for the initial report and each recommendation, there would be kind of a summary policy impact kind of rating and that would complement the rationale for why the group is making the change. That's kind of the general approach and very open to adjustment. Or if it is not fit for purpose, we can try to find a different path. Thank you.

ROGER CARNEY:

Great. Thanks, Berry. Theo, please go ahead.

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THEO GEURTS: Yeah. Thanks, Berry and Caitlin for this. I think my first take on this is, very useful. I mean, going back to the other reports that we have produced within a PDP, this is more readable, I guess, and more digestible. And you sort of go, as you go through these reports, you go like, okay, that's a high impact. You pay a little bit more attention to it, because apparently high impact, probably there was a lot of discussion about it. And we definitely need to have the rationale in place why we were doing this, and for what reasons, etc. So there's still improvement here. And when I look at the language here of the language choice, like the word impact, I would have personally changed that to change, medium change, high change. The coloring, I'm not sure if I would go with that high. I mean, if you look at red as a color universally, that's a no go, dangerous, don't go there. So you can get those kind of feelings that already create some kind of negativity around a subject, even though you didn't read it, but you go like, it's red, oh, better stay away from it, could be dangerous. So I would do some, I'm not sure if I would use that coloring. But again, this is great. But I suspect this needs a fair amount of work to make this sort of digestible for everybody here, outside of the working group, because that is definitely the audience there. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Thanks for the input, too. Rick, please go ahead.

RICK WILHELM: Thanks. Plus one to Theo's comments. And Berry made me smile with the radiation signs. I would agree that with the colors,

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echoing, I'm smiling, echoing Theo's comments on that. This is really, really useful. Thank you very, very much for putting it together so I could throw in another. So one thing that I would maybe suggest, and I think that you might have alluded to this in your introduction to the document, I think it would be helpful to have a column or maybe some sort of note about changes that we're making, we're suggesting in these recommendations that are where we are driven in these recommendations by other policy or regulatory changes related to, let's say, GDPR, registration data policy. So because in some of these things, it's my recollection that we don't exactly have a choice in what we're doing. In other words, we're making these things because we needed to make certain other changes to sort of bring the transfer policy into alignment. And I think it would be good to highlight those somehow. I don't have a really good suggestion as to how that is done because I can't go and hook my finger at which recommendations just in real time, which ones directly correlate to those kinds of changes. But I think that that would be helpful because I think that there are a number of these things that are tagged as highs, which are rather significant changes where we needed to do them in order to bring about some changes to bring the transfer policy into alignment with other policies. If that's incorrect, please feel free to, I'll happily take the correction. But I think that would be a helpful thing to do in order to help explain to other folks that some of these things we're doing on our own and some we're doing in order to bring ourselves into alignment. Thank you.

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ROGER CARNEY: Right. Thanks, Rick. I never thought about that, but you're right. And as you were describing it, I was thinking some changes are reactive, like you said, due to other policies or due to whatever, compliance saying this causes a problem, and we're reacting to those things. Whereas proactive things like we purposely made the messaging system more flexible. We're not saying just email, we're opening that up. That's not necessarily something we're reacting to, but we believe we're making better. But it's an interesting topic, Rick. So that's something to think about. Theo, please go ahead.

THEO GEURTS: Yeah, thanks. And what Rick points out, that is really great. I mean, the average reader, the person who's going to read this does not have our background. So they don't have all that baggage, all that knowledge, what we all have. We know why we did it because there was a GDPR. So for the average reader, it will be very helpful when something is very high indeed. But there is a data protection law that sort of forced our hand. So we needed to make that change. Having that background there as a reader, you go like, okay, high impact, high change. But there are some very good reasons for it. And there is why and the how and how we got to that. And it doesn't have to be a six pager, but just a brief comment on like, this is why that is. I mean, most of these people, they go in, read it without any context whatsoever. And context on many of these recommendations is key. If you don't have the context, you go like, why did these people go for it? And I'm going to say no, because I like the context and it just sounds bad overall. And that is sort of that we already struggling with a

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little bit. That's why I'm so supportive of this impact analysis. And I was really great to hear that we got to do this moving forward with other PDPs. Really great. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. Yeah. And I think one thing trying to keep this not, as everybody said, the people that read it, we don't want to make this analysis too complicated. We don't want 12 different columns and starting to compete with each other. We just show the readers a nice high level. And again, if they want to drill into something, then they can be specific and go look at, okay, I want to look at what 1.3 discussion was had and then they can go into those details further if they want to. But if they don't feel like they need to and they got the assessment from here, great. But someone that gets really interested in one point, sure, we're not going to provide that here, but they can drill into that in other places. So great. Okay. Any other comments or questions or suggestions? I love the suggestions on improvement here. Okay. Caitlin, Christian, anything else we need to highlight here?

As Caitlin mentioned, this was a review, a thorough review by staff and myself to go through and make sure if someone has comments that said, well, I don't really believe this is high or I think this low is actually higher. Going to the document, I think Christian posted in chat and provide some comments as to reasoning behind that. And if you want to see something changed, I think that's important to go in as well. So one more call to Christian or Caitlin, anything else? Okay, great. I think we'll go ahead and jump into our next agenda item then.

CHRISTIAN WHEELER: Thank you, Roger. The next item for our agenda is to continue where we left off in the discussion about Rec 17. So I'll just bring that on the screen right now and I'll drop in the chat the link to the document. So this is actually the same document that the group has the assignment to submit their group inputs on, starting on page nine. So this is just a list of all of them, all the Recs. And where we left off with Rec 17, in the previous meeting, Jim had raised that, I believe it was Jim, that looking holistically at Rec 17 and the opening that it gives to potentially avoid the 30-day lock, it doesn't give security professionals a particularly warm feeling. And so it was kind of presented just kind of widely to the group, if there are any ideas or approaches that would not give rise to security concerns, maybe if there's a way to clarify or add more substance or rationale to the text, like around the case-by-case basis aspect or that bar that's being set for the RNH to be considered an established customer. If there was anything here with the updated recommendation that the group wanted to revisit and kind of help clarify, that we leave that open and just kind of continue that discussion if it needs to be had. And I do see that Zak has a raised hand. Go ahead, Zak.

ZAK MUSCOVITCH: Thanks, Christian. Just at the very, very tail end of the last call when we were canvassing the issue, whether there was any ideas that could better satisfy people who have a particular security concern about this draft recommendation, I floated the possibility that if a registrar decides to lift that 30-day restriction in compliance with the draft recommendation, then it could be based

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upon the requirement that an undertaking be obtained from the next registrar to return it to the original registrar in the event of conflict, which is comparable to what registrars typically do these days when there's that kind of issue arising about a dispute about the transfer. They usually request kind of an indemnification, I understand, from the next registrar. Thanks.

ROGER CARNEY:

Great. Thanks, Zak. Yeah. And again, you're right. I think at the end of that discussion, we were looking for, is it still a workable solution and just needs more, I'm going to say guardrails, but more meat to it, more substance. And one of the things I just thought of was when this happens, is there a notification requirement maybe that goes out? I don't know. I was just trying to think of how to add some more meat to this, I guess. So Rick, please go ahead.

RICK WILHELM:

Sure. Rick Wilhelm, Registries. And I'll sort of grab this one just to give Jim a break. So the origin of the post-transfer restriction is to remove the hopping situation that from time to time happens where domain names bounce from registrar to registrar. As everybody within earshot, I hope everybody within earshot understands that's the origin of this thing. Where a registrant will take a name and move it from registrar to registrar, maybe they're doing that to evade actually paying real money and they're leaving behind them a wake of hard fraud, or maybe they're doing it to evade enforcement for DNS abuse. And so that's why, just to

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remind ourselves, that's why this restriction exists. That's why the rule got put in place.

And so by opening up this window, by opening up this exception, we as a community are exposing ourselves to this, as also Jothan puts another reason in the chat also. So by wiggling the name around between registrars, it can be an effort by ill-intentioned registrants to zip a name around the registrars to sort of remove its history and have it outrun enforcement efforts of some sort. Maybe it's paying or things like that. And when we look at this, it's challenging because it's really subjective what the criteria are for exempting from this thing. And it's very unclear what the obligations on the registrar, what the registrar that is removing that and what documentation they have to maintain or what criteria they have, they just basically are allowed to do it for whatever reason they want if this existing relationship.

So I'm not so sure that, I guess from a security aspect, that's the main reason that we as a security and domain abuse aspect are the main reasons that we at the registries are kind of speaking up and raising this. From the registrar aspect, I think y'all ought to look at this and say, do we really want to open this window up more than it already is? Then open this window up the way rec 17 is. And if you want to open it up in this way, do you want to have it be open with this little documentation and this loose of a criteria? Do you want to put more restrictions on it so that if there's specific circumstances, this is intended to satisfy, say, aftermarket activities, that there's more requirements put in place that will allow the movement of names in certain circumstances or something like that. Because right now, it's undoing some

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protections that those rules were put in place for pretty good reasons. And we'll see how much of the words I've taken out of Jim's mouth, although probably not all of them. I'll stop because there's a queue. Thank you.

ROGER CARNEY:

Right. Thanks, Rick. Yeah. And it's very good input, Rick. I think that that is the crux here, is to balance that benefit risk there. I'll just throw one thing on to the DNS abuse. Obviously, yeah, that's a concern moving along. The other thought on the other side of that is I know that some registrars get into the spot where they want to allow someone to move because of different reasons. It may not be completely DNS abuse, but maybe the customer violated the terms of service of that registrar. And if it's within that 30-day window, is there a way the registrar can move that or not? And again, I'm just throwing those ideas. Your comments on the risk reward there is still valid, and does it still hold water? And to the point, is there enough meat here to safely or to continue those original concerns in order to make that not happen? But I'll jump to Berry because I think I'm starting to ramble. Berry, go ahead.

BERRY COBB:

Thank you, Roger, Berry Cobb, for the record, and probably going to somewhat be duplicative, but not as previous comments, but I hope not to be. I think some of the points mentioned are some of the same concerns that the policy staff team have in relation to the text as it's currently presented. Very much like Christian, I'm not in compliance, never have been in compliance, probably won't be in compliance, and have very little visibility into how they do the

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compliance function. And so I can't even really speak for compliance. We have Holida here, and she can raise her hand if I'm misstating anything. But the way this is structured now and the way the original intent of recommendation 16 is, first and foremost, that the 30-day restriction must be put in place first. That kind of suggests, I think to Jothan's point, how is this actually going to be implemented? So is that automated? But on the 31st day, this restriction is lifted, that's most likely automated. But when we introduce the established customer, what does this really mean when it's going to be implemented? And I think to Rick's point, I try to classify this as there needs to be a very high bar for any kind of exception procedure to be put in place here. And so whatever that bar is, and the recommendation text that we have here, it needs to be made very clear to the consumers of the initial report that are going to provide public comments back into this, which is what I'm looking out for. And so the rationale behind this must be clear.

Two deficiencies that I see is we need a definition around what case-by-case basis means, because that is directly in compliance's wheelhouse about how they're going to be able to enforce such a requirement and when this exception procedure is invoked. The rationale to explain to the community about why this exception procedure should be in place, what are the circumstances where it may be invoked, and those kinds of aspects.

And then I'll basically conclude with two final thoughts. The definition for established relationship that is a first attempt here, immediately I'm asking why is it not 60 days? I'm actually

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technically forecasting what somebody might ask is why is it 60 days or why is it not 90 days? Does this mean that if I'm a new customer, I register a domain, and by the 31st day, I'm now considered I have an established relationship and those kinds of aspects. So I strongly encourage those that support this, produce additional rationale to be able to eloquently explain to the community and the represented groups here about how this can be implemented, how it can be enforced.

And then the final point here is, again, not speaking for compliance, but through the public comment perspective, org traditionally will also provide comments on their views about the recommendation text itself. And that's coming from our GDS colleagues and our compliance colleagues as well to provide information. And so the more substance we can apply to this recommendation should it go forward in its current state, then the less likely that there might be comments about it. Thank you.

ROGER CARNEY:

Great. Thanks, Berry. Yeah. And again, I think not just the rationale, but as Zak pointed to, and as we alluded to at the end of the last call, are there other bounds that we can put here that will make this more secure or more better in the eyes of everyone? So I think the rationale is important as Berry says. It's going to come down to that. Obviously, people will probably comment without reading everything, but if our rationale is sound and someone provides a comment that contradicts that, okay, great. And we can move forward on that. But again, I think look at this in two factors, I think is obviously providing the rationale and sound discussion and everything that we've done up to this point, but then also look

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at, okay, are there mechanisms that we can add that don't make it on us to do, but can still provide that security or eliminate the risk factor? But Jim, please go ahead.

JIM GALVIN:

Thanks, Roger. Jim Galvin, Registry Stakeholder Group, but not speaking a registry position and offering my own personal comments about security model. I want to say two things, one a comment and one a question for consideration here. My comment is that the security model needs to be considered in whole. And I am a little concerned about the fact that we seem to be zeroing in on particular elements and want to talk about that element in isolation and what I can and can't do with that element. But that's not how security professionals think about this overall picture.

So my comment here is that the 30-day lock is really filling two roles. It does have two reasons for being there. 30 days is completely arbitrary. I'll acknowledge that. It's sort of a judgment call. It used to be 60. Now it's 30. A lot of things went into making that particular judgment call. Let's set that aside. The two things that it's there for is partly in response to not doing a FOA anymore. So you're no longer actually making this extra confirmation with the original registered name holder. And so you're just putting a mechanism in place to have an opportunity for dealing with that issue and dealing with that extra confirmation.

The second thing is, as Rick said, it's about getting control of hopping. It's getting control of the fact that a name could jump from one registrar to another and move along. And then it not only makes it hard to get it back, the policy allows for that to occur. You

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have no recourse. And so as a reminder, it was Sarah Wyld who, last week, asked the question, well, gee, what recourse does a registered name holder have if you've got a bad actor in a registrar and a bad actor in a new registrant at that registrar? And they'd allowed something to move on. There was no answer last week. I just leave that as a comment.

The second thing that I would offer is something that jumps out at me now in thinking about all of this. When it says here the established relationship, I assume it's talking about the established relationship of the new registered name holder at the new registrar, not the old registered name holder, who is the one who's really at risk here, who's the one who's not being protected by lifting that 30 days. And I think that's what's going on here. I'm pretty sure you are representing the new one. And I want to offer that it's interesting that this rule is being put in place for the new registrant, but that's not really the person who you're trying to protect in the overall picture of things. And I wanted to call that out and leave that as a question and suggest that I would like some clarity in whatever is written here as to which registered name holder is being referred to in this thing and which established relationship is the one that matters. Thanks.

ROGER CARNEY: Thanks, Jim. I'll go to Jothan. Please go ahead.

JOTHAN FRAKES: Thank you. A lot of the ground's been covered here, so I don't need to reiterate it. I think what we're coming to here though is this

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established relationship is too wiggly-worded and may create a subjectivity challenge for us later if we don't give it a little bit more substance. I think at the core, and I said this in the chat, that the universe seems to constantly deliver us these new edge cases that we need the flexibility to serve our customers with as registrars. And we may not always have a crisp definition of what that established business relationship is. I think for the majority of the circumstances where you've got this flexibility needed, we're not looking to do this where there's clear evidence of something that might be suspicious or create jeopardy for the old or new registrant, honestly. We want to make sure that that looks worthwhile. So a long way of saying, I think we need to maybe wordsmith this established relationship definition. But the case-by-case basis flexibility is something that I can tell you after many decades of working in registrars, that the universe delivers you those case-by-case needs. Thank you.

ROGER CARNEY: Thank you, Jothan. Zak, please go ahead.

ZAK MUSCOVITCH: Thanks, Roger. So I want to try to compare this draft proposal with how things stand now, like literally today pursuant to the current transfer policy. And maybe staff can help out as they usually do because they seem to have these facts at their fingertips. So I'm asking staff to confirm or anyone in the working group. But my understanding is that currently, a registrar must impose a 60-day inter-register transfer lock following a change of registrant, provided, however, that the registrar may allow the name holder to

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opt out of the 60-day inter-register transfer lock prior to any change of registrant request.

So if we were to compare the current state versus this state, I guess the first change is that the 60 days is changed to 30 days. The second change is that this is a mandatory 30-day, whereas the 60 days wasn't mandatory in the sense that there was an opt-out. And so in effect, are we essentially making things more difficult than they were today for a registrant to do that second hop of a registrar? Because the way this seems to be worded is that there's this 30-day restriction. Whenever there's a change of registrar, where things stand today, it's only a change of registrar following the change of registrant. Yes, it was 60 days before, but there was an opt-out provision. And a lot of the criticism of the way things were today was that that opt-out was not always clearly communicated, and it wasn't consistent throughout all registrars. That was really the criticism of it. And if that issue were to come up in the working group, that's really what I thought would be tackled. And so this recommendation to me seems, if anything, more onerous than the current one. Is that everyone else's sense as well?

ROGER CARNEY:

Great. Thanks, Zak. And thanks for bringing that up, because I think that you are looking at the different uses of today versus what we're recommending. I think that's important, as there are some significant changes. And the opt-out of today's 60-day lock, as you mentioned, seemed to be complicated, not just in a registrant's perspective, but as you mentioned, registrars seem to implement slightly different. So I think that standardizing on a 30-

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day is, I can't say that it's more strict or not, but it's definitely back to standard, more reliable, more dependable. But I'll leave that to others as well. So Theo, please go ahead.

THEO GEURTS:

Yeah, thanks. I'm going back to Jothan's universe there, delivering all these edge cases. And I think that is sort of, for me at least, the crux of this entire recommendation. I mean, over and over, you encounter these edge cases that no longer become an edge case, because things are changing within the landscape. To give a concrete example here, a couple of years ago, there was this registrar who sort of catered to the right wing or left wing. At least it was very, very extreme when it came to the content. And then there was a hack, and these people started to move all their domain names to different registrars. And I can't imagine that. I mean, if your registrar gets hacked and you run that kind of stuff, yeah, you might want to take precautions and move out for whatever reason.

The problem is that we ended up with a couple of those fantastic domain names, which were downright illegal with us. And we couldn't move them due to that 60-day lock. So for 60 days, we were getting hammered by all kinds of complaints. Was it from the left or the right? I don't really know, and I don't remember anymore. I do remember that it was just impossible to explain the position as a registrar versus a website hoster. I mean, those people don't care. I mean, you're talking about feelings there that are run up so high. I mean, I don't even want to look at the relationship which I had with that registrant. I mean, I didn't have any, and I wanted to get rid of them as fast as possible. And the

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only thing that was not helping was that 60-day lock. So as a registrar, I want to have those means at my disposal that I can make a decision going like, okay, this is definitely not what we want from a customer. This doesn't reflect our values as a company or whatever. You want to make sure that 60-day lock is removed. And it goes a little bit back to what Jim was saying, like, who are we serving, the new registrant or the old registrant? And I think that's a very important distinction because if you're going to the other side of whatever spectrum in this example, and you're talking about domain names being stolen, hijacked, or whatever the terminology is here, you want to have some stuff in place to prevent that and make sure you've got some time to figure out who is who and who is doing what and who's responsible till you can sort that out. Is 30 days enough? No, sometimes it isn't. I mean, often in those cases where we need to maybe protect the old registrant, we don't know that at that moment because we have no idea. We're only looking at the new registrant data. We put a lock on it so it can't be moved till we have the matter resolved. So that is another example, which isn't reflective of the text that we have here, but that is something you can do as a procedure as a registrar going like, okay, there's a notion of a domain name being hijacked. Okay, then we follow this and this procedure. If you want to have a procedure, I can give it to you. But common sense thinking usually applies to all these cases. And I think we need to go a little bit with this also. We need to rework this, but ultimately I want to have total control over those 30 days because again, with those edge cases, the universe that keeps on giving, there are some real life consequences to that. And that's maybe great if you have 5,000 employees and you

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have a couple of billion dollars of revenue. But for us, that is just not acceptable. I mean, we have had a complete overload and burnout from our employees. And that is something I totally want to prevent the next time, whatever the universe is going to give us. Thanks.

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

RICK WILHELM: Thanks, Roger. Rick Wilhelm, Registries. This is not so much a comment, but more of a question. Maybe someone, while I know that there's all sorts of edge cases and weird corner cases and things like that, maybe someone could clearly describe the main set of use cases that this Rec 17 is intended to address. Because I think that it has to do, but it's not clear from my recollections, I think it has to do with the aftermarket, if you will. Where in that case, there's not really a prior registrant to be protecting. This question popped into my head after Jim was at the mic and he was talking about the prior registrant and who were we protecting and things like that. Because I think that this rec has to do with the aftermarket where actually the prior registrant is, I'm going to abuse this term, technically the current registrant in the spiritual sense of the word. And that might make it easier to write something here around this thing. But maybe somebody within the registrar community could talk about where Rec 17, what its origin story is, because I think it's way more oriented around something related—My recollection is something related to the aftermarket. Thank you.

ROGER CARNEY: Thanks, Rick. And specifically on Rec 17, a 30-day lock is mostly to protect theft or I would say fraud.

RICK WILHELM: Sorry, Roger, not the 30-day lock, the ability to remove the 30-day lock. I understand the origin story of the 30-day lock. This is the origin story of Rec 17, which is allowing the ability, it's the starting after however, because we've got a 30-day lock now and the change here on Rec 17 starts with the however bit. Sorry, I was not clear in my statement. Thank you for helping.

ROGER CARNEY: I just wanted to clarify that. The original Rec 17 is just a 30-day lock and what we're discussing is the ability to break that for whatever reasons. And again, so the original group 1A 17 says 30-day lock and that's it. So what your question is, is that, okay, why break that and what's the logic behind that?

RICK WILHELM: Correct. Thank you very much for helping to clarify the statement. Thank you.

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

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ZAK MUSCOVITCH: Thanks. I'm sure that a registrar involved in the aftermarket will be able to explain the dynamics far better than I, but just a couple of points about it. One is if you look at the original recommendation 17, this is a market difference from the current text of the transfer policy, because the 30-day lock is triggered upon the transferring of a domain name, regardless of whether there's a change of registrant has preceded it, right? So that relates to the last point that was made by Rick. Rick's point is that so really we're not looking at whether a change of registering has occurred. Here's the trigger. It's purely the change of registrar. And so there's a couple of scenarios that I'm aware of at least. I always seem to make my points just as we're about to finish the call.

But the first scenario, a corporation, let's say Coca-Cola, acquires a subsidiary that has a bunch of domain names. That subsidiary prior to the closing of the transaction consolidated its domain names from several registrars into one registrar. Then the closing of the acquisition subsidiary occurs and the domain names are going to be moved to Coca-Cola, the purchaser's primary registrar. At that point, it's unable to move those domain names to its primary registrars to the extent that some of them have already gone through that first hop during the consolidation process in preparation for the closing. That's one kind of scenario. And of course it happens on a smaller scale too. It's not just big conglomerates and subsidiaries. The second one has to do more directly with the aftermarket. And there was an interesting article, a brief one on Domain Name Wire today if anyone wants to take a look. Just interesting timing where Andrew Alleman explains what he does when he purchases a domain name on the aftermarket. So when he purchases a domain name on the aftermarket, he

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wants to transfer it, for example, to GoDaddy right away. Some of those names he can't transfer so he's got to wait to 60 days. That's the current system. The 30 days would be more helpful to him. But in a case like this where there's no concern about cyber squatting or DNS abuse and also in the subsidiary purchase scenario where there's no concerns about cyber squatting or DNS abuse, there really should be that same flexibility. And like when we talked about with the opting out of notifications. As people pointed out, maybe there's a security issue to some extent on the basis of the general principle that notifications are a good thing generally and the more notifications the better. But taking into account the particular needs of a particular registrar, registrars in their business model, flexibility is desirable, and the balance between the security and transportability is satisfactory. And so I think it's important we remain consistent in that respect when we talk about recommendation 17 as well. Thank you.

ROGER CARNEY:

Great. Thanks, Zak. Yeah. And to Rick's point about aftermarket, however this becomes, I think one of the other ones is something that Theo brought up. It's one of those where the registrar and the registrant agree to part business in the lock. And again, why they agree to that, maybe it's terms of service from the registrar that the registrant didn't know or is breaking and he wants to move it to a registrar that has better to that registrant's viewpoint, better terms of service or DNS abuse and the registrar doesn't want them on the system anymore, whatever that reason is, and they come to that agreement. That's just another scenario. I don't want to say it's just aftermarket. As Theo mentioned, I think some

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registrars are just looking to make sure that they have those options available. So I think the big thing here is what I'm hearing anyway is the idea of breaking this is still strongly wanted, but our current language and I don't want to say guardrails, our current meat behind this isn't strong enough to convince people that it's worth the risk of the break and that the 30 days is still better than 60, but as Zak points out, it is not optional anymore, so it is a 30-day mandatory. So I think that what I'm hearing is people still want to be able to allow a break of that 30 days, but I'm hearing what we have in this Rec 17 update isn't meaty enough to convince anyone or the rationale isn't strong enough to convince people that that works. And not that it's not a good idea or bad idea, just that it doesn't work and that the risk is still too high. So I think that for those that believe that there's a need for this breakage, I think the ask from the group is, okay, provide some better boundaries or better rationale as to why, I think is what I'm hearing. So, but Zak, please go ahead.

ZAK MUSCOVITCH:

Hi, Roger. Yeah, I think that's a fair assessment, Roger. I would just add to it that I think people who are critical of recommendation 17 in principle, this is not to detract from any of the great points that they've made, but they should also be cognizant of how the current regime under the current transfer policy is effectively more liberal than this one because it allows an opt-out and if it allows an opt-out, even with a 60-day lock, more permissive. And what evidence is there that has resulted in a problem that we must address by further tightening up, by eliminating an opt-out and by

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having the trigger merely be a change of registrar rather than a change of registrar followed by a change of registrar. Thanks.

ROGER CARNEY: Great. Thanks, Zak. Yeah. And again, I think that that's a great thing to mention in rationale is discussing how and what today's environment is and how moving to the 38 is actually a little more restrictive than that. So, but we've got one minute. I'm going to let Ken go last and then we'll close out. Ken, go ahead.

KEN HERMAN: Yeah, thanks. Just very briefly, just to respond to Zak, I agree that you're making it perhaps a little bit more restrictive, but there's a fundamental difference that I see. And on the one hand, the opt-out is issued by the registered name holder. Here, we are giving registrars a power that they didn't have, that I haven't seen that they have in the past. And I think that's a fundamental difference. And you're putting guardrails around a registrar and not all registrars follow all the rules to the nth degree. So I just want to point out that there's a fundamental difference between what was and what is. And yes, I agree that we are perhaps making it more restrictive, but that's not the issue. Thanks so much.

ROGER CARNEY: Great. Thanks, Ken. And again, thanks everyone. I think this discussion, again, is good because I think we are on that balance of people see a need for this and people are questioning, again, the reward over the risk. So I think that that argument has to be strong to provide this type of functionality. But I think I will go

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ahead and close it out since we are out of time. And we will meet back up and probably continue this next week. And as well, I want to leave everyone with a reminder that homework is due next Tuesday as well. So please take a look and make sure you're getting responses to those recommendations in the worksheet.

But again, thanks, everyone. Great discussion today. And we'll talk to everyone next week.

JULIE BISLAND: Thank you, Roger. Thanks, everyone, for joining. This meeting has concluded.

**[END OF TRANSCRIPTION]**