
ICANN Transcription

Transfer Policy Review PDP WG

Tuesday, 06 February 2024 at 16:00 UTC

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JULIE HEDLUND:

Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group Call taking place on Tuesday the 6th of February 2024. For today's call we have apologies from Osvaldo Navoa (GNSO Council liaison), Jody Kolker (RrSG), and they have formally assigned Christopher Patterson, RrSG, as his alternate for this call and for remaining days of absence. As a reminder, an alternate assignment must be formalized by way of a Google assignment form. The link is available in all meeting invite emails.

Statements of interest must be kept up to date. Does anyone have any updates to share? If so, please raise your hand or speak up now. 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. As a reminder, those who

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take part in the ICANN multistakeholder process are to comply with the expected standards of behavior. Thank you and over to our Chair, Roger Carney. Please begin, Roger.

ROGER CARNEY:

Thanks, Julie. Welcome everyone. The year's starting to fly by already and we're into February and we are less than a month away from ICANN79. So, including today's call, we have just four scheduled calls before everyone packs up and heads to ICANN79. So, we've got a few things we want to get done before we start traveling. So, a lot of our discussions hopefully will be done today, and we'll start tying things together and start getting our recommendations in place after today. So, I think we're in a good spot, but we need to keep moving. Again, less than a month away from ICANN79. Just a couple of things. The self-assessment survey is still available and anyone that hasn't filled it out, please do. It's deadline, I think, is February 21st. So, please take that time to fill that out. It fills out pretty quick. So, and thanks to those that have filled it out already. And I think the only other thing I have is our rationale doc still has no rationale doc for the SLIM core has no input yet.

We need to start filling that out so that we can justify our changes to the change of registrant before we go to public comment so that we have not only our discussions and daily input, but everyone's thoughts on paper so that we can get ahead of the game on public comment. So, please take a look at that and start filling that out when you get a chance. Other than that, I think I'll just open up the floor to anyone in the stakeholder groups that want to come forward, talk about anything that they've been talking about behind

the scenes or with their constituency groups and any questions or anything that they want to bring forward. So, Zak, please go ahead.

ZAK MUSCOVITCH:

Thank you, Roger. Zak Muscovitch. So, every once in a while, Erin Olin and I brief the BC on developments in the working group and we had an opportunity to do that the other day again. And so, I indicated to the BC that where things were in terms of change of registrant discussions and although it's acknowledged that we haven't reached any final recommendations on the change of registrant, the BC did express and I'll convey it to you, their deep concern about any move to remove all notifications prompted by a change of registrant. And similarly, their deep concern about removal of all default locks for a change of registrant. And there were discussions that if that were to be a recommendation of the working group, that the BC would probably be doing a minority report.

ROGER CARNEY:

Thanks. Great. Thanks for that, Zak. Appreciate that coming in. Any other comments anyone wants to bring forward? Owen, please go ahead.

OWEN SMIGELSKI:

Thanks, Roger. I guess this is more of an out of comment but a question to Zak. You mentioned that the BC would be against removing all locks for change of registrant. I guess, clarify a little bit more because I don't think there necessarily are locks for that

now and I don't think we contemplated removing any types of locks. And for the record, I do support maintaining notifications for change of registrant moving forward but getting rid of that whole change of registrant process. Thanks, Zak. If you could just give a little more guidance on that. Thanks.

ZAK MUSCOVITCH: Sure, Owen. Zak Muscovitch. So, my understanding is that one of the things that this working group had been seriously contemplating was removing the current system where there is an opt-out that must be affected prior to a change of registrant preceding a transfer of the domain name. My understanding is that there was currently a 60-day lock that could be opted out of if the timing was right. That's something that the position to date has been that they'd like to see a default lock. They'd like to see registrars having discretion to waive that lock in certain circumstances and they'd also like to see more consistency in the way that the opt-out is offered to registrants.

ROGER CARNEY: Great, thanks, Zak. Owen, please go ahead.

OWEN SMIGELSKI: Okay, so then I guess the clarification would be then basically the BC would be against removing the change of registrant and the lock, that whole process then, essentially.

ZAK MUSCOVITCH: Zak Muscovitch, again. Not entirely because the BC's position has been that there should be a lock by default but the BC was interested in lessening the duration of that lock. It's not that it's insisting on having the lock as it is, but the BC appears to be largely against a total removal of the lock.

ROGER CARNEY: Great, thanks, Zak. Okay, thanks, Owen. Okay, anyone else? Any comments, questions? Okay, and again let me say one thing before I go to Steinar. Again, why we have the rationale doc out there and why we need to get it filled out is so that we can lay these out and if we can't lay it out then maybe we're walking down the wrong path. So, I think that filling out that rationale doc is important because as Zak had mentioned, the working group is going down that path of just removing that, what we'll call an optional 60-day lock and the opt-out-able 60-day lock. So, the working group has been in support of that for quite a while now. So, we need to provide rationale to go down that path and again if that fulfills what the BC is looking for, maybe or maybe not and they may still have that ability to comment on it. So, but Steinar, please go ahead.

STEINAR GRØTTERØD: Yeah. Hi. This is Steinar for the record. I have, based on the last minutes, the previous minutes of this working group kind of also informed the consolidated policy working group about the status and all the-- What I'm trying to inform all about the element in the change of registrant process that we have discussed for some time now. What it looks like, but it's not yet to be confirmed, is that

at the ICANN79, there will be the consolidated policy working group will spend an hour, maybe an hour and a half to discuss the change of registrant and this meeting will, of course, be open for everybody and if that has been defined, I will distribute the time and the date for today's meeting and hope that we will have all the different inputs to that discussion at the consolidated policy working group in Puerto Rico. Thank you.

ROGER CARNEY:

Great, thanks Steinar. Any other comments? Okay. I think, again, the reason why the rationale is important so that we document these things and people that have questions about why we chose a path, have some logic they can look at and they can agree with it or not obviously, but at least they can see the thought process the working group went through. So, okay, I think we can go ahead and jump into our agenda then, Christian.

CHRISTIAN WHEELER:

Thank you, Roger. Okay. Let's just jump right in. Thank you all for attending today. Let's just recap our previous call, kind of the end of that call where the group kind of landed. So, the group, at least as it seemed to us, that seemed that the group thought that the change of registrant policy should be reduced to notifications only rather than being completely eliminated. So, just be notifications only without a core transfer lock and as a reminder that the group had considered that for group 1A that there would be a mandatory transfer lock still in place when there is a change of registrar.

So, even though it's recommending, at least so far, it seemed that the group was recommending to get rid of that 60-day transfer lock because it's not really fit for purpose, more causing registrant frustration when trying to transfer, that it's not necessary because that 30-day lock will be in place following a transfer anyway so that there will still be a lock in place in those circumstances. The group also felt that the notifications should be mandatory. However, there was discussion of a potential opt-out option to opt out of these mandatory notifications. So, that's something that we want to figure out today whether that's something that the group wants to go forward with or not.

And finally, that change of registrant rather than trying to redefine change of registrant should be trying to replace with change of registrant data, rather than trying to nail down or rather trying to define what is a registrant or control referring to the notifications only policy as being more when there's a change of registrant data. So, we're going to get into that definition today more as well. So, we need the notifications just as a reminder.

So far, the group has discussed talking about that the notification that would be sent out must contain the following elements. When you send that notification, it would contain the domain names in question. It would contain text clarifying what contact information was updated, the date and time that the change of registrant was completed, and it would provide instructions detailing how the registrant can take action if the change was invalid, how to initiate a reversal.

So, previously, the notification just has to provide contact information for questions. The group thought it would be good to

add security to take it a little bit further than that and just to say that it has to provide instructions for how they take action. And this would be sent every time there would be a change to registrant data, which is what we're going to figure out in a couple slides. Now, I do see a question from Sarah. So, I'll just pause there.

SARAH WYLD:

Thank you. This is Sarah. Hi. Christian, I noticed that what you said out loud was interestingly different from what's on screen. So, on screen, in the second bullet point, I see text stating that the contact information was updated, but what I heard was text stating what information was updated. And those are interestingly different. So, which thing do we want as a group? Thank you.

ROGER CARNEY:

Thanks, Sarah. Yeah, and that's a good point. And that's a good clarification that we need to make here is, are we saying a notification is, hey, your contact information has been updated? Or are we saying, hey, your first name was changed from this to that or just that your first name was changed, or these two items were changed? Or are we going to show them, okay, here's the before and after? And again, good clarification, Sarah, because that's something we need to narrow out. And again, maybe it is just simply, hey, there was information, contact information changed. So, the group has those options to walk through. So, Theo, please go ahead.

THEO GEURTS: Yeah, thanks. And this is Theo for the record. I would recommend to stay away from the word contact. We don't know really what it is. We of course know what is registrant data. That is pretty much universal throughout all kinds of policies. We know what it is. But contact information that could be information that a registrar has which is completely separate from the domain name registration. That could be additional information that a registrar has on how to contact a registrant.

Now, that might work for certain registrars who do that. But in a reseller model, if some resellers are doing that, we are not privy to that information. So, to avoid any complexity or legal discussions today, I would just suggest that we change contact information to registrant data. Thanks.

ROGER CARNEY: Thanks, Theo. Yeah, and I think that we have to be a little, I think that verbiage, right, it has to be clear. And I think that it needs to be clear to both the people that deal with this daily, but also to registrants themselves. So, I think that if someone's saying reading a policy and saying, oh, that's not what happened, that has to be clear for everyone that's involved in it. So, I think you're right. I think that whatever that verbiage is, it needs to be clear around the sphere. So, everyone agrees to it. So, Sarah, please go ahead.

SARAH WYLD: Thank you. Yes. Agreeing with Theo, indeed, this should be relating specifically to registration or registrant data, rather than

just the broader contact info. I would prefer to see the requirement that the message includes what field of data was updated, but not the specific data that is in that field. So, if we look at the list that I posted as some basic options in the chat, option one, your info was updated. That's what I see on screen.

Option two, your first name, as example, was updated. That's what I think we should do. So, we will know what field it was, because specific fields will trigger the notification. But as Rick's hand is probably up to say, there are privacy issues around option three that I don't think we should get into. Thank you.

ROGER CARNEY:

Great. Thanks, Sarah. Rick, please go ahead.

RICHARD WILHELM:

Thanks. Rick Wilhelm, Registries. The registries don't really have a dog in the fight. So, I'm kind of wearing my security hat here on this. When you think about the kind of notice, if you've got a responsible bank or a responsible credit card that you deal with, I think we should all just go look at our phones and look at the kind of alert that you get from a responsible bank or responsible credit card that you get. And we should really be minimizing the amount of information that goes in that email and the kind of information that you get in that text or email.

It certainly should be information about how to take action if the change is invalid, how to initiate the reversal, information that something was contacted, if this is that sort of thing. But we really should think about making sure that we don't give away too much

information in case that the email has been compromised and that sort of thing. So, I think we also should avoid being too prescriptive here about what is in there because security regulations and privacy regulations can change over time. And I think we should be careful about memorializing too much in the policy for fear that that stuff might not age well. Thank you.

ROGER CARNEY: Great. Thanks, Rick. Great input. Sarah, please go ahead.

SARAH WYLD: Thank you. Just a question that somebody else actually raised in the chat. I noticed at the bottom it says this notification would be sent every time there is a change to registrant data. Wasn't there another agenda item to talk about what the triggers would be for the notification? Is that just an old note maybe? Thank you.

ROGER CARNEY: Thanks, Sarah. Yeah, we still have to figure that part out, Sarah. Thanks. This is what that trigger is. So, and think about that as well as is there a buffer around that? I know registrants have most of this electronically system programmed in, but do you wait a half an hour to send a notice so that you're capturing, maybe someone went in and changed their address and then they realized, oh, I just messed it up. I need to go back in and change it. So, something like that, or they make two changes at two different times in the last hour. Is that two emails? Is that one email? Do think about that as well. So, Theo, please go ahead.

THEO GUERTS: Yeah, thanks. I'm going to build upon the previous speakers there with a couple of nuts and bolts there. Maybe I'm going to repeat myself within this meeting in the future. So, that's going to be interesting. But when we are talking, Sarah touched upon this, which fields Rick touched upon, notifications, I mean, what is in there, what needs to be done. We also, discussed a notification fatigue. And I want to go back a little bit before we start hashing that all out, why we had the change of registrant, because back in the day, the change of registrant could be part of the transfer, depending on how you were doing it.

Now, as we all know, GDPR changed all of that. So, we need to ask ourselves the questions, what do we want to achieve here, now that the change of registrant policy is basically no longer part of the transfer policy? So, what additional security and goals are we trying to achieve here? Because what we came up back then in 2014, 2015, that no longer applies. So, that is something to take in mind while we go through this. Thanks. Great.

ROGER CARNEY: Thanks, Theo. Yeah. And good point. And someone brought it up earlier as well. Obviously, we made quite a few recommendation changes in Group 1A that indirectly impact the change of registrant, as Theo just mentioned. We've kind of purposefully siloed those so that they are two separate items and a change of registrant really is not a transfer anymore. And we're recognizing that, and we're saying that it's not, and we're purposely separating those and true transfer things.

Our recommendations are in Group 1A, and we made a lot of great recommendations there. And as Theo pointed out, change of registrant is no longer what it used to be 10 years ago. So, it's one of those where it has changed. Okay. So, what I'm hearing is bullet two is going to be more specific to registrant information changing. But it sounds like the group is okay specifying what fields were changed. And again, we'll get to the trigger of what's triggering it here soon. But we're going to say that the notification should tell them.

And again, I'm delving into Rick's idea of how far down the path do we go to make this somewhat future proof is, do we go down the path to say, hey, some registrant contact information changed and stopped there? Or do we say registrant data, sorry, not contact, registrant data, specifically first name change. And again, I think that Sarah was okay with identifying those known RDDS fields, identifying those first name, last name, organization, email, whatever they are in the email, but not getting specifically to what data in there had changed, just that those fields changed. So, is that right? Does someone want to say that I'm hearing it incorrectly? Someone think that it should be different? Theo, please go ahead.

THEO GUERTS:

I was by no means interrupting you there, Roger. But the suggestion about where we can just point out which fields have been changed without going into the specific details, that should be not a problem for most registrars, I assume, at least not for the one I'm working for. I think that's pretty good. We can also add instructions to where we sort of explain like, okay, these fields

have been changed. You might want to log into your account and see what has changed, provided that the new information is reflected today there. So, we can do all that. So, I'm okay with that suggestion. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Okay. Anyone see any issues with that? I think that's what I heard as we walked through the last 10 minutes. So, I think that we're walking down that path of refining these four bullets. So, Steinar, please go ahead.

STEINAR GRØTTERØD: Hi, this is Steinar for the record. I just need some clarification. If we have a scenario where it's a change of ownership, meaning that a domain name has been sold to a new entity, a new registrant, and there is thereby a change of registration data, will the prior registrant, when they're logging into the control panel, actually see that this verified and verify the changes to that operation?

I think that could maybe be of interest for the guy that sold his domain name or his or her domain names to verify that actually, even though we can't control it, but actually see that there is a change in his account, but he can't revert that because that's connected to another account. Is that logic? Is that feasible? Is that doable, also operational? I'm asking because I need some clarity about this. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. And we do have a little bit to go in the slide deck that talks about the new and prior and things like that. But yeah, that's something that needs to be addressed. But Sarah, please go ahead.

SARAH WYLD: Thank you. This is Sarah. So, a couple of thoughts. Steinar, I think the answer is that it depends, and it just depends on how the change was made and how the registrar's platform works. But more broadly, I don't think that we in the transfer working group are able to make requirements relating to how account structure works in the registrar's platform. So, I don't think it's really for us to say anything about how that should work. We can say that the original or prior owner must be notified. But to say that they require access, like maybe sometimes they do and sometimes they don't. I think it's out of scope. Thank you.

ROGER CARNEY: Thanks, Sarah. And to that point, I mean, I don't think we have to get into ownership or anything if we don't want to. Like Sarah says, I'm not sure this group needs to get into that. I mean, we could just the prior and new email address. We don't have to say if it's a new anything. We just know it's a different one. So, we're sending it to the prior one and to the current one. So, it's one of those that we haven't decided on, but we need to think about. So, Theo, please go ahead.

THEO GUERTS: So, I didn't read the forward bullet point or else I would have made a comment earlier. I had suggested that we talk about registrant data versus registered name holder or domain name owner or whatever prior new registrant. With registrant data, we sort of forgo all the discussions. Who is the owner? Why is there a change of ownership? So, if there is aftermarket scenario, then we don't have to deal with that because that is then not relevant because we only talk about change of registrant data. If that data gets changed for whatever reason it is, could be a domain name sale, could be a company takeover, could be millions of other reasons. We just send a notification. This detail has changed. This field has changed. Please log into your account and see what has been changed. Thanks.

ROGER CARNEY: Great. Thanks, Theo. And again, we are talking about a few things that obviously we need to get into a little bit deeper and we're planning to. Obviously, they're all so tied together that it just gets in our way here. So, I think we're in a good spot. I think we definitely want to clarify that and we can use registrant data and that we're talking about identifying fields that have changed, not the data in those fields. So, I think we're in a good spot and that I think we can move forward from here, Christian, and go on to our next stuff.

CHRISTIAN WHEELER: Thank you, Roger. So, before we go into the fields, which will be the very next thing, we do want to clarify this last point, which we were talking about last call, where registrants should be able to

opt out of notifications when data changes. So, we heard a few people in support and against them. So, we've kind of listed those out here, some of the ones that we've heard.

So, some of the pros of having an opt-out option, for example, is that it provides a middle way between mandatory and optional notifications. So, it gives registrars some more flexibility if they don't want to have to do the mandatory notifications. It also would reduce incoming emails or text messages, however the registrar wants to send those notifications, as the registrants could consider them spam when they update their information. And we also heard that it could be useful to registrants who enable a registry level lock.

I believe that would be server update prohibited, which would prevent changes to the registrant information. That way, if that lock is in place and there shouldn't be any changes to that information anyway. So, maybe those notifications wouldn't need to come into play. Some of the cons to having an opt-out option would be that there wouldn't be uniform implementation or a user experience across registrars. So, there could be confusion or frustration as there's different options as you move between registrars.

One registrar may not offer the opt-out, whereas another one would or may. We also heard that if there was an issue of a compromised email or someone who has compromised the information, they could potentially opt-out so that the registrant doesn't receive the notification, which is kind of the real point of those notifications. So, it actually reduces security. Essentially, if the group is talking about removing, reducing it to just notifications

and providing an opt-out so that those didn't happen, then there really wouldn't be any security left. Opt-out could also be made default in the terms and conditions. So, it would need to be very explicit.

In that way if the opt-out is decided on so that it's not just made as a default option by the terms and conditions or the designated agent so that the registrant has the option to opt out of those notifications. We also heard that it may be confusing, that the registrants might opt out of it without really knowing the consequences. So, to opt out of notifications, they wouldn't know necessarily that those are there for their security. And then we also heard that it would also require some more coding and costs to develop an opt-out feature for those registrars that want it. So, these are what we've kind of heard from the group. What we would like to hear more about, what does the group feel about having an opt-out option? Should these notifications be mandatory, or should they be essentially optional if giving the registrars the opt-out option?

ROGER CARNEY:

Great, thanks, Christian. And again, this is maybe a little finer point on the last slide. So, we'll go into a lot of these here just so that we know the real direction that the group is wanting to go. And again, I think one of the keys here is, this is a registrant opt-out. This is not a registrar opt-out. So, it's one of those where, to Christian's point, obviously you could write it into terms or whatever. But what we're talking about is a registrant option here. And is it valid or not? And really is how we're trying to get down to this. So, Theo, please go ahead.

THEO GEURTS: Yeah, a couple of minor points here. When we look at the pros, may be useful to registrants who enable a registry lock. I don't see that happening. There is usually no change to the registrant data itself. It's a change on the domain name. And those two are completely different. So, there will be no notification being sent if, of course, you could do that. But as it is currently set, that is not the case.

So, that is not very useful. About the more coding and cost-effective development to develop such opt-out features, that is a big maybe. I mean, we already have sort of opt-outs for several things. So, that's going to depend on the registrar. With most registrars, I assume, looking into the accounts, you have several options to opt out from all these marketing emails. So, it's already there for several of them. Not the majority. I don't know that. But we cannot just assume that it's going to involve more cost, or that it's going to be costly. Costly sort of implies like there's higher cost to it. And I'm not sure about that. Thanks.

ROGER CARNEY: Great, thanks, Theo. Again, I think that the reason for this slide is to get to that point where we could say, yes, the working group supports an opt-out feature. It's the registrant's option of opting out of this or not. And I think, or we're saying that it's mandatory and there's no way for a registrant to not get notified.

So, I think that the reason for this slide is to be that specific and saying, okay, are we going to allow an opt-out? If we are, maybe

there's a few things we need to decide or if we're not, it's just going to be mandatory. Obviously, that's the big point here is to get across which way is the working group really leaning. From what I've heard, the opt-out ability is something that the working group has supported. But I can't say that it's a groundswell or anything like that. So, I want to hear from others that say, no, it should all be mandatory. Or yes, it is a feature that's useful. So, Zak, please go ahead.

ZAK MUSCOVITCH:

Roger, since you asked, I'll say it should be mandatory. It shouldn't be opt-out-able. And the reason is that although there is such a thing as email fatigue by recipients of emails, the fact is, as far as I'm concerned, that registrants generally want to know when there's been a change to their domain name. And if a registrant has hundreds or thousands of domain names, they can set up systems to divert those emails to special email boxes and filter them in certain ways that filter out less important emails. But that's on them. The registrars must notify registrants when there's changes to the registry.

Let me just see if I can run through a scenario. If there was no mandatory notice, let's say as one of the cons, it was opt-outed by default in terms of conditions or designated agent or by mistake by a registrant who wasn't aware of the consequences, et cetera. So, Mary owns a domain name. Someone gains access to her account, changes the registrant and the email address. She doesn't know about it. She's not notified about it. Then the person who's now going to receive all notifications for that domain

name, and I'm thinking out loud here, so go with me, then decides to move it to another registrar.

The notifications wouldn't go to Mary anymore because that's all been changed without notice to her. It's now at another registrar. And so now there's a 30-day lock on switching from that new registrar to another. 30 days go by. Again, there's no notice to Mary. It goes a second hop to another registrar. In a hard-to-reach place, that's totally uncooperative. And so, then Mary says to the registrar, but nobody even told me that or notified me that my email address and registrant was changed on my domain name. Well, we were worried that you were getting too many emails. Doesn't work to me. Thanks.

ROGER CARNEY: Great, thanks, Zak. Rick, please go ahead.

RICK WILHELM: Rick Wilhelm, Registries. Again, the registries don't have a proverbial stake in this. I think that there should be, I think that the group is not, is insufficiently looking at evidence based about what other industries do here in these sorts of situations and talking too much about what, not that I don't value folks, we shouldn't value folks' opinions, but I think that we should look more at what there is precedent in other industries and tie this to what other folks, what other industries are doing and the reasons for it, because if these decisions about these notifications and things like that, various things are later challenged, I think that we really should

look at rationale. There should be defensible rationale for what decisions the group comes to. Thank you.

ROGER CARNEY:

Great, thanks, Rick. And absolutely, I can't agree more with you on, there being solid rationale, and again, why we need to have the rationale document filled in for any of the changes that we're going to end up making. So, yeah, I completely agree. And it's a good point to look. A lot of the times our industry doesn't align well with other industries, but in topics like this, where it really isn't about the industry, it's about information changing, that happens at many places, and we can look outside and see what those practices are that are being used and utilized outside. So, Theo, please go ahead.

THEO GUERTS:

Yeah. Thanks. So, that is a pretty complex discussion there on these opt-outs and sending notifications and comparing it to other industries, in my opinion. Because if you're talking about the scenario that Zak just pointed out, yeah, that's a pretty high-risk scenario with severe consequences. For somebody who just has a blog about flowers, they have a completely different threat model, risk model, and so on and so on. So, such a person could go like, okay, it was turned on by default, but now I don't want to receive those messages, I'm going to opt out of it.

So, I'm suggesting you leave that with the registrant, turn it on by default, make that the default policy setting, and have the registrant, it's his data, not our data, it's their data, and have them

make a decision like, okay, based on whatever internal thinking that person has, I'm going to opt out of it. So, again, leave that decision with the registrant and not based on all kinds of scenarios. Thanks.

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

SARAH WYLD: Thank you. This is Sarah. Well, it's not that I disagree with Theo, but I just, I feel a bit uncomfortable about the idea of being able to turn off these notifications and I think I would rather see them just be required rather than opt out-able. If anybody can opt out, I think it should be the domain owner and I think it would need to be a proactive thing. I don't think that we should allow it to be made default by terms and conditions, but maybe a good middle area would be that the domain owner can like put a setting on their account, or maybe it's just not an option at all. I do agree with Rick that it would be good to have information about how other areas handle it, but I don't sure have capacity to do that research myself, so thank you.

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

ZAK MUSCOVITCH: Thanks, Roger. Zak Muscovitch. So, further to Theo's comments, which I always appreciate, but Theo, Mary was a blogger about

flowers in my scenario, and so she went and she made changes to her account, authorized changes. She did it herself to her registrant data. Wouldn't she want to get an email confirming that changes have been made? So, it fits perfectly into the customer service that you would expect and that you'd want to provide Mary the flower blog, and it also helps with super valuable domains.

I just don't see the outcry from registrants about receiving emails about their change in their registration. Most people have a handful of domains at most, and so they can reasonably expect to get an email once in a while if they themselves change the information. They would fully expect that, and on the rarest of occasions, when they get a notification that change was made that they had nothing to do with, they sure as heck would want to know about. Thanks.

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

PRUDENCE MALINKI: Hi, Prudence Malinki for the record. Okay, so just to kind of throw in a different perspective, we've kind of spoken a lot about Mary and flower shops and things, but sometimes you do have scenarios where you have mass updates of multiple registrant details, and it's understood by both parties that this is going to happen. They already know. It could be like a subsidiary at a parent company or something of that nature, and it's going to be staggered, so it's not going to be in one go. So, they're going to be staging it in different times, and so they already know they

don't need to receive the confirmation for whatever reason, and they don't want it.

We have clients, I'm not going to say who, they don't want to receive notifications. They already know what's going on. They just want us to go and do the thing, and they just want us to tell us when it's done, so they don't always want to receive these confirmations, and there are situations where it would be an annoyance to them, so although I understand the security concerns are being flagged up, I still can't 110% get behind completely getting rid of an opt-out option because I still think there could be situations where a registrant would actually not want to potentially receive something. Thanks.

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

THEO GUERTS: Yeah. I think before we continue this discussion, we might want to hash out what is going to trigger a notification, and then maybe we have a clearer path moving forward on opt-out or no opt-out. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Okay, so I think that's fair, Theo, and again, I think all these things trigger each other, so it's one of those where they're all intertwined, and we do need to get those answers. I think the good news here is I think we've come down

to—it is mandatory or it's mandatory with it's a default mandatory with an opt-out.

So, I think we've got it down to two possibilities here, and I think it has been clear that this should not be decided in terms of service. This should be decided by the registrant at the time, not when they sign up for their account. Okay, I appreciate that, and I agree, Theo. We need to tie all these pieces together, so I think we can move forward onto the next topic and start tying everything together. Christian, please go ahead.

CHRISTIAN WHEELER: Thank you. Yes. This is where we can start talking about the fields. So, for now, again, this is just going to depend on what the group wants to where they want to go. But you could consider a change of registrant data to be a "material change", which will be next, to any of the following registrant data fields. So, currently, change of registrant is the name, organization, and email address, as well as the admin contact email, but that's going away. So, what is a change of registrant data? So, these are the fields that are collected by the registrar upon registration. Fax number is one that's kind of optional if they want to provide it. But these are the fields. When referring to a change of registrant data, is it all of these fields or just some of them?

I wanted to mention another footnote from last time, that could be that the registrar is not prevented from sending additional notifications resulting from non-court changes. So, there's been talk about account information, so that could possibly fit in here. So, if a registrar, for instance, wants to send a notification when

there's a change to their account holder details, or other information that they use to identify controllership if there's something beyond just the information that's collected for RDDS, that they would not be prevented from sending a notification if they choose to do that, but it's not something that's required as part of the policy.

And I also did want to highlight as well that's there are notifications like the verification request, for instance. So, if there is a change to the email or, I believe, the phone number, typically, the registrar would need to verify that by sending a verification notice to the registrant. Potentially, this notification could be combined with that notification. So, I don't know if the group wants to put something in a recommendation there, but that is a possibility that perhaps this notification. If there is something that's mandatory that they send a notification for that, it could be combined for a dual purpose when they send that verification notice rather than sending separate notifications. So, I just wanted to throw that out there. So, I'll leave it up to you, Roger, and the working group. What do you think about which fields should trigger a notification? Thanks.

ROGER CARNEY:

Thanks, Christian. Yeah. I think it's important the footnote here is registrars have the option of sending notifications. What we're talking about here is what's that minimum requirement where something's changed that all registrars have to send it. If we agree that, hey, if the fax changes, we're not concerned about that. Some registrars may still send a notification if they choose

to. So, I think we had to hone in on what is that minimum set here.

And again, we're still using a material change, meaning a non-typos kind of scenario. Obviously, I know that it's not an easy thing to systemically program what a typo is and things like that. So, material change is usually bigger than what some people think. But I think here's the point of, okay, what is triggering the notification? What is the minimum here? One of these things, two of these things, all these things. Sarah, please go ahead.

SARAH WYLD:

Thank you. This is Sarah. I would prefer to just keep the current triggers for the change of registrant data, but also removing the admin contact change as, of course, we will have to do because that isn't really a thing anymore. So, I see that in the second row of this little chart here, there's new check marks under phone, fax, and postal address. I don't think those are needed. I don't think we should do that.

And then to Christian's point about that in the current method, we use those notifications to fulfill multiple requirements at once. I think that's a really helpful thing. And if we consider the registrant experience and the potential notification fatigue that we were just talking about, I do think that the ability to combine those notifications is really valuable, so we should continue that as well. Thank you.

ROGER CARNEY: Yeah. Thanks, Sarah. Yeah. Because, I mean, it's an interesting point. If email address changes and the registrar is required to do verification on it, they're going to send a notification for a change and then also do a verification. And again, I think that may actually be more confusing than helpful for registrant. I think that that's definitely something to consider. Theo, please go ahead.

THEO GEURTS: Yeah. Thanks. We are an hour in, and I'm going to repeat myself. Again, we still got to remember that back in the day, the change of registrant policy was an integral part of the transfer policy. Those two were linked together for specific reasons. Those reasons no longer exist. So, if you talk about which fields are now important to "security", then you're just going to, in my mind at least, change of name. Is that important when I'm stealing a domain? I don't think so. Same goes for the organization. I don't think that is important at all. Email address, well, there could be a little flag there.

Phone number, if you're a registrar who provides tax or information through SMS, well, the change of phone number could be a possible flag there that triggers a notification. Fax, besides some countries in Europe still use fax. I don't think that is actually relevant and same goes for the postal address. I don't think those are any factors when stealing a domain name even though I'm completely aware that most domain name theft, if it occurs, goes through social engineering, and none of this of the policy will even go to prevent that. So, that's my take on it. Thanks.

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

ZAK MUSCOVITCH: Thanks, Roger. Zak Muscovitch. Just in terms of that suggestion, which is creative to combine the notices for WHOIS verification and this change of registrant. Am I correct that the verification email can be sent in up to 15 days? And if that's so, maybe that's one reason why it can't be combined because this notice should go out much earlier than then, and enforcing registrars to do the verification immediately is a whole other kettle of fish. Thanks.

ROGER CARNEY: Yeah. And there are time limits that they have to do. And it's a good point to bring up because, yeah, I would think our notices here are set a lot lower. And if you're combining them, then you have to go to that, to me, anyway, you'd have to go to that least denominator there. So, yeah. To your point, there is a process that verification takes, and registrars do have up to 15 days to verify before they have to do anything else. I think that if you are combining, which to me sounds like a logical idea. And to Zak's point there, it kind of trips up, but you could still logically combine those and look for the verification within 15 minutes after it changes or whatever.

Other thoughts here? Not a lot of people are voicing their opinions. Do we stay? Do we do it on any change? And again, I think the footnote here, registers have that ability to do it however they want, but at least there's going to be some minimum set that they're going to have to be required to do it on. And that's the

minimum set we're looking for. Today it's the three fields, plus admin, but that's going away. Is the working group set on just keeping it to those three fields?

Sarah's in favor of the three fields, leaving it there. Prudence as well. Let's move forward with that idea. And anyone that has or if we trip on it and find something, let's work on that. But let's move forward saying, okay, the group would be considered it, and the group is saying that the three current fields are still valid and should be maintained going forward. And I think Jonathan wants to add fax extension, but I think that maybe he forgot the joke tagged around it.

Okay. I think that's good. I think keeping it. The trigger here is a material change in one of these three fields will require notification. And again, as the footnote notes, anything can happen. I mean, the registrar beyond that can do more. They can't do less than those three but can do more if they want to. So, I think we're good with this part, Christian, so I think we can move forward.

CHRISTIAN WHEELER: Thanks, Roger. Do you want to move back to the opt-out question, now that we know or have an idea of what fields would trigger the notification if they should be able to opt-out of that?

ROGER CARNEY: Sure. Yeah. That's a good idea.

CHRISTIAN WHEELER: So, bearing in mind that if there's a change to the name, organization, or email address, which is how it currently is, should registrants be able to opt-out of those notifications?

ROGER CARNEY: Thanks, Christian. And again, I think we're here there's two points here. Mandatory. And I think mandatory, everybody kind of agrees with that by default, a notice has to be sent. But the question here is, is there a way to—and Prudence went down this and walked down this—where some customers may, some registrants may want to wholesale update 1000, 10000 domains that they own, and they don't want 1,000 or 10000 emails, and they already know what's happening. So, is there a path that takes that to that next step where-

And again, that opt-out, is that opt-out-- I think Sarah suggested at account level, or maybe it's just anytime a change is made, they have to opt-out of it if they want to notice or not. It's something that the group needs to consider. So, Zak, please go ahead.

ZAK MUSCOVITCH: Thank you, Roger. Yeah. Just in the last few minutes, I've been thinking more about what Prudence was saying about her situation, and I'm sensitive and appreciative of that. And so, I think I've come to the point in the last few minutes that if there were such an opt-out, and that sounded pretty attractive, Roger, at the point in time of proactively opting out of making the changes. That might work as a means of solving this for contingencies such as that Prudence mentioned.

I would just add though that it might be too easy to opt-out at that point in time, and registrants who are not sophisticated might decide to do it. So as Jothan mentioned, it should be an informed opt-out, and that's really the single most important criteria. Thanks.

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

SARAH WYLD: Thank you. Hi. This is Sarah. Yeah. So, I agree with everybody. I do think that if multiple domains are updated like in one moment or in one action, or maybe just even in close proximity, then the notice should be allowed to be combined if the registrar finds that appropriate. And so, I know earlier I was sort of maybe leaning a little towards the no, but with all of this discussion, I am now also happy to agree that the registrant should be able to opt-out as long as they are informed. Thank you.

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

THEO GEURTS: Thanks. Going back to the opt-out, I think the policy should dictate that notifications are turned on. They are mandatory when you create an account with a registrar when you register domain name. You cannot avoid the notifications, unless you actively opt-out of those notifications. I think that should be possible for the

reason we are still talking about data processing. And the data processing, sending out those notifications upon triggering some kind of changes with the registered data, that's still data processing, and that is still part of the GDPR.

I failed to see if I want to opt-out and that is denied, that processing update, that bio register, I think we're going to run into problems there at some point. Maybe not this year, maybe over a decade. I don't know that. But the registrants should have control over the data and how that data is being used. And I think we have a legitimate case with a reasonable legal basis that it should be turned down by default. Sort of like, okay, the registrant will get notifications unless he makes the active decision, the conscious decision to turning that off because he or she doesn't want a data processed. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. And thanks for bringing the GDPR and the processing concept in because it's something people should consider. Something else to consider is we agreed that name, organization, and email are the triggers. Is the trigger different? Is the action of the trigger, I should say, different? So, if the email has changed, is it something that's different, or not? And again, maybe all three just simple, hey, there's a mandatory notification and when they're doing it, they have a reason to opt-out of it. But something to think about. Christian, please go ahead.

CHRISTIAN WHEELER: Thanks, Roger. I also had a question to post to the group, which was, should the opt-out option be mandatory as far as something that the registrar offers, or should it be up to the registrar whether they want to offer an opt-out option? As far as uniformity of across the registrars, do all registrars need to provide the opt-out option?

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

THEO GEURTS: Well, speaking from a GDPR point of view, if you are dealing only with companies and there's zero personal data involved, then GDPR doesn't apply. So, for such registrars, and they're out there, there is no opt-out required for that registrar. I mean, they can just keep on processing the data whenever they like, whatever is going to happen there. So, I think that just depending on your business model or basically on your customers, who they are. Are they individuals or other companies? Thanks.

ROGER CARNEY: Thanks, Theo. And just to throw a little color on that, I guess, that GDPR does. People are well aware of what requirements are coming through that and the processing piece of that. But there are other data privacy, laws in effect across the globe. They have similar or the same requirements. So, I wouldn't say it's just GDPR, but it's obviously dependent on what is governing your privacy laws.

Before I go to Steinar, I was going to say the same thing. We've worked on trying to be consistent across all of our recommendations. And I think for the good of that aspect, if we do have an opt-out, a registrant ability to opt-out, to me, that should be across the board. But again, that's just that consistency factor to make sure that it looks and feels the same no matter what register you're at. But Steinar, please go ahead.

STEINAR GROTTROD: Yeah. Hi. This is Steinar for the record. I'm honestly not sure whether I have changed my mind or not, but what I've been thinking of is that as of today, there is that the policy says that the registrar may enable and opt-out for this. What I like to see is that there should be mandatory for all registrars, if we agree upon the opt-out, it should be mandatory for all registrars. And also, adding to that, maybe in not so good wording, that kind of feature should not be hidden. Meaning that you don't have to follow a certain process to opt-out. You may do that even when you have changed the registrant data, and then you decide, okay, I want to opt-out now. You shouldn't necessarily do that in front of the change of registrant data. Thank you.

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

THEO GEURTS: So, I think there's a little bit of confusion there. I mean, the current policy allows for opt-out to remove the change of registrant lock. So, that's a may for registrars who want to offer that, being

customer friendly or whatever reasons they have. But that is the opt-out that is being offered within the policy. We are here talking about our opt-out when it comes to notifications when the registrant data changes. So, those are two completely separate things there.

We're not talking about the optional lock here, which is a may. We're not talking about the notifications, and this is different. Under the current policy, we must send those notifications. There's no opting out of these notifications. However, they are being done through SMS or email. Those notifications are currently mandatory for all registrars. What we are talking here is opt-out for notifications. And again, in my mind, it should be mandatory for everybody on a first level that the registrant must ultimately, actively. I mean, it cannot be set by terms and conditions or anything. But the registrant must be actively being able to opt-out if he or she wishes to stop the processing of his or her data. That's what I'm saying.

ROGER CARNEY:

Great. Thanks, Theo. Any other comments on this? Again, we're back and forth here, but it's that interdependency that we're trying to get through. Okay. So, I think that what we've agreed to is okay, the triggers are on the same fields as it is today, name, org, and email. And notice is mandatory, but the registrant can have or will have ability to opt out of that. And again, will have, not can have, because it is going to be mandatory for registrars to support the option for the registrant to choose.

And as everybody said, it should be the registrant's choice and an active choice, not a passive choice. I think that's what we've agreed to. If others don't think that that's right, please let me know. Others don't agree with it, please speak up. Okay. I think, we're good there, Christian. So, I think we can move forward.

CHRISTIAN WHEELER: Thank you. Okay. Material change. So, I just wanted to double check to make sure to see if material change is changing. So, as a reminder, nothing prevents a registrar from treating any change to this information as a material change. These examples were just there if the group wanted to expand to the fields, but it sounds like keeping it to name, organization, and email address. So, it might be that the material change is good as it is. So, you can kind of ignore these other examples from the phone number and postal address. But I would ask, does the group feel that there needs to be any change to material change? That's not a typographical correction.

ROGER CARNEY: Great. Thanks, Christian. And Sarah says she likes material change as is in chat. So, Theo, please go ahead.

THEO GEURTS: I agree. We should leave it as it is. Maybe there will be an AI in the future from now that can actually do that. That would be handy to have. Because basically, you're dealing with these typos, and you don't want to put in all these many roadblocks if somebody makes a typo. Everybody does it, especially if you're

on a smartphone, it happens all the time. So, we should keep it as is. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. Yeah. And the last bullet here that I thought about this later last week at some point, especially for the technical operational-headed people here. Are we saying going from no data to data is a change or not? So, if there's a fax number or, again, we're picking on fax here, but if the fax number didn't exist and you added a fax-- Again, that's not one of our fields, but let's jump to organization. If organization didn't have anything in it and somebody put something in it, does it become that? Or even more so like first name, maybe there is an organization already and someone puts in and didn't have a first name to begin with, but now someone goes in and updates it to a first name. Is that a change of registrant on data and should that be triggered? Just something to think about. Again, not change but an update also does it. Sarah, please go ahead.

SARAH WYLD:

Thank you. This is Sarah. Good thing to consider indeed. I don't think that the first name field could possibly be empty even if the org field is populated, but the org field could be empty. And so, if it is blank and then filled in, then, yes, that would be part of what is considered a material change. So, I think we should just stick with the current definition, and that does include addition of data to the relevant fields. Thank you.

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

THEO GEURTS: Yeah. Sarah nailed it. That is the definition of the material change where we set which fields are changing regardless if there is any value contained within that field. But if there's data added to that field, yes, it's a material change because we said it's a material change if anything changes in that field even if it was blank in the past. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Okay. So, I didn't hear anything from anybody against leaving material change as is. So, the working group supports leaving material change as is, and we can move forward from that. So again, material change to any one of those three fields would trigger, and again, this interdependency, what we've been talking about. Good. Okay. I like that. That was quick. Christian, I think we can move forward.

CHRISTIAN WHEELER: Thank you. And this is following up from our privacy proxy conversation. We went through those charter questions. It sounded like the group thought that a change of registrant data now would not apply to when there's an addition, removal, or update of privacy proxy service information or that of the designated agent. The group wanted to keep the designated agent but feeling that the change of registrant data really refers to the underlying registrant data that's on file, not necessarily just what is present in the public RDDS.

So, I just wanted to confirm that or if the group felt differently about that now of what this information, what the change of name, organization, or email address fields is really referring to. That of the registrants or the privacy proxy information that's in WHOIS for BRDA?

ROGER CARNEY: Great. Thanks, Christian. And again, I think that let's go ahead and jump into this. Theo, go ahead.

THEO GEURTS: Yeah. So, does the designated agent still have a function when we're only dealing with notifications? I think that's my first question there. I think the answer is no. So, that can be actually removed, I assume. Regarding the privacy proxy service, that is dependable, if it's a third party or it is a registrar operate proxy service. If it is a privacy proxy service operated by the registrar, then we can remove any policy requirements for those people. And if we are dealing with a third-party proxy provider, then that will be subject to the change of registrant with the material fields. So, that has been taken care of also. That's my take on it. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Yeah. And to your point, Sarah asked it in chat as well is, the designated agent. I think that the working group has decided that according to policy, anyway designated agent is no longer going to be defined in the policy. So yeah. You're right. I don't think that that exists here. Now if it still exists

because somebody's used it or whatever, we're not going to define it here in policy or use it here in policy is what the working group had decided.

But to Theo's point here now, there's a few scenarios I see that happen, and maybe Owen will jump on because he's usually pretty good about this part. Is to Theo's point, the privacy and proxy, especially if it's third party, not only does the registrant typically not know or would not be able to tell if it's a third party at all. It just looks like a regular registrant to registrars. The process would be pretty normal. So, it would be if any one of those three fields happens, it happens. The notice is going to get sent.

Now two things that happen is proxy services, privacy service as well, sometimes update the email address on a fairly regular or irregular interval to try to combat any phishing attempts or any use of email. So, they randomly generate email addresses and change them. And again, if it's a third party, there's nothing that a registrant can do because they don't know. And it changes, and it's going to happen, and a notice is going to get sent. But as Theo mentions, if it's affiliated or whatever it is and the registrar does know, does that have to trigger a notice?

And then, likewise, most agreements state that if the underlying registrant is conducting something in bad faith or whatever it is, and the privacy or proxy service chooses to expose that information and no longer is going to be the registrant in the case of the proxy. Is that considered a change? So, that if a UDRP comes in or whatever it is and the proxy service says, okay, we're not going to take liability here. We're going to assign this back to the registrant on record underneath. Does that notification go?

Again, I think it's valid either way, so I don't know that there's a bad answer there. But, Theo, please go ahead.

THEO GEURTS:

Yeah. I think on the last part there, you're going to make it extremely complex here because you are wading into PPSIA territory there. But let's just break it down really quickly what is happening. And we need to separate a couple of things here. When we are dealing with an affiliated proxy service operated by the registrar, we are talking about the information being displayed through an RDAP server or WHOIS server. I don't want to go too technical, but we're talking basically a display subject. That is basically what happened. We're talking about what is being displayed.

What's internally under registrar database or the RDS data as we call it, that's completely different because we have the real data there. And that also applies to third-party proxy providers. We don't know what that data is, and usually, there is zero problems there. So, we treat such data as any other data because we can distinguish that. You are correct there, Roger. But if you are going into the UDRP, even if that happens when dealing with a third party. That is going to be, I guess, in any ways, the registrant will be notified that if the proxy service isn't going to assume any liability there, that they are going to change the data that is between them and the third-party proxy.

So, there will be a back and forward somewhere in the chain. It will not be a notification from the registrant. Maybe that will be received by the registrant there, but that doesn't really matter

because the proxy provider will have some back and forth within their communication chain about why they are dropping their service for their client. So, I don't think we need to spend too much time on this. Thanks.

ROGER CARNEY:

Thanks, Theo. Yeah. And as you walk through all those scenarios, you start looking at it and no matter what really, obviously registers that are trying to proactively combat spamming or phishing attempts by changing the email address. A notification still is not like it's harmful to anybody. So, the point of the notification is still, I think to me you're looking at it and saying, okay. If there is a change to, and as Theo described, what's displayed because some people change that, then it's really not changing, so just leave it alone and a notification is-- Everything will happen as it should. So, I think when we're looking at these bullets here, we're saying, as a working group, it doesn't matter if it's privacy proxy, whatever it is, if one of these three field changes, a notice is set.

Now the second item here is an interesting one, and that technically speaking, one of those three things will be privacy data. But if the underlying information of a registrant is changed, should a notification be sent as well? So, what we're saying is, yeah, if any one of those things changes, obviously, a notification should be set, and it works out. But if the underlying data that no one ever sees it besides the privacy or proxy person changes, should a notification be required? So, Theo, please go ahead.

THEO GEURTS: Yeah. And the second bullet point, I think that sort of relies on a couple assumptions that are not even correct. But the good point is here, we're talking about registration data, which is subject to a material change, to these points of material change, and that will trigger a notification. So, the entire discussion of underlying data, data being displayed, data being present, not present, that is all not relevant in this discussion anymore because we already nailed it. Notifications should be sent when there's a change in registration data provided they are within the material change requirements. And that's basically it. So, we're in pretty good shape there. Thanks.

ROGER CARNEY: All right. Thanks, Theo. Any other comments by anyone? And again, Theo brought up something that I know that's still open, the PPASI SAI, whatever it is. Process is still open, and I know Council is still working on, and staff is still working on, we're to take that. Some of that can be ironed out there. But to Theo's point, if any of these things are changing up front, then it should be noticed. What happens behind the scenes is behind the scenes and should stay there. And again, what Theo is suggesting is that if the underlying data changes, that's up to the privacy proxy, and it's not dictated by policy. Just to be clear on that. Thanks, Owen.

Sorry. Reading Sarah's chat there. Correct. That would be correct, Sarah. Right. Thank you for clarifying. Okay. Christian, I think we're good.

CHRISTIAN WHEELER: Great. And I believe the last kind of definitions need to nail down here too is prior registrant and new registrant. Because if the policy is changing from change of registrant to the change of registrant data, is this still relevant? Should it be prior registrant data and new registrant data? Just as an example of how this fits in. This is a preliminary recommendation the group had. Again, you could be changing as the group discussions have evolved. But the idea was that the registrar must send a notification when there's a change to both the prior registrant and the new registrant. If it's changing to the new registration data or the new registrant data, does it need to send it to both entities, assuming there are multiple? If it's just a change to the name or organization, then they'd only be sending it, and the email stays the same, then that's essentially the same.

So just to follow up as a potentially revised version. If one to get rid of the idea of prior registrant to new registrant, a revised version of this could be that following a change to registrant data, the registrar must send a notification of the change of registrant data to the registrant without undue delay, no later than 24 hours after the change of registrant data occurred. So, when would there need to be two notifications? Again, this conversation might not be necessary since we're keeping the same fields, name, organization, and email address. Previously, the group had kind of figured that if you're only changing the name or organization, not the email, then you would only need to send one email. You don't need to send two emails to the same email address. So, I guess just the idea is, prior registrant and new registrant, are these terms still relevant in the change of right of front data policy?

ROGER CARNEY: Great. Thanks, Christian. We've got just a few minutes, but it'd be good to get through this. So, Theo, please go ahead.

THEO GEURTS: Yeah. So, these terms prior registrant, new registrant, in my opinion, they were already incorrect for a decade. When I change my email address, suddenly, there is no new entity. There is no prior or new registrant. I'm just changing my email address. That's why I've been advocating just to talk about registrant data. Yeah. Update of the registrant data. Because that's all it is. And then we stay away from prior registrant, new registrants, old buyer, new owner, old owner, etcetera, etcetera, So, we can actually remove these. Thanks.

ROGER CARNEY: Great. Thanks, Theo. And just on the last point, Theo, that Christian made, what's your thought if the email is changing? Do you send an email to the prior email and to the current email?

THEO GEURTS: So currently, as we hashed it out now, in my mind, and I could be wrong, is that we send a notification when there's a material change on those three fields that we defined when there is an update on such data, and then we notify the registrant with the email address we have on file, and that has been changed. So, we just sent one notification what we now call or what we're calling here on the screen, the prior registrant. But we'd just be sending

a notification to the registrant with the email address that has been changed. Thanks.

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

SARAH WYLD: Thank you. This is Sarah. I think I need more time to think about this because, right now, I lean towards if the emails are different then both of them should receive a notification, but the question that that raised for me is how that ties into the opt-out. And is the opt-out on the domain name or is it on the person, the contact? Right? Because that would affect whether the notification goes to the other person or not. Yeah. Thank you.

ROGER CARNEY: Great. Thanks, Sarah. Yeah. And that is something to think about. You're right. And it's does that opt-out trigger on a domain? Is it the registrant data itself? So, yeah, that's something that needs to be detailed out. And to Theo's point, I think that the registrant data on record. The way I thought he was describing is the old email would get emailed. If there was an email change or any change, the old email gets it. And in the instance of if the email changed, then that is not necessarily a notification that has to be sent. Is that right, Theo?

THEO GEURTS: Yeah. That is correct. That is not required to send the new email address notification. That was intended.

ROGER CARNEY: Okay. So, we are out of time. We didn't resolve this, so I think it's definitely something to think about, as Sarah said, and walk through those scenarios in your head. So, I appreciate the great conversation today. I think we made some good progress, and we'll see everyone next week. Thanks, everybody.

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