Inter-Registrar Transfer Policy

Part B PDP Initial Report

Update to the GNSO Council

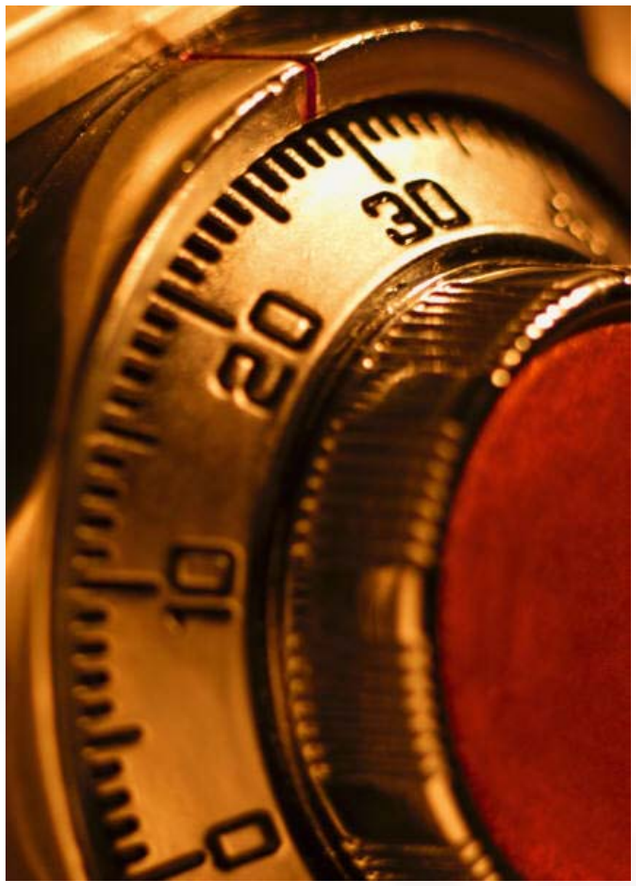
Saturday 19 June 2010

Background

Background

- Inter-Registrar Transfer Policy (IRTP)
- Straightforward process for registrants to transfer domain names between registrars
- Currently under review to ensure improvements and clarification
- IRTP Part B PDP Working Group

Charter Questions



- Should there be a process or special provisions for urgent return of hijacked registration, inappropriate transfers or change of registrant?
- Registrar Lock Status (standards / best practices & clarification of denial reason #7)

WG Approach

- PDP was initiated in June 2009
- WG has been discussing charter questions, public comment period, constituency stakeholder group input
- Input from ICANN Compliance Team on complaints
- Publication of Initial Report on 29 May
- Opening of Public Comment Forum after meeting in Brussels (foreseen for 5 July)

Preliminary Conclusions & Draft Recommendations

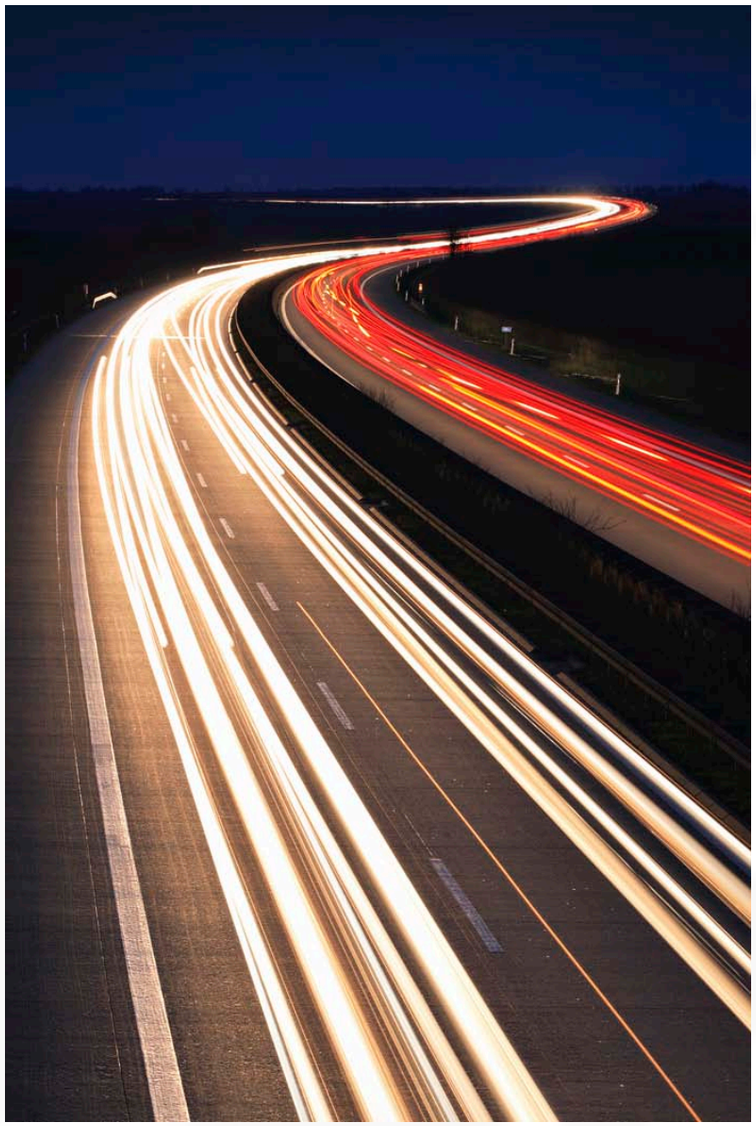
Charter Question 1

Process for Urgent Return

- WG recognizes the need for a process for the urgent return of a domain name
- WG is putting an Expedited Transfer Reverse Policy (ETRP) forward for Community consideration
- ETRP is an escalation process – preferred option for resolving dispute is registrar co-operation

Expedited Transfer Reverse Policy

Main Elements



- Mandatory Policy
- Registrants claiming to be victim of hijacking need to work through their original registrar
- Original registrar must in principal initiate procedure within 60 days (but claims are allowed up to six months if registrants can demonstrate that they weren't aware" of the transfer)
- Registrant needs to provide indemnification to original registrar and registry operator

Expedited Transfer Reverse Policy

Main Elements

- Registrar may charge fee
- Upon receipt of valid ETRP claim, registry operator will restore domain name to its original state within 48 hours
- ETRP is only intended to correct fraudulent transfers, not to resolve disputes in relation to control
- WG agrees that there should be a mechanism to dispute an ETRP but has not reached agreement yet on how such a mechanism should work

Charter Question 2

Undoing transfers

- Request an Issues Report on the requirement of ‘thick’ Whois for all gTLDs - a thick registry could develop a secure method for a gaining registrar to gain access to the registrant contact information, avoiding disputes between registrant and admin contact

- Only the registrant can effect a change of control, while both the registrant and admin contact remain eligible to authorize a transfer that does not modify any contact information.

Charter Question 3

Change of registrar near change of registrant

- WG recognises the symptom of this question as one of several indicators, but considers that there is no plausible outcome that would make any change effective for the purpose

Charter Question 4

Standards / Best Practices for Registrar Lock Status

- If a review of the UDRP is conducted in the near future, the issue of requiring the locking of a domain name subject to UDRP proceedings should be taken into consideration

- Standardize and clarify WHOIS status messages regarding Registrar Lock status. The goal of these changes is to clarify why the Lock has been applied and how it can be changed.

Charter Question 5

How to clarify denial reason #7

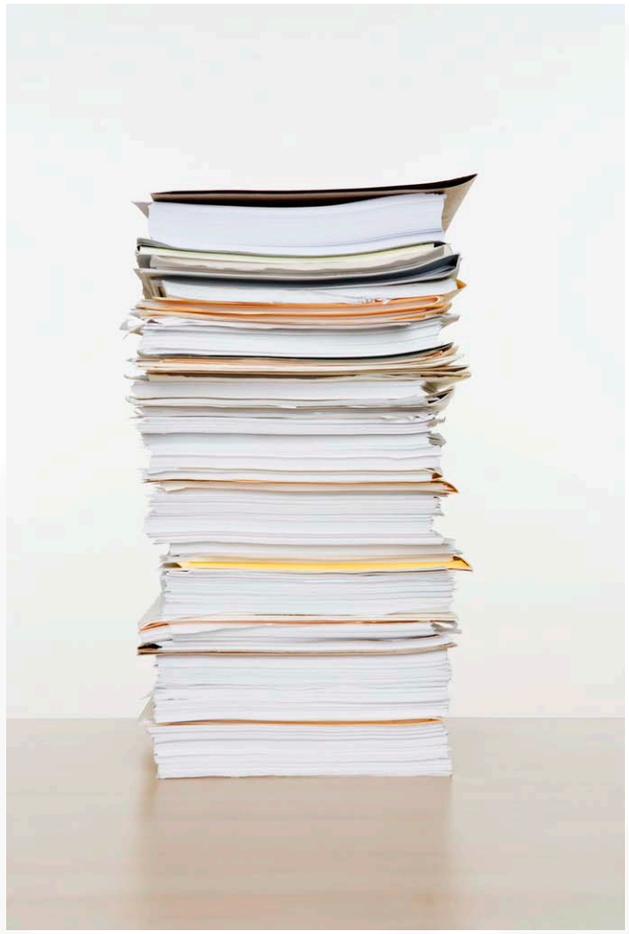
- Proposed new language:

Prior to receipt of the transfer request, the domain name was locked pursuant to the Registrar's published security policy or at the direction of the Registered Name Holder provided that the Registrar includes in its registration agreement the terms and conditions upon which it locks domains and further that the Registrar provides a readily accessible and reasonable means for the Registered Name Holder to remove the lock status. If the Registrar does not provide a means to allow a Registered Name Holder to remove the lock status themselves, then Registrar must facilitate removing the lock within 5 calendar days of receiving a request from the Registered Name Holder.

Your Input Requested

- WG is looking for input on all these draft recommendations – in Wednesday's public information & consultation session and the public comment forum
- Based on the feedback and input received, the WG will finalize its report and recommendations

Further Information



- IRTP Part B PDP Initial Report - http://gnso.icann.org/issues/transfers/irtp-b-initial-report-29may10-en.pdf
- Public Comment Forum (to open on 5 July – 25 July) - http://www.icann.org/en/public-comment/
- IRTP Part B PDP WG Workspace - https://st.icann.org/irtp-partb/

Questions