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Registry/Registrar Meeting
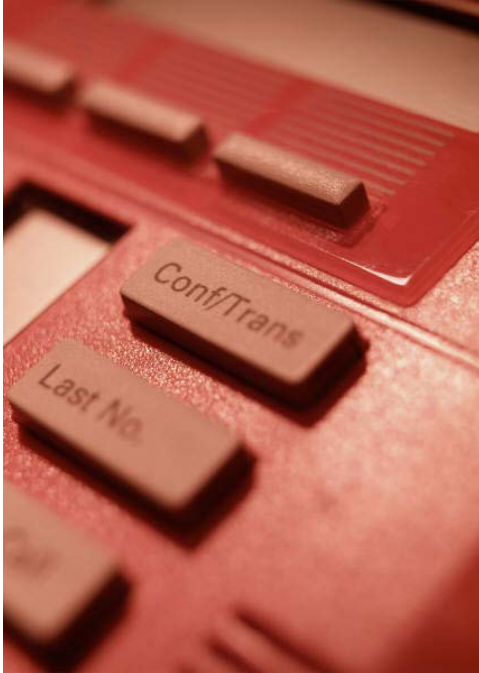
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Policy Update

Agenda

- Inter-Registrar Transfer Policy PDP
- Locking of a Domain Name subject to UDRP Proceedings PDP
- 'thick' Whois PDP
- IGO PDP
- Translation / transliteration of Internationalized Registration Data
- Whois Studies
- Whois Expert Working Group

Inter-Registrar Transfer Policy

Why is it important?

- Inter-Registrar Transfer Policy (IRTP)
- Straightforward process for registrants to transfer domain names between registrars
- Currently under review to ensure improvements and clarification – nr 1. area of consumer complaints according to data from ICANN Compliance

IRTP Part C PDP

- IRTP Part C addressed three issues:
    a) Change of Control / Change of Registrant function
    b) Should Form Of Authorization (FOA)s be time-limited
    c) Should registries be required to use IANA IDs for registrars rather than proprietary IDs.
- Final Report submitted to the GNSO Council on 9 October 2012 – All recommendations have full consensus of the WG
- Recommendations adopted by the GNSO Council in October and by the ICANN Board in December 2012
- Next step is implementation

Recommendations – Charter Question A

- Creation of change of registrant consensus policy, which outlines the rules and requirements for a change of registrant of a domain name registration

- Convert the IRTP in overarching transfer policy, with one part dedicated to change of registrar and other to change of registrant

- Requirements of new policy detailed in the report, including:
  - Requirement for both prior and new registrant to authorize change
  - Possibility to allow pre-approval
  - Not possible to have a change of registrant at the same time as change of registrar
  - Following a change of registrant, domain name locked for 60 days for security reasons, with option to opt-out of lock

Recommendations – Charter Question B

- FOAs should be valid for no longer than 60 days. Following expiration of the FOA, the registrar must reauthorize (via new FOA) the transfer request. Possibility for automatic renewal.

- In addition to the 60-day maximum validity restriction, FOAs should expire if there is a change of registrant, or if the domain name expires, or if the transfer is executed, or if there is a dispute filed for the domain name.

- The next IRTP PDP should examine whether the universal adoption and implementation of EPP AuthInfo codes has eliminated the need for FOAs

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Recommendations – Charter Question C

- All gTLD Registry Operators be required to publish the Registrar of Record's IANA ID in the TLD's WHOIS

- Existing gTLD Registry operators that currently use proprietary IDs can continue to do so, but they must also publish the Registrar of Record's IANA ID

- The recommendation should not prevent the use of proprietary IDs by gTLD Registry Operators for other purposes, as long as the Registrar of Record's IANA ID is also published in the TLD's Whois

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IRTP Part D PDP

- IRTP Part D addresses six issues:
    - Four related to the TDRP: should there be reporting requirements for registries and dispute providers; should there be additional on how to handle disputes when multiple transfers have occurred; should there be dispute options for registrants; should there be requirements or best practices to make information on transfer dispute resolution options available to registrants;
    - Whether existing penalties for policy violations are sufficient or if additional provisions/penalties for specific violations should be added into the policy;
    - Whether the universal adoption and implementation of EPP AuthInfo codes has eliminated the need of FOAs.

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Recent Developments & Next Steps

- GNSO Council initiated PDP and adopted WG Charter on 17 January 2013

- Launch for volunteers to form WG expected shortly

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How to get involved?

- IRTP Part C – Participate in the Implementation Review Team and/or provide input as part of public comment
- IRTP Part D – Sign up as a member of the WG

Additional Information

- IRTP Part C Final Report - http://gnso.icann.org/en/issues/irtp-c-final-report-09oct12-en.pdf

- IRTP Part D Final Issue Report - http://gnso.icann.org/en/issues/issue-report-irtp-d-08jan13-en.pdf

- Inter-Registrar Transfer Policy - http://www.icann.org/en/transfers/

Locking of a Domain Name Subject to UDRP Proceedings

Why is it important?
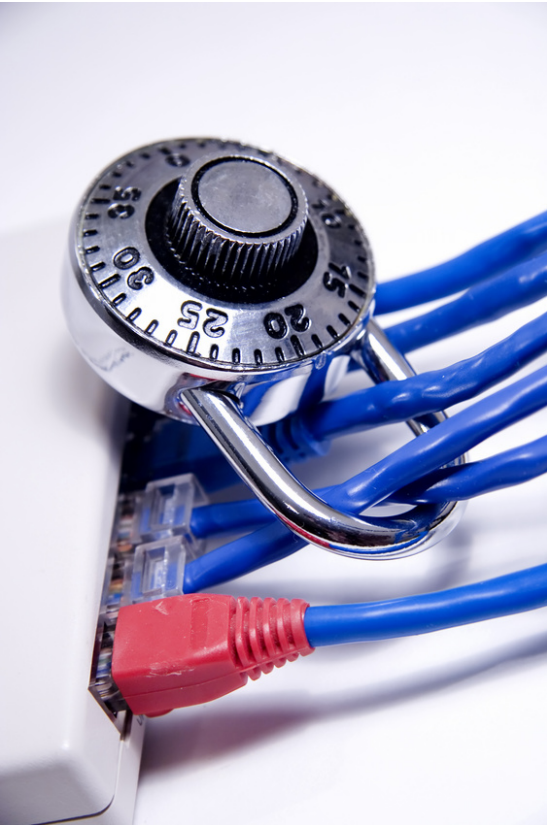
- The GNSO Council initiated a PDP limited to the subject of locking of a domain name subject to UDRP Proceedings
- Currently there is no requirement to lock names in period between filing complaint and commencement of proceedings and no definition of 'status quo' which has resulted in different interpretations and confusion

Charter Questions

- Whether the creation of an outline of a proposed procedure, which a complainant must follow in order for a registrar to place a domain name on registrar lock, would be desirable.
- Whether the creation of an outline of the steps of the process that a registrar can reasonably expect to take place during a UDRP dispute would be desirable.
- Whether the time frame by which a registrar must lock a domain after a UDRP has been filed should be standardized.
- Whether what constitutes a "locked" domain name should be defined.
- Whether, once a domain name is 'locked' pursuant to a UDRP proceeding, the registrant information for that domain name may be changed or modified.
- Whether additional safeguards should be created for the protection of registrants in cases where the domain name is locked subject to a UDRP proceeding.

Recent Developments & Next Steps

- WG conducted a survey amongst registrars and UDRP Providers to understand current practices and issues

- Public comment forum opened to obtain community input and outreach to GNSO SG/C & ICANN SO/ACs to help inform the deliberations

- WG is working on its recommendations and next step will be to publish Initial Report for public comment

How to get involved?
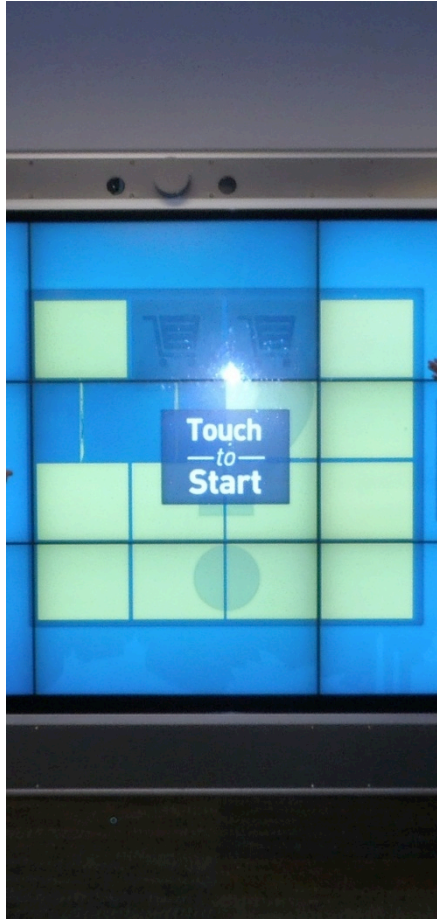
- Participate in the public comment forum

- Work with your SG to develop a comment

- Attend public WG meetings

- See https://community.icann.org/display/udrpproceedings/Home

'Thick' Whois
Policy Development
Process

Why is it important?

- ICANN specifies Whois requirements through the registry and registrar agreements

- Registries use different services to satisfy their obligations:

  - 'thin' Whois: A thin registry only stores and manages the information associated with the domain name

  - 'thick' Whois: Thick registries maintain and provide both sets of data (domain name and registrant) via Whois.

- 'Thick' Whois has certain advantages e.g. IRTP, but there may be negative consequences that should be explored in order to determine whether 'thick' Whois should be required

Recent Developments & Next Steps

- GNSO Council initiated a PDP on this topic in March 2012 and a WG has been formed

- PDP Working Group is tasked to provide the GNSO Council with a policy recommendation regarding the use of 'thick' Whois by all gTLD Registries, both existing and future

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Charter

- At a minimum consider the following elements:
  - Response consistency
  - Stability
  - Accessibility
  - Impact on data and privacy protection
  - Cost implications
  - Synchronization/migration
  - Authoritativeness
  - Competition in registry services
  - Existing Whois applications
  - Data escrow
  - Registrar Port 43 Whois requirements

Charter

- Should the PDP WG reach consensus on requiring 'thick' Whois, then also consider: cost implications; guidelines as to how to conduct such a transition; need for special provisions / exemptions

- WG should take into account: Registry/Registrar separation and related developments; output from any/all of the four Whois Studies; the 2004 transition of .ORG from thin to thick; the work on the internationalization of Whois and the successor to the Whois protocol and data model; results of the RAA negotiations, and; recommendations of the Whois Review Team

Next Steps

- WG has created sub-teams
- Input requested from GNSO SG/C
- Development of Initial Report

Further Information

- 'Thick' Whois Final Issue Report - http://gnso.icann.org/issues/whois/final-report-thick-whois-02feb12-en.pdf
- DT Workspace - https://community.icann.org/display/PDP/Home

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IGO-INGO PDP

IGO-INGO PDP

- <u>Why It Matters</u>:
  - ICANN Board requested policy advice from GNSO and GAC on the issue of whether special protections should be provided for IOC, Red Cross and IGO names at the top and 2nd levels in new gTLDs
    - GAC has advised and submitted a proposal to permanently protect IOC/RC names at both the top and second levels in new gTLDs from third party registrations
    - GAC has also advised Board to provide similar protection for certain IGO names at second level of first round of new gTLDs based on .int criteria
  - Board-approved protection for Red Cross, IOC and certain IGO names is limited to 2nd level of first round of new gTLDs only – no protection beyond first round

IGO-INGO PDP

- <u>Recent Developments/Next Steps</u>:
  - GNSO initiated PDP in Toronto on the protection of names and acronyms of certain international organizations in the top and second levels of **_ALL_** gTLDs including IGOs and International Non-Governmental Organizations (INGOs) such as the Red Cross/Red Crescent (RCRC) and IOC.
  - PDP Charter approved in November 2012, PDP WG currently working on specific policy guidance recommendations for appropriate special protections, if any, for the identifiers of any or all IGO and INGO organizations at the first and second levels.
  - WG is planning to publish its Initial Report for public comment during first quarter of 2013.

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IGO-INGO PDP

- <u>Additional Information:</u>

  - <u>Working Group Charter</u>
  - <u>IGO-INGO PDP WG Web Page</u>
  - <u>Final GNSO Issue Report on the Protection of International Organization Names in New gTLDs</u>

Translation and Transliteration of Contact Information

Why is it important?

- The RAA specifies the data elements that must be provided by registrars (via Port 43 and via web-based services) in response to a query, but it does not require that data elements, such as contact information, must be translated or transliterated

- GNSO Council requested an Issue Report on three issues associated with the translation and transliteration of contact information on 17 October 2012.

- Contact information is the information that enables someone using a Domain Name Registration Data Directory Service (such as WHOIS) to contact the domain name registration holder.

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Why is it important? (Cont.)

The Report addresses these issues:

1. Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script.

2. Who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script.

3. Whether to start a PDP to address these questions.

An Example: cnnic.net

	Translation	**Transliteration**
Organization: 中国互联网络信息中心	China Internet Network Information Center	Zhongguo hulianwangluo xinxi zhongxin
Postal address: 北京海淀区中关村南四街四号,北京,10080,中国	4 South 4th Street, zhongguancun, Haidian District, Beijing 100080, China	Beijing haidianqu zhongguancun nan si jie si hao, beijing, 10080, zhongguo

Recent Developments & Next Steps

- Preliminary Issue Report has been published for public comment (see http://www.icann.org/en/news/public-comment/transliteration-contact-08jan13-en.htm). Comments can be submitted until 8 February.

- The Preliminary Issue Report will be updated to reflect community feedback submitted through the Forum and presented to the GNSO Council for its consideration.

Further Information

- http://gnso.icann.org/en/issues/gtlds/transliteration-contact-prelim-07jan13-en.pdf

Whois Studies Update

Goals of gTLD WHOIS studies

- WHOIS policy debated for many years
- GNSO Council decided in October 2007 that study data was needed to provide objective, factual basis for future policy making
- Identified several WHOIS study areas that reflect key policy concerns
- Asked staff to determine costs and feasibility of conducting those studies
- Staff used an RFP approach to do so
- Studies are in progress, with Study 4 completed

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WHOIS Misuse Study (Study 1)

Cost: *$150,000 (USD)*
Awarded to Carnegie Mellon U., Pittsburgh, PA, USA
Status: *Initiated in mid-2011*
Time estimate:
initial results in mid - 2013

Study is assessing whether public WHOIS significantly increases harmful acts and the impact of anti-harvesting measures. Two approaches :

1. Experimental: register test domains and measure harmful messages resulting from misuse

2. Descriptive: study misuse incidents reported by registrants, researchers/ law enforcement

3. *Survey A IRB approved/new invites sent, survey B & experiment underway*

Registrant Identification Study (Study 2)

Cost: *approx. $180,000 (USD) (revised due to change in study terms). Awarded to NORC at the U. of Chicago.*

Time estimate: *1 year*

Status: *Launched late October 2011, target initial results in late 2012*

1. Study is examining info about how domain name registrants are identified and classifying various types of entities that register domains, including natural persons, various types of legal persons and Privacy and Proxy service providers.

2. Study has been recast as an "exploratory" data-gathering effort that is not hypothesis-driven. This will also provide more consistency with related GAC proposals offered in 2008.

3. *Initial key findings shared in Toronto, draft Report due Early February, with Webinar at the same time*

Privacy and Proxy "Abuse" Study (Study 3)

Cost: *$180,000 (USD)*
Time estimate: *1 year*
Status: *Just being launched by the National Physical Lab of the UK. Initial results are expected in mid-2013*

This study will compare a broad sample of Privacy & Proxy-registered domains associated with alleged harmful acts to assess:

1. How often bad actors try to obscure identity in WHOIS
2. How this rate of abuse compares to overall P/P use
3. How this rate compares to alternatives like falsified WHOIS data, compromised machines, and free web hosting
4. *Currently in phase 2 of their work*

WHOIS P/P Relay & Reveal Study (Study 4)

Cost: *$80,000 (USD)
for Pre-study Survey
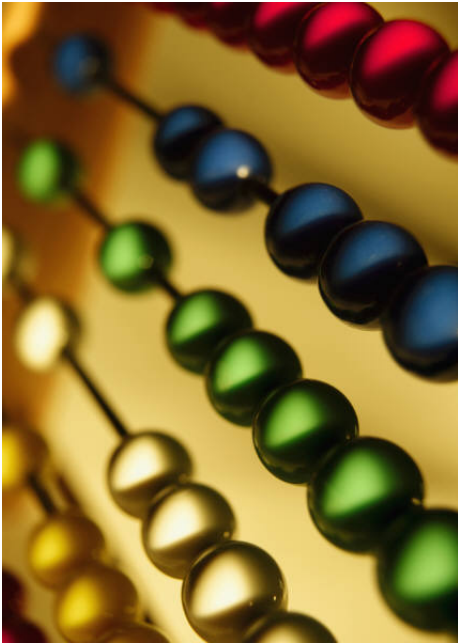Awarded to Interisle
Consulting*
Status: *Launched in
September 2010,
results published
August 2012*

The original study would analyze communication relay and identity reveal requests sent for Privacy & Proxy-registered domains:

1. To explore and document how they are processed, and
2. To identify factors that may promote or impede
timely communication and resolution.

3. *Final study published and next step is Council determination if additional study is justified.*

Further Information

- See
  http://gnso.icann.org/en/group-activities/other/whois/studies

WHOIS Expert Working Group

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Background

- Board launched comprehensive effort to tackle WHOIS challenges in response to WHOIS RT Final Report

- Two Track Approach:
  - Enforce current contractual obligations & increase communication/outreach
  - Re-examine purpose & provide a proposed model that addresses related data accuracy and access issues, while considering safeguards for protecting data

- CEO tasked to go beyond the existing WHOIS protocol and start a new initiative
  - Expert working group to help lay foundation for new policy development work

- Board requested Issue Report to commence a GNSO PDP on WHOIS purpose, access and accuracy
  - Output of Expert Group to feed into Final Issue Report

Expert Working Group Facilitator- Jean-Francois Baril

- Background in standards setting at RosettaNet & experienced in consensus building among diverse interests

- Type of volunteers sought:

  - Significant operational experience & knowledge of registration data collection, access, accuracy, use, privacy, security, law enforcement, standards and protocols

  - Not intended to be comprised solely of Community representatives- ICANN outsiders to be considered

Expert Working Group Launched

- Call for volunteers closed. Working Group to be announced shortly

- Work during Jan- April '13
  - Conference calls & 2 FTF meetings, travel costs provided
  - Periodic updates to the ICANN Community
  - Community discussion to be sought online and in Beijing

- Board Liaisons to Expert Group

  - Steve Crocker and Chris Disspain

- For more information, see:

http://www.icann.org/en/news/announcements/announcement-2-14dec12-en.htm
http://www.icann.org/en/groups/board/documents/resolutions-08nov12-en.htm

Questions?