

## **Inter-Registrar Transfer Policy Part D Policy Development Process**

### **What is this about?**

The Inter-Registrar Transfer Policy (IRTP) Part D PDP Working Group was chartered by the GNSO Council to answer six questions in relation to the IRTP: 1) whether reporting requirements for registries and dispute providers should be developed; 2) whether to amend the Transfer Dispute Resolution Policy on how to handle disputes when multiple transfers have occurred; 3) whether dispute options for registrants should be developed; 4) whether registrars should be required to make information on transfer dispute resolution options available to registrants; 5) whether additional penalties for IRTP breaches should be introduced, and; 6) whether the universal adoption and implementation of EPP AuthInfo codes has eliminated the need for FOAs.

### **Why is this important?**

ICANN's Compliance Department received a total of 6333 transfer-related complaints between August 2013 and August 2014 alone, making it one of the most common issues of community complaint. However, at the same time, the Transfer Dispute Resolution Policy (TDRP), explicitly designed to handle disputed inter-registrar transfers, is hardly ever used by registrars. This appears to be a contradiction in view of the number of complaints relation to the IRTP, and in this context the WG has drawn up a list of use cases of disputed transfers that is currently not covered by the TDRP (Annex C of the Final Report).

### **What is the current status of this project?**

The Working Group published its Initial Report for Public Comment on 3 March 2014. Following the Public Comment and Reply Period, the Working discussed the input received from the Community and published its Final Report on 24 September 2014.

The Report contains 18 Recommendations including:

- 1) Reporting requirements be incorporated into the TDRP policy;
- 2) A domain name be returned to the original Registrar of Record if it is found through a TDRP procedure that a non-IRTP compliant domain name transfer has occurred;
- 3) The statute of limitation to launch a TDRP be extended from current 6 months to 12 months from the initial transfer;
- 4) If a request for enforcement is initiated under the TDRP the relevant domain be 'locked' against further transfers;
- 5) No dispute options for registrants be developed and implemented as part of the current TDRP, but the GNSO should ensure that IRTP-C inter-registrant transfer recommendations are implemented and include appropriate dispute-resolution mechanisms;
- 6) The TDRP be modified to eliminate the First Level (Registry) layer of the TDRP;
- 7) The Form of Authorization (FOA) should not be abandoned, and;
- 8) Following the implementation of all IRTP recommendation, a future review of the IRTP and the TDRP should be initiated, based on relevant data points that the Registries and Registrars should starting collect as soon as possible.

### **Expected next steps**

The GNSO Council is expected to consider the Final Report during its meeting in Los Angeles. If/when the GNSO Council adopts the Final Report and its recommendations, these will be put out for public comment prior to consideration by the ICANN Board.

### **Background**

The IRTP is a 2004 consensus policy developed through the GNSO's policy development process (PDP) and is currently under review by the GNSO through a series of PDPs. The IRTP provides a straightforward procedure for domain name holders to transfer domain names between registrars. On the recommendation of the IRTP Part C WG, the GNSO Council agreed to combine all the remaining IRTP issues into this final PDP, IRTP Part D, in addition to one issue that was raised by the IRTP Part C WG in its Final Report. The GNSO Council unanimously adopted the request for an Issue Report on IRTP Part D at its meeting on 17 October 2012. The Working Group started its deliberations on 25 February 2013. This PDP is the fourth and final policy development process of different aspects of the Inter Registrar Transfer Policy.

### **How can I get involved?**

Once the GNSO Council has adopted the Final Report you can provide comments through the public comment forum that will be opened prior the ICANN Board's consideration of the recommendations.

### **Where can I find more information?**

- Final Report: <http://gnso.icann.org/en/group-activities/active/irtp-d>
- Initial Report: <http://gnso.icann.org/en/issues/transfers/irtp-d-initial-03mar14-en.pdf>
- 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/resources/registrars/transfers/policy-01jun12.htm>
- Working Group Community Wiki page: <https://community.icann.org/x/B4JwAg>

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