

**Inter-Registrar Transfer Policy Part B PDP  
Transcription  
Tuesday 18 January 2011 at 15:00 UTC**

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**Participants on the Call:**

Michele Neylon – RrSG Chair  
Paul Diaz - Registrar SG  
Robert Mountain - Registrar SG  
Simonetta Batteiger - Registrar SG  
Berry Cobb – CBUC  
Oliver Hope - Registrar SG  
Barbara Steele – Registries SG  
Chris Chaplow – CBUC  
Rob Golding – Registrar SG  
Kevin Erdman – IPC  
Rob Golding – Registrar SG

**Staff:**

Marika Konings  
Gisella Gruber-White

**Apologies:**

Mikey O'Connor - CBUC  
James Bladel - Registrar SG  
Kevin Erdman – IPC  
Anil George – IPC  
Eric Brown – RY (all Tuesday calls)

Gisella Gruber-White: Thank you. Good morning, good afternoon to everyone on today's IRTTP call on Tuesday the 18th of January. We have Michele Neylon, Paul Diaz,

Kevin Erdman, Barbara Steele, Berry Cobb, Oli Hope, Bob Mountain, Simonetta Batteiger, Rob Golding, Chris Chaplow.

From staff we have Marika Konings and myself, Gisella Gruber-White, and apologies today from Mikey O'Connor and Anil George. Have I left anyone off the list? If I could please remind you all to state your names when speaking for transcript purposes. Thank you. Over to you Michele.

Michele Neylon: Just a note as well, thank you, James Bladel has also sent apologies. It just landed in people's inboxes now.

Gisella Gruber-White: Thank you Michele.

Michele Neylon: Okay. I thought I saw somebody else sending apologies. Did you say Mikey had sent apologies?

Gisella Gruber-White: Correct. Mikey O'Connor.

Michele Neylon: See? I'm doing well today. Right then. Good afternoon ladies and gentlemen, girls and boys. As per normal, I must ask you all does anybody have any updates to their declarations of interest or statements of interest? Going once, going twice - no? Fine.

Okay. Right then. I see as well today quite a few people actually aren't on the call that would normally be involved in the thick of things. And Simonetta, you have to leave early.

Simonetta Batteiger: Yes I do.

Michele Neylon: That's okay. That's okay. Right then. Okay. The agenda for today, we're continuing the discussion on the recommendations and we have an updated view on the screen there. And Marika can show us all sorts of shiny things

now since she can put nice little arrows on the screen and everything like she is just doing now for everybody who is on Adobe Connect.

And then another thing we're going to have a quick look at as well is this entire discussion about the EPP status values, which I know you're all dying to do. Before I get to that, just to deal with this thing with the Adobe Connect stuff, does - just so you're all aware because we started discussing this before some of you logged in.

If you want to raise your hand you will need to go to the top of the screen in Adobe Connect and where it says meeting, you go two across and you have the option to raise your hand. That option used to be on the bottom of the screen. That pretty much covers the key difference with the previous version of Adobe Connect. Is there anything else we need to know about this Marika? Any other obvious functions that people have used in other calls?

Marika Konings: Actually you're my first group in the new Adobe Connect. So I'll take as well all the feedback. I saw that Rob for example posted some comments there.

So if any other comments you have, just post them there or send them to me and I'll take them back to our IT team so they can look into it or answer any questions we might have because we're just trying out and seeing how things work. So it would be good to have your input and to Paul's question, I'll also check indeed if there is any community training for senior.

As I said, there are a couple of videos that I thought were quite useful that just showed the main differences between the old Adobe Connect and the new one. I also noted that most of the changes in features are mostly applicable to the hosts of the meeting. There are more things where you can draw or use different fonts. Things for participants - Michele highlighted already the main one is a different option to raise your hand on the top.

You're having the private chats and different paths but I'll check what is foreseen there and then let you know when or what will take place.

Michele Neylon: Cool. The other thing I'm noticing is if you bring like everybody else was saying, if you bring your mouse over a person's name, their name disappears. It whites out. Simonetta, you're on Windows. Does that do that for you as well?

Simonetta Batteiger: Yes.

Michele Neylon: Okay. So it does it on Windows and it does it on a Mac. Okay. Not the end of the world. Okay then. Where were we at in these recommendations? Marika, which page are we on?

Marika Konings: This is Marika. Maybe you can go quickly from the top and get an update on some of the items that we discussed in the last meeting. Maybe that's the best approach. Or if you prefer to start where those...

Michele Neylon: Okay. Well, I can tell you for example with Recommendation 2 because I see my name is mentioned there, we haven't done - none of us have done anything about that yet. That has not happened.

It says that a small group of volunteers will draw from the SSAC-044 and do something with that. We haven't actually done anything about that so far. We obviously need to but we haven't yet. The entire thing here Recommendation 3, we had a lot of backwards and forwards about the unanimous versus rough consensus.

And we agreed that rough consensus was the best, was the status that at most if there was fairly unanimous decision that rough consensus was the correct status to give there and I don't think we need to spend any more time on that. Okay. Let's see. I'm sorry. Let's see how this next page things works. It actually worked quite well.

Is there a way that we can - hold on. You'll have to excuse me people while I'm trying to get used to this thing here. Marika, is there any way to get - if I type in a percentage, does that work? It does. Never mind. That's actually pretty cool. I didn't know that was there before. Right. You see all the various other edits and everything else.

Which items - we've gone through this entire thing pretty much, haven't we, Marika?

Marika Konings: This is Marika. No. We actually - let me see. We left off on Recommendation number 4 because we actually have an action item I think from two calls ago where - am I looking at the right one? There was one where Simonetta and Paul agreed to go back and get some further input on that and provide some suggestions to the list. And I don't think that has happened yet.

Michele Neylon: Okay. Paul and Simonetta, what's the situation with that?

Simonetta Batteiger: This is Simonetta. Maybe I can go first. So I'll just go back to my team and I asked them for some input on this one and as I saw it they actually in practical, operational terms very often they make use of the (ATMAN-C) emails for regular transfers with an ownership tied to it.

Any kind of aftermarket transaction - so they said that of course you can work around this. It's going to disrupt things and it's going to make operations for the transfer team a lot harder if they cannot work with the (ATMAN-C) any more moving forward. And then I was thinking about this a little more and I was wondering for any kind of transfer, even if no ownership is tied to it at all, I assume that and I don't know if we have enough registrars in the group to really know about this right now.

That even a normal transfer where it's the same owner coming over, the gaining registrar would probably have to make use of the email address that's

mentioned in (OSS) because as the gaining registrar you don't really have anything else to work off. So I really wonder if for WHOIS records for the registrant email isn't displayed and I've seen quite a few of these, how this would actually work.

So in all practical terms I don't really think this is a good recommendation to make without looking into it further. And I think I was writing that as my initial response to this and I believe it was James writing to the work group at some point that after speaking to his team back at GoDaddy he was actually supporting this. Unfortunately he isn't on this call right now. So I can't ask him what position he got from them.

But my team would not be happy with this recommendation as I thought. So that's the feedback I gathered. I think we could put it in words in terms of how we could word the recommendation. But maybe that's something we can try to work out over the coming weeks.

Michele Neylon: Okay. Simonetta, before I go to Rob, could you put that in just an email to the list please? Because also this helps just to make sure it's clear exactly what they're saying and how they're saying it.

Simonetta Batteiger: Yes.

Michele Neylon: And for those people who weren't on the call, they'll be able to see it there. Now I've got Rob there. Does anybody else want to get in the queue with respect to this point? And I've also got Bob. Okay. Rob and then Bob.

Rob Golding: Yeah. I am a relatively new registrar. I'll be focusing coming many years later than some people. But one thing that's come up in getting our systems ready for OTE with the registries is that of transfers and contacts.

On our thick WHOIS it's relatively easy but on the thin WHOIS it's largely guess work. I mean we've had to write passes for over 140 different WHOIS

outputs to literally screen scrape the port 43 content in order to work out who the contacts are when somebody tries to transfer a domain to us. And one thing that is repeatedly coming up is that lots of registrars hide lots of the details.

Now I can understand the supposed anti-spam issue of not giving out a contact email address in a public WHOIS. It doesn't actually stop any spam at all because people just bombard every domain in every existence with every possibility they can think of. But it does make transfers and the operation of an action registrar very, very difficult.

Michele Neylon: Okay. Bob and then Simonetta.

Bob Mountain: Yeah. I would more or less echo what's been said already. I spent some time with our domain transfer group and I think in a perfect world it wouldn't be an issue. But over the course of a day or a week you run into so many instances where you don't have the information, just this part of the registrant contact and that admin contact would be sort of a backdoor.

It's good to have. If it was absolutely impossible to get, to have that, we'd certainly figure out a way around it and you'd just have to work that much harder. But I think based on what I could see how that team uses that information, I'd be reluctant to endorse them not having access to that at this time.

Michele Neylon: Simonetta.

Simonetta Batteiger: I'm sorry to repeat this because maybe the first time I said it it wasn't clear. Oftentimes the only thing you do have access to is the (ATMAN-C) email address. And taking this away is going to make transfers, regardless of whether or not there is an ownership change tied to it, a lot harder.

So I really don't think this is a great idea in a world where you still have thin WHOIS, where you have no other means to get to a way to contact the registrant.

Michele Neylon: Okay. Does anybody else have any other thoughts on this? Paul Diaz?

Paul Diaz: Yeah. Thanks Michele. Just to be clear folks, so if we given the concerns that have been expressed and I'm not going to try and put words in James' mouth today about changing control - just to have it clear in my head, if we go with the alternative language we are not going to change anything in terms of registrant admin contact. Things will continue to work as they do today, correct?

Simonetta Batteiger: That's my understanding. Correct.

Paul Diaz: Okay. And then the follow up I just was pulling up - god, the wiki is just really slow to load. But it's finally here. Then that means that we are basically not saying anything in our charter question B about registrant admin contact. We're silent on this issue but we're introducing a new recommendation about a future group taking on this change of control issue, correct?

Michele Neylon: Paul, that is my understanding.

Simonetta Batteiger: Yeah.

Paul Diaz: Okay. I just want to make sure because we're getting very close to the end. It's very easy to start losing track of all the things we're doing or deliberately skipping over. I just want to be clear for the record.

Michele Neylon: Yeah. I think Paul, part of this is that like as you know with some of the GTLDs there is a clearly defined trade concept and then there is a transfer concept. And with the GTLDs this isn't really handled.



I think that's part of where we were coming from with respect to this entire thing of the control. Though if anybody wants to jump in and lambaste me for getting that wrong please feel free. Paul and Simonetta want to attack me. Okay. Go on Paul.

Paul Diaz: Just it's not an attack Michele - just a suggestion then for the sake of the folks who might read this report or at least the executive summary, we might want to add a sentence to this alternative language, something to the effect that says the group addressed the issue of registrant admin contacts but could not come to a recommendation however - and then you introduce this change in control thing for the future. That way we just close off the idea of...

Michele Neylon: yeah. So we haven't ignored it.

Paul Diaz: Exactly. We didn't ignore it. We just didn't come to a recommendation. But we do have this other issue we want to raise.

Michele Neylon: That seems very reasonable. I'll let Marika in ahead of Simonetta.

Marika Konings: Yeah. This is Marika. I'm just quickly looking at the report but the other recommendation that actually sits with this specific charter question is the one on WHOIS. I'm not saying that it specifically answers the question but we do have another recommendation as well under this specific charter question and that's the thick WHOIS recommendation.

Michele Neylon: Marika, could you just for my own sanity - could you push the actual charter questions up on the screen below the notes or in the notes or something so I can just see them beside what we're discussing here?

Marika Konings: This is Marika. It's actually in the document on the screen on the top of each of the relevant recommendations for each of the charter questions the charter question is there. So if you scroll a little bit up above (that part of the screen).

Michele Neylon: Yeah. I was just trying - all right.

Marika Konings: But I could put it up as well in the notes.

Michele Neylon: Yeah because I'm just trying to see them all in the one thing without having to scroll. Sorry for being a pain in the backside or whatever. But you're saying then that while we're trying to address it under one it's addressed under something else. Is that what you're saying Marika?

Marika Konings: No. What I'm trying to say is that for charter question B the recommendations that we currently have and are currently discussing are Recommendation 3 and Recommendation 4. Both of those are underneath the charter question B.

If you scroll further down under charter question C we're discussing Recommendation 5 and under Recommendation D we have Recommendation 6 and Recommendation 7. So I tried to group them in a way that they are linked to the charter questions.

Michele Neylon: Okay. Yes. Sorry. So we actually are agreeing. I was just misunderstanding you. Simonetta, go ahead.

Simonetta Batteiger: Well, that was actually where I was going with my comment. For me Recommendation 3 and Recommendation 4 are actually tied in that regard because if we would have a thick WHOIS for any GTLD as well as for everything else then you could operationally be capable to have access to the registrant email so that you can do the messaging around transfers regardless of whether or not they have an ownership change tied to them in a way so that you don't need to fall back on the (ATMAN-C) any more.

But reading the charter question B piece while whether additional corporations on undoing an appropriate transfer I mean especially with regards to disputes between a registrant and (ATMAN-C) contact, I don't

really know if those two recommendations really address the question fully. And one of the reasons why I didn't want to support Recommendation 4 was that I felt especially when it comes to ownership change at the same time with transfer, we haven't really looked into all the operational details that you need to look at to come up with a good recommendation around this.

And that was why I was originally writing that we haven't done enough work on this to really come to a good recommendation. And then going back to my team and actually looking at some - I actually sat with them for two hours one afternoon to just really watch what is it they're actually doing. I think more of that type of work needs to be done not just here at a company with sales in the aftermarket but also some of the folks that work with registrars to really see operationally how is the normal transfer done these days and where are the issues.

And then really build from there a recommendation that is doing the process justice because I don't feel we have done that work to really come to a good recommendation on this question. And that's why I said okay, you really need to sit down and analyze this and look at it in much more detail than what I have seen the group doing so far.

Michele Neylon: Simonetta, with all due respect I think we did actually discuss quite a bit of this in earlier parts of this working group before you joined us.

Simonetta Batteiger: Okay. That is my caveat - I didn't know what you have.

Michele Neylon: Yeah. Of all of the stuff we have discussed and this is my own personal view with some of this is that okay, the charter question itself B, whether additional provisions on undoing inappropriate transfers are needed especially with regards to disputes between a registrant and admin contact.

The policy is clear that the registrant can overrule the admin but how this is implemented is currently at the discretion of the registrar. So one second -

now I think what we have done, we seem to have done, is we have identified the areas around transfers where there are issues and as has been pointed out by several people including yourself and Rob, there is a problem between thick versus thin in how they're currently used.

So for example, if I'm transferring a dot org from Registrar A or Registrar Z it may fail for any number of reasons but the email address is not going to be one of them because the WHOIS format is going to be standard. Whereas if I were to transfer a domain from three or four domains from three or four different registrars when in thin then chances are that at least one of them will probably fail because we'll have been unable to work out what the email address is.

So this is where the first Recommendation 3 came from. The other thing is I think we did have some discussions about these disputes but I think we were looking more at the root causes for a lot of this stuff. So how could they actually be avoided? I don't know. Does anybody else have any other thoughts on this at the moment? Chris, Berry, Paul - those of you who are actually on this forum.

Simonetta Batteiger: What may be a good way to respond to the question would be that we could write up and say we recognize this is where (an issue are), however, we do not want to recommend the quick fix, which would be to just say okay, admin-c can't do anything any more because of these other reasons.

So that becomes clear that we didn't just say okay, well nothing should be done but that we actually looked at this and said okay, for these reasons we don't want to make that recommendation.

Michele Neylon: Okay. Marika.

Marika Konings: This is Marika. Just to point out that I've posted in the note parts the relevant discussion notes from (unintelligible) - and the draft final report that are taken from the conversations we've had prior to the initial report.

And I think there's some new stuff in there as well that we have added based on the discussions or a review of the public comments. So that might provide a little bit of the context of the discussions that the working group has had to date.

Michele Neylon: Okay. Just out of kind of a quick interest - I'm sorry. Go ahead Bob.

Bob Mountain: Sorry Michele. I guess for those of us who did come in after the initial discussions were done, are there sort of use cases to highlight the threads in the past where this has turned into a problem just to sort of educate those of us who weren't there so we know what work has been done and sort of bring us up to speed more quickly?

Michele Neylon: So what are you looking for as in the previous discussions on this?

Bob Mountain: I don't know if - has anyone done any use case or use cases on those situations where these sort of conflicts have arisen? I don't know if that would help or not. I guess Berry is saying no. Okay. I don't know.

Michele Neylon: Bob, I'm speaking for myself. I can see scenarios where there could be conflicts between admin and registrant contact. But I haven't seen a lot of huge, large conflicts.

And I think some of the conversations we have now - somebody else can correct me. This is just going based on my own memories. Some of these disputes we would have said, well, it was kind of outside the process in that if I have a falling out with you - so if Michele representing Blacknight has a falling out with Bob representing NameMedia, why the hell would ICANN get involved? It's a commercial dispute between two parties.

So it's not that it wouldn't happen. But you can't really go off making policies for every single possible commercial dispute that could possibly happen between two or more parties.

Bob Mountain: Right.

Michele Neylon: That's my own kind of vague recollections. I could be rewriting my memory so Berry or somebody please feel free to either disagree with me or add something or whatever. Berry, do you have any recollections? You're saying that we talked about it but we didn't document it.

Berry Cobb: Hi Michele. This is Berry. Thank you. You know, this is kind of basically the first half of IRTP B when we started talking about this stuff. And correct me if I'm wrong Bob, but what you're really gunning for, which is really more up my alley, is you look at the process, you document the process of what it is from start to end and then you have standard use cases that you run through that process to look for anomalies or the things that are broken and those kinds of things.

So in a formal sense we didn't do that within the working group, especially around the use cases. When it came to addressing charter question B we did informally discuss well, what about this instance when as Michele pointed out in one example or there were several examples batted around. But outside of formally documenting that use case and the inputs and outputs and the things that worked and didn't work, that wasn't done.

Bob Mountain: Thanks Berry.

Berry Cobb: Thank you.

Michele Neylon: I mean personally from my own recollections of this, okay - Marika is saying as well that there is something in the issues report as well. Marika, in the

issues report do they have specific cases or was it a case of just kind of anecdotal there seems to be an issue with X though no actual evidence. Do you recall Marika?

Marika Konings: This is Marika. That's part of the issue report is actually also included in the draft final report is serving as background information. What is in there is for example, particularly a comment from GoDaddy in relation to what happened in the previous process when people were gathering the issues and identifying problems.

They identified a specific issue and then there is also a quote from a staff report where there is also identified that the policy is clear that it provides eventually operators to implement and make available a transfer undo mechanism. But it notes as well that the way it's being done is not prescribed and it's unclear how to actually be implemented.

There is a policy recommendation that would require the registries to develop such a mechanism and ICANN encouraged coordination among registries but to determine that registries could be individually responsible for their own implementation of this mechanism. And then there is also another document coded there from the previous transfer working group.

It also notes that repatriation of inappropriately transferred names is difficult and processes are so unclear that it's mostly evident in incidents where a registrant has objected to a transfer despite approval of the admin contact. The transfer policy is quite clear that the registrant trumps the admin contact but it's not clear how these types of veto situations should be handled.

The result is an inconsistent application of policy and increased risk of domain (fat). So there are some different venues where this issue has already been discussed and I'm happy to look back as well on finding further information. But all of those point to the fact that there is a policy but it seems to be unclear from a certain step in the process how it needs to be

implemented and how it's to be dealt with which results in different approaches.

Michele Neylon: I'm just reminding myself now - at the moment there is no way that compliance can pick up on specific complaints of that nature where there is a disagreement between the admin and the registrant. That's really not being captured is it? I don't remember there being anything on the spreadsheet if somebody remembers.

The chat here by the way is quite interesting. Rob is giving a few examples of issues involving admin contacts and registrant contacts where they were husbands and wives and disagreeing about things, which reminds me of several issues that we have faced. Bob and then Simonetta.

Bob Mountain: Yeah. This is Bob. So is there only one use case and that's the one we have outlined where there is a disagreement on the transfer between registrant and admin-c? Or are there multiple and either way, would it help rather than to just punt it, would it help to document the use cases and use that as a basis for another discussion on the topic?

Michele Neylon: Anybody?

Chris Chaplow: Chris here. Another use case might be where the webmaster has registered himself as the registrant where the owner is obviously.

Michele Neylon: Where is the owner registered in WHOIS, Chris?

Chris Chaplow: Well, this is one we discussed right at the beginning of the definitions.

Michele Neylon: No, I know but just in this particular scenario, where is the actual owner (unintelligible)?

Chris Chaplow: Well, the nearest that we get to owner is the registrant.



Michele Neylon: So the admin contact is the designer and the registrant contact is the actual owner?

Chris Chaplow: And the registrant contact is - no. And the Web designer for want of a better word is also the registrant. So one side of the argument says that puts it out of the remit of this working group. But it is a very real use case. This sort of thing does happen.

Michele Neylon: I know it happens, believe me, I really do know what happens but the problem that I'm trying to understand and it's not a case of ignoring this at all, is this the correct venue for kind of the inappropriate use of domain contacts or is that inappropriate use of WHOIS or is that a general education issue?

What is this? Simonetta and then Rob.

Simonetta Batteiger: I have more of a question. When I originally thought about hijacking I thought of random person acts who wants to do somebody harm is actually stealing a domain name from this person and takes it away to multiple registrars and to try and hide and await the whole process.

That was one I think, hijacking is what I'm thinking of. What I'm hearing here as a problem seems to more of this view between two people saying that is husband, wife, web designer, owner of company type thing.

Is that what people think of as well when they think and hear hijacking?

Michele Neylon: Simonetta I'll answer that just to - it is a form of hijacking. We've seen this happen and I'm sure Rob and some of the other registrars have where effectively a third party, be they a web designer, web developer, ISP or whatever, is able to take control of a loaded domain and effectively remove the possibility of any control or any say in where those domains are or what happens with them.

Or the charges levied on them, everything through this mechanism. It's not the same as somebody nefariously hacking a registrar's system or hacking somebody's email account.

But the end result can be not dissimilar. Rob, then Bob?

Rob Golding: From a logical point of view surely hijacking is simply taking control of something which you're not authorized to do. The question becomes how they determine authorization if an admin contact changes the WHOIS, so that they are suddenly the registrants, that potentially could be certainly with the courts in the UK, that could be considered to be fast.

And can be reversed by (unintelligible). However if registration they are the admin contact and the registrant then from all systems point of view, it's there to make.

It's not a case of them then hijacking it or taking away from the owner because the owner by definition on these things is the registrant. There is no separation of ownership and registrant information in things like combat org, etcetera.

Michele Neylon: Thanks Rob, Bob?

Bob Mountain: Yes, I think I just want to echo something, just thinking back to some discussions we've had with our legal team here on these sort of disputes and that it's not necessarily a policy, you know the policy or the venue for this is not policy.

That does start to turn into a legal situation where it's a dispute between two parties, not one for you know for a registrar to necessarily sort out. But the venue on that might be much more you know a commercial discussion or a litigation between two parties.

So I think I'd probably you know range just kind of recollecting to where we've had these discussion before, I think that's where we've always come out on them.

Michele Neylon: Okay, thanks Bob. Anybody else?

Chris Chaplow: Yes Chris here, one point before actually was quite interesting and perhaps that's definitive isn't it, that brings it in to our remit. If the admin contact changes the registration that equals theft.

If the initial registration was done incorrectly then it's probably outside our remit and you're more into the world of secondary contact between the registrant or indeed we often call it the name holder because it's almost like a proxy ownership scenario, although I haven't been set up correctly.

Michele Neylon: The thing Chris is I mean for some of the ccTLDs, there's a whole range of different options available for kind of changes if the domain were registered in between vertical and say incorrectly with the wrong details or whatever.

You can change some things quite easily, in other cases you have to jump through hoops. It's...

Rob Golding: Flaming hoops while riding a dolphin on the back of a motorbike.

Michele Neylon: Exactly. Thank you, was that Oli or was that Rob?

Michele Neylon: That was Rob.

Michele Neylon: Sorry, the dolphin should have given me the thing that it was Rob as opposed to Oli.

Chris Chaplow: So if we're looking at different cases or different scenarios then you know we could mention this as a scenario and then say we think it's outside the remit or at least for the reader of the report they know we've considered it or they know the one that comes into their head might be the wrong one that isn't in our remit.

Michele Neylon: Well I think we should put - I mean if you want to suggest some language to that effect Chris that would be helpful. Even very rough, I mean this - the thing with this is that you know we've - this the thing you raise for example and the kind of scenarios that a couple of other people have mentioned are scenarios that are - that do merit attention.

But maybe not all of them are going to fit into IRTP part B, C, D or Z because it's a slightly different issue.

But obviously yes, as Rob said you know anybody starts kidnapping - taking domains without people's permission then there is a hijacking there. Barbara go ahead.

Barbara Steele: Hi, just a quick observation. I know this policy the way it's written today doesn't require but the losing registrar has the option of sending out a confirmation FOA to either the registered name holder or the admin contact.

And what I'm wondering if we were to change the policy or recommend that we change the policy so that that is actually a required confirmation, I mean a lot of times when you're transacting something on the internet you know I will get an email saying that you know you have to respond to this within X number of days otherwise we're going to ignore your request.

And what I'm wondering is, is if we were to change it so that the losing registrar would send out that information FOA and to the registered name holder because they should have that information in their records, and require that they actually do respond to it in a positive confirmation.

That would then alleviate some of the dispute between the admin contacts and the registrant.

Michele Neylon: Okay. Does anybody have any thoughts on this? Simonetta?

Simonetta Batteiger: Practical observation again from what I was saying and the transfer team, a lot of people don't respond to things so one of the beauties of the current implementation is that it auto acts after five days of one of the parties not responding at all.

So to require an actual response for the process to be completed is going to lead to a lot of additional operational support for any kind of transfer situation.

Michele Neylon: Well Simonetta, this is Michele, surely it also reduces a lot of operational support as well, because it's in the case of say domains transferring from GoDaddy to Black Knight to Network Solutions to Othello to Domain Monster.

If we're sending our confirmations and everything out and doing other things, then we're probably reducing some of our customer service costs.

Simonetta Batteiger: I'm not sure about that because if someone truly wants to transfer their name and the reason it doesn't go through is because some email doesn't get to someone's inbox where they don't see it because they have so many emails or it goes to spam or whatever.

And that's the reason why the transfer doesn't go through, the next thing that person's going to do is probably going to pick up the phone and call losing or gaining or both registrars to figure out what's going on.

So just observation, not saying it's not a good idea, it's just something that - I fear it will lead to additional work for everyone involved.

Michele Neylon: Okay, Barbara?

Barbara Steele: Yeah, I agree Simonetta, it could lead to some additional work. But you know as I said a lot of times when I'm doing something it will come back and literally it will put on the screen in order to complete this transaction you must respond to you know this communication that you're going to receive from us via email or what have you.

And positive we confirm that you do want to have it happen so at that point you know if you don't receive the email within X period of time then yes it would drive perhaps a call into the customer support area.

But it seems to me that would be a little more positive than somebody's name being taken inappropriately.

Michele Neylon: Marika you had your hand up?

Marika Konings: Yeah this is Marika, you already clarified one thing for me of the conversation but I'm wondering as well indeed if the losing registrar is asked to confirm with the registrant that they want to move and that the losing registrar can just say oh well they didn't confirm with me so the transfer's not going to happen, whether that's as well opening an avenue for gaming the system.

Michele Neylon: This is by whom, by the registrar or the registrant?

Marika Konings: By the losing registrar. Well they send a confirmation form but they never confirm and so I assume that they didn't want to transfer or a way of saying you know basically not sending the form and therefore not acknowledging that there has been that request.

I'm wondering if there's - because I know that...

Michele Neylon: Marika, as a registrar at the moment I have to keep records of the registrant agreeing to the domain being transferred to us. So for incoming transfers I have to keep a record of that.

Paul has to keep a record of it, Rob has to keep a record of it, Oli has to keep a record of it, so do Simonetta and Bob.

There's nothing technically to stop us from falsifying those records, technically speaking. I could easily falsify it, I could easily generate round up my IP addresses and round them whatever is to say that all of these people have clicked on things when they haven't, if they haven't agreed to it.

I could do that but if I were to do that then all the other registrars were to do that then the entire system would fall apart.

Marika Konings: Right, but in that case you have falsified documents. This case will be just not sending an email. I'm just saying...

Michele Neylon: It's the same thing though, it's the same thing because we would be - if for example if ICANN compliance were to receive a complaint about domain names from us not being transferred out then they would - might poke around further and discover that you know we're denying all transfers out.

We haven't got a single transfer out in the last six months, then that's going to - they'd wonder why the hell that was happening. I mean it's something that could be audited.

Do you understand what I mean Marika?

Marika Konings: Right, I understand what you're saying but yeah, I need to think it further through. I know there have been discussions in the past as well, indeed you know affirmative confirmation.

And I know that definition identified with it as well that it could be used as a blocking mechanism for example. But I'll let the group discuss it and then see - and a suggestion as well to share with the mailing list as we have some people not on the call to see if that's (unintelligible).

Michele Neylon: What I would say to you is this Marika, is look, if a registrar is a total and utter degenerate scumbag and just wants to lock in all the registrants and stop them from transferring out, there's a whole load of different mechanisms that they could attempt to use.

But I don't honestly think that they could get away with it for very long. I can see that you know complaints would be submitted to the gaining registrars, the gaining registrars would get - trying to think what's the polite word, frustrated with the situation and would probably complain to ICANN.

The registrants will complain to ICANN. People that would be complaints, I can't see it causing an issue. I mean we've had problems in the past with certain other registrars being a little bit odd about certain things and you know an email to them or an email just to ICANN staff for compliance or whatever.

And then you know the problems have kind of gone away fairly quickly. You know it's not - they might try it but I don't think it's tangible long term. Right, we're almost at the end of the hour.

This entire thing about the authenticating a transfer out concept may be best if we put a bit some of that to the list so those people who aren't on the call today could discuss it a bit further.

Barbara since you kind of brought this up would you mind emailing the list with kind of a rough outline of your thinking on this?

Barbara Steele: Sure, I'm happy to do that.



Michele Neylon: Even something kind of short, sweet and you know to the point or whatever. Okay then, also there was some discussion on the list with respect to kind of - well I suppose in short killing off ETRP completely.

The only person I think who was actually on - let me see, was it Paul who put that forward, was it you Paul?

Paul Diaz: Yeah it was Michele.

Michele Neylon: Right, I mean you were pretty concise about it.

Paul Diaz: Honestly I tried to be but I realize I just see Berry's posted to the list, you did do the effort of looking at the flow charts and quite honestly in - out of respect to all the effort, maybe we have one more call and see where we stand as a group.

But if I read correctly we have at least five members of the sub team who have agreed to wrap this up five or six now. That's most of the group.

Michele Neylon: Well the one thing I would say is that the flow chart is useful anyway regardless of anything else. I think Berry's flow charts are amazing and I think he should be commended for them because they do help make sense of a lot of these things.

I mean Berry you're looking after the second half of this call, all right, you've got your hand up. Go ahead Berry.

Berry Cobb: Thank you Michele, this is Berry. You know I guess for the second half of the call I'm not sure we're going to need the full hour, let me start off by saying I guess overall I'm kind of disappointed that everybody's jumping on this bus to put ETRP to sleep.

After the review that Mikey and I did over the past week and the flow charts I just sent out, perhaps Oli even agreed that ETRP should be put to rest.

However I don't think that - I guess first and foremost I'm a little disappointed that we're giving up on it just for the fact to try to meet San Francisco date.

There's a problem that needs to be addressed here and I think we're just putting it to rest. Bottom line again I will support putting ETRP in its present form to rest.

And the reason why I say that and it's really just kind of kicking off then to the next hour is having reviewed the swim lanes and the IRTP policy itself in a quick summary ETRP or the procedure for restoring the domain is already there in IRTP.

So you know not being a part of the original ETRP group I'm not sure how that sub team got started down the road of creating a separate sub policy if you will. But when you start reading through the details of the IRTP policy that restore procedure already exists.

What doesn't exist is the time frames and a mechanism that ETRP tried to implement doesn't exist. And so specifically kind of like as a homework assignment for everyone to review unless you've memorized IRTP section 6 of the registry requirements the fourth paragraph, the registry operator shall undo a transfer if after a transfer has occurred the registry operator receives one of the notices set forth below.

In such case the transfer will be reversed and the domain names reset to its original state. The RO must undo the transfer within five calendar days of receipt of notice except in the case of registry dispute decisions in which case the registry operator must undo the transfer within 14 calendar days unless a court action is filed.

The notice required shall be one of the following; one, agreement of registrar of record and gaining registrar sent by email letter or fax that the transfer was made by mistake or otherwise not in accordance with the procedure set forth in policy.

Two, the final determination of a dispute resolution body having jurisdiction over the transfer or three, order of a court having jurisdiction over the transfer. So Mikey and I talking behind the scenes this past week, we're of the opinion that definitely ETRP in its present form should be sunset.

But we do believe that we could look at modifying the existing policy specifically with Section 6 and then there would be one or two updates to the responsibilities for registrar of record and gaining registrar where we may be able to satisfy some sort of urgent restore.

Certainly some of the questions or concerns about implementing this that may still exist in terms of how quickly should a restore be done and those kinds of things that we would need to work out.

I'll leave it at that for now.

Michele Neylon: All right, then look, it's the top of the hour. I have to drop off and I think a couple other people might have to. Thanks everybody for your input today.

So if you have anything you want to follow up on please do so on the list wherever possible and I'll speak to you all same time next week. Thanks.

Marika Konings: Michele is there one last thing I can raise?

Michele Neylon: Sure.

Marika Konings: I just want to ask the group whether people agree setting a deadline for review of the draft final report, you know not taking into account,. You know

not including the language on the recommendations that we're still working on.

But the other part, you know the notes, the language that's in there, the different elements so we can have people focusing on that as well so that by the time we have agreement on the recommendations we can just slug those in in the respective places.

And not having to go back then to other parts so would be comfortable in setting at that line, two weeks from now or something?

Michele Neylon: I'm happy with that Marika.

Marika Konings: Okay, great. I'll include it in the action items for this call.

Michele Neylon: Okay perfect. I'm going to drop off and I will leave you - hand over to Mr. Berry and speak to you all again. Bye bye.

Berry Cobb: All right, thank you Michele. So I'll try to just pick up - we'll just keep this second hour short. I'm not sure - we don't have all the participants on the call, others need to drop and so just for in terms of getting this on the audio record is what we'll do.

I just sent out a PDF, contains five pages, the second page being my first version of trying to swim lane the entire IRTP.

Essentially what I did here was I took the old process diagrams that I believe were generated in IRTP A, which is Page 4 I believe and that's kind of how I started modeling the swim lane.

Then I went into the actual IRTP document and started reading it front to back and looking for any changes and adjustments to the IRTP swim lane.

As I mentioned in going through this exercise I realized that the restore procedure is there, we just need to make it - the stakeholders on this call are still interested in trying to resolve this problem.

Maybe we just need to take the approach of updating our existing policies as opposed to creating a new one. And I think that that's achievable, however there is going to be some concerns or some questions that need to be answered as to how it's invoked, how quickly a restore is done.

Will the registry and registrars sign up for essentially what are going to be service levels for restore of the domain which was kind of part of the original ETRP and some of those issues.

The only other thing I'll say is again please note that this IRTF swim lane is only a draft. What I haven't done in terms of completing it is how you would invoke the section 6, but essentially what you'll see is there is brown activity or (tap) boxes or maybe tan, and those are denoting kind of sub processes, one is to invoke the TDRP at whatever point in the process and the second which is in the registry operator swim lane which is the invoking the restore to original state procedure which I'm still working through.

I didn't get TDRP into the swim lanes yet and the reason for that again is I pretty much stopped when I recognized that the restore procedure is there. So with that said and since others have had to drop off, the only thing I can offer up right now is that in terms of homework kind of review through the swim lane, please denote any errors or questions that I may have put in there.

And I'll be happy to respond to those. One quick point, notice about the swim lanes as I'm looking at it, we just had some dialogue about the losing registrars sending FOA to the registrant or admin contact for confirmation.

Those activities are actually highlighted with the yellow outline saying that that is optional. So that is definitely noted here within the swim lane.

So anyway, two homework assignments and then we'll try to pick this up next weekend. Certainly we'll discuss this on the list as to whether we continue forward or not.

I would - the first homework assignment is review through the swim lanes, second homework assignment is read the IRTP policy specifically with section 6 and then think about how we can - if we want to apply any of the attributes of what ETRP originally tried to develop and maybe apply those within existing policy changes.

Bob?

Bob Mountain: No, you answered the question, actually I was going to ask which section of IRTP you thought we should focus on so thank you.

Berry Cobb: Definitely Section 6 and the only other two sections that I would say that you should - well there's three other sections that are important which wouldn't really be changes, they would be additions.

And that's the obligations of the registrar of record and the obligations of the losing registrar. But what my own assignment will be for next week, Mikey and I started a draft of a revision of the IRTP and TDRP so that they have the right hooks going back and forth.

But it's not in a shareable form at this point in time so I do plan to update that and send it out to the list for your review as kind of a you know what if type scenario. Marika?

Marika Konings: This is Marika, you know I'm sorry because I missed the previous call so I don't know exactly what was discussed then and that - why are you looking for new language?

But I know there's - you're talking about PDRP and you know I think considering as well while there could be enhancements maybe in that column that would address some of the ETRP questions.

Just to note as well that one of the upcoming or next IRTP PDPs is supposed to look at as well at enhancing it to dispute policy. So if at some point this group does decide as well you know maybe this is not the right PDP to try to cover that in.

But it might be more appropriate to do it in the other context, for example review of TDRP or some elements there, that might be another venue where some point in the future then all this work could be taken on board as part of - and I'm happy to look as well which other issues are part of that - I think it's a PDP D, which other issues have been identified to see whether that might fit actually with what we're discussing, the contents of the ETRP.

And whether that might be a link of - you know not forgetting about this work and finding an overall context of addressing all the different elements that go together as well with ETRP that also district resolution overall.

Berry Cobb: Thank you Marika, that would be very valuable to me. I don't know that I've seen like a summary list of the future issues to be reviewed and upcoming IRTP PDPs that would be interesting.

I guess probably I should clarify, the only reason I - after having reviewed and found this procedure the only reason that TDRP would if we decided to go down this road that it would need to be updated would be the fact that the completion of the TDRP if in fact a domain was transferred and then it was undone as a result of some sort of dispute, TDRP were to kick in.

At the end of TDRP whatever that outcome is that hooks back into IRTP is whether that transfer should be undone. This is where it gets confusing is should the undo be undone and restored back to the original transfer outside of that my initial review I haven't seen anything else in the PDPR that would really need to be updating other than that additional hook back into IRTP.

So that's basically all I have, again homework assignments, any parting thoughts or questions from anybody? Looking clear, so appreciate everybody taking their time. Enjoy the rest of your week, please add thoughts and comments on to the list and we'll pick this up next time. Thank you very much.

Man: Thanks Berry.

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