

**IRTP C
TRANSCRIPTION
Tuesday 24 July 2012 at 1400 UTC**

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<http://audio.icann.org/gnso/gnso-irtp-c-20120724-en.mp3>

On page:<http://gnso.icann.org/calendar#july>

(transcripts and recordings are found on the calendar page)

Attendees:

Mike O'Connor - ISPCP
James Bladel –RrSG co-chair
Roy Dykes – RySG
Zahid Jamil – CBUC
Angie Graves – CBUC
Philip Corwin – CBUC
Simonetta Batteiger – RrSG
Michele Neylon – RrSG
Avri Doria – NCSG co-Chair
Barbara Knight – RrSG
Kevin Erdman – IPC
Jonathan Tenenbaum – RrSG
Matt Serlin – RrSG

ICANN Staff:

Marika Konings
Berry Cobb
Glen de Saint Géry

Apologies

Bob Mountain - RrSG
Volker Greimann – RrSG
Paul Diaz – RrSg
Rob Golding – RrSG
Chris Chaplow - CBUC

Coordinator: Go ahead, we're now recording.

Glen de Saint Géry: Thank you very much, (Ricardo). Good morning, good afternoon, good evening everyone. This is the IRTP call on the 24th of July. And on the line we have Angie Graves, Barbara Knight, Avri Doria, Michele Neylon, Roy Dykes, Simonetta Batteiger, James Bladel, Mikey O'Connor, Kevin Erdman. And for staff we have Marika Konings, Berry Cobb and myself, Glen de Saint Géry. And we have apologies from Volker Greimann, Paul Diaz and Bob Mountain.

May I remind everybody to say their names before speaking for transcription purposes. Thank you and over to you, James.

James Bladel: Thank you, Glen, and appreciate your help. And welcome, everyone, to the IRTP-C Working Group call for the 24th of July.

As per our usual operating procedures hopefully everyone has had a chance to review the agenda that was sent to the mailing list yesterday by Marika and currently appears in the right hand column of the Adobe chat room. Are there any questions or concerns or additions to that agenda? Okay seeing no hands we'll consider that agenda adopted for today.

And then the second item is are there any updates or modifications to statements of interest? No hands there so thank you for those housekeeping items.

For those of you who missed all of the IRTP action from last week we had a very small group and we decided to continue with the working group call however in an abbreviated fashion. We simply reviewed the work plans and made the necessary modifications to the schedule between here and what was - what we are targeting for our end date, which is the general meeting in Toronto in October - and that was where we left our work from last week.

So we should pick up from there again this week; see if we can put a bow on that work plan and call that complete with the understanding of course that we will revisit that again in early to mid September to make sure we're still tracking towards that goal. And then we will continue on with the review of public comments received and feedback received during our workshop in Prague.

So that is - that's our plan for today. If we get finished with those well then we can decide how we want to incorporate that feedback into our report and start looking at some of those questions. But for right now I think the two items for today are work plan and feedback.

So with that let's take a look at the work plan and let's - if you could, please, for those of you in the Adobe chat room - scroll down. I think that the interesting part begins on the third page, is that correct, Marika - when - Page 3-4 are where the changes take place. And you can see that we are already at the bottom of Page 3 on the schedule for this working group.

We have one important milestone date, which is tomorrow, and that the public comment period is closing on our initial report. And I believe that by then we will have a summary analysis of the comments received as well as the feedback received in Prague.

So this is the work plan that we discussed last week. And the only thing I think that is an addition is that on the entry for September 4 there is a marker to recheck the schedule and see how we are tracking towards that publication date of October 9.

Does anyone have any questions or concerns or suggested additions to this work plan? I see that the queue is clear. And that makes sense because we covered this pretty extensively two weeks ago and finished this last week. And I think it's been on the mailing list now for a couple of weeks. So any

objection to considering this work plan adopted and of course we'll come back - circle back and check in on September 4. Boy, quiet group today.

Okay so thank you for your help with that everyone and thank you, Marika, for keeping that tracked. And then we'll move onto reviewing the public comments and feedback received in Prague as soon as Marika gets that documented loaded.

I should mention also I believe this is the last week that we will have Marika for a little while; that Mr. Berry Cobb will be very ably taking over - I believe beginning next Tuesday. Is that correct, Berry?

Berry Cobb: Yes it is.

James Bladel: Okay thanks. Oh there is someone else on the call besides me. Sometimes I feel like I'm just talking into a microphone so thanks. So...

Glen de Saint Géry: Phil Corwin has just joined the call, James.

James Bladel: Thanks, Glen and welcome, Phil. Okay so when we last left our heroes two weeks ago we are - we were reviewing some of the public comments. But I don't think we'd gotten very far. I think we get through the first two and we are now sitting on Comment Number 3 which was from Mr. (Shoat) and I believe was submitted to the comment forum.

Marika, if you don't mind could you - or Berry, I guess, could you kick us off by reading through the comment here and then we'll take a queue and we'll discuss this issue.

Marika Konings: Yes, this is Marika, happy to do so this week. So the comment by (Michael Shoat) says he supports the adoption of such a policy however it should place as little technical burdens on registrars and registrants as possible. Change of registrant should be possible before as well as after IRTP and

there should be no mutual lock since this has been shown to confuse registrants and complicate registrar implementation unnecessarily.

James Bladel: Thank you, Marika. And just for clarification purposes do we have an affiliation for Mr. (Shoat) or does anyone know him - his organization or his affiliation?

Marika Konings: This is Marika. I believe he's a registrar. He listed it as his - in his submission. I would need to look it up but I think - Simonetta is typing so she might have it at hand.

James Bladel: Oh okay. And with (Strata). Okay, thanks, Simonetta. I just wasn't recognizing the name.

Oh yes, I see he's mentioned here, (Cronin), so that a word that's familiar to me in that name. So okay so I think this is something that we have discussed and that we have covered that I think Mr. (Shoat) points out that the various locks and - what's the right word here - various time periods and grace periods where transfers are not allowed can be confusing. So I think that, you know, this is - it's something that we have incorporated into our discussion.

I'm not sure what he means by mutual locks. Does anyone have any insights or speculation on what that term may mean - mutual locks. Any thoughts - Simonetta, go ahead.

Simonetta Batteiger: Sorry, I had to unmute myself and couldn't find the button quick enough. I'm not sure what he means but when I'm reading - maybe he thinks that we were considering an idea that something would need a unlocking procedure that involves both registrars.

((Crosstalk))

James Bladel: Yeah that's possible.

Simonetta Batteiger: ...in combination like technically in combination. So maybe we can ask him if that's what he meant because I would agree that that would make things really technically complicated. And the rest of his comment is about technical burden so maybe that's what he - where he's coming from.

James Bladel: I agree. And perhaps we could make - ask him to clarify that term. I thought that it was - a mutual lock was one at the registry and one at the registrar and you had to unlock both or both parties to a change of control had a key that had to be turned, you know, like the old missile silos. You know, I don't know what he means by that so maybe we can contact him and get some clarifications. Simonetta, go ahead.

Simonetta Batteiger: I think the main point he's trying to make is make it as technically simple as humanly possible. And knowing (Michael) a little bit and knowing that he's a product person as well I think that's where he's coming from.

James Bladel: I think that is also my takeaway from this comment is that he's looking for a lightweight process that is simple and easy to understand and doesn't add to confusion that's currently out there from registrants and hopefully, you know, reduces or mitigates some of that confusion.

And with that thought, you know, so just reading through here he does say something about change of registrants should be possible before as well as after IRTP. I think that we're not in disagreement on that with the initial report but we are wondering if there should be some, you know, period of time where they're not immediately used right after one another.

And I think that what we were driving at with that concern is that if the registrant data changes - if it immediately changes to a new registrar the new registrar may not have accurate registrant data and that, you know, could show up on their doorstep with something that's basically an unknown.

And I'm not sure - okay, Simonetta, go ahead.

Simonetta Batteiger: If I remember his comment in the meeting the right way I think what he meant to say is don't make it a - it can only happen in this sequence; it should be possible to do it in both sequences. So he was - if I remember right he was saying because in one of our drafts it says first do the inter-registrar transfer and then do the registrant update.

And he was saying don't make it a rule that it can only be working this way around; I want it to be also working the other way around that you update the registrant first and then you do the transfer to a new registrar and keep it flexible. I think that was the idea he had in his mind that he was trying to comment on in Prague.

James Bladel: I agree. I think I remember that conversation as well. And one of the thoughts here, I think, that the - where the working group was going or in his recommendation wasn't saying that one process was - well I think it was saying one process was preferred over another or one sequence was, you know, ideal or not.

But it wasn't saying that the other one was impossible it was just saying that we wanted that - some period there between - when you reverse the sequence, when you change the registrant and then do the transfer that we were saying that there had to be some time period in there.

If you were to transfer first and then do the change of registrant then no cooling-off period was necessary because we were confident in the contact data. And it was just that one I think special use case that was cause for concern. But I don't think anyone was saying we should prohibit that use case, just proposing that there be some additional security measures in that one particular case.

So how do we want to respond here, folks? I think, you know, we are - for each of these comments we are owed a response either on our - in our

discussion or to - an action that feeds back into our interim report. Any thoughts from the group on whether or not we feel this is adequately covered by our existing deliberations or our interim report? Or does this go to filling some of those open questions with new information or new data?

I'm going to send some caffeine to this group today. This is kind of a quiet group. Mikey, you can always count on Mikey to weigh in.

Mikey O'Connor: I'll take pity on you. I think part of the problem for me is that I don't remember what we've said in some of our previous responses. I know we've talked about this before in the comment review. And so I think one way to approach it is sort of the way that you did, James, when you summarized things a minute ago and say that, you know, we agree with the light approach. We have one use case that we want to pay special attention to, you know, etcetera, etcetera.

Your summary was quite a bit better than mine. I think that's part of the reason that a lot of us are being pretty quiet because you're doing fine, man.

James Bladel: Yeah, I'm sure that's the case. Okay so thanks. We'll go to Simonetta next and then we'll see if we can't bring this one in for a landing and move onto Comment 4. Simonetta. I think you're on mute.

Simonetta Batteiger: Oh sorry, I was on mute again. I would just go back to the transcript and write down what you had said before Mikey was speaking because it was something along the lines like we agree with the lightweight approach and that we don't want to prohibit but we need to look at the use case, something like that. I mean, I think that is a summary. And this needs to obviously then be one of those ideas and principles that we kind of look at again when we look at the process overall.

James Bladel: Okay thanks, Simonetta. And I would ask Marika, can we go back to the transcript of the last like five minutes and tease out the statements there? I

think there was a summary relative to this being a lightweight process that doesn't add to confusion but reduces it and then something about the one particular type of use case that warrants some extra concerns but otherwise - now I'm confusing myself. But I think it's all there. I think we said it between the three of us, Mikey, Simonetta and I and Mr. (Shoat), I think we captured it.

Marika Konings: Yes, this is Marika. I think I have sufficient notes to cover that.

James Bladel: Okay. Thank you. And sorry for talking in circles there. So moving onto (Michael)'s next comment, Marika, could you walk us through that?

Marika Konings: Yes, his next comment, also from (Michael) states that, "Regarding the question which updates constitute a change of ownership we are of the opinion that only changing the name or organization, any change to any part of the name, constitutes such a change of registrant."

"The legally relevant data on who owns a domain name is the name of the owner. The primary contact, an email, is only a means to get a hold of that person and should be available for simple update since people frequently change their contact addresses and should be able to do so easily."

James Bladel: Okay thank you. So I think (Michael) is being very specific here on what data fields constitute a change of ownership. And I think that he's making the case for a very limited set of data fields, which is registrant's name and registrant's - I believe registrant name and registrant organization. Marika, you have something to add?

Marika Konings: Yes, this is Marika. I'm just wondering if the group maybe wants to take this comment together with Comment 11 from the Registries Stakeholder Group which also relates to this specific issue. If you want I can read that one out.

James Bladel: Certainly. And I see Barbara has her hand up as well so we'll go to her next.

Marika Konings: Yeah, so that comment states, "Since the registrant and (unintelligible) contact email addresses are used as a method to validate the legitimacy of a transfer request it is recommended that the note on Page 23 defining the change of registrant is updated as primary contact method among other updates be revised to specifically indicate an update to the registrant and/or administrative email address."

James Bladel: Okay thank you. And so I think that, yes, there is - both of those questions are addressing the same subject however they are proposing very different solutions. So we'll go with Barbara and then Mikey and then I'm going to put myself in the queue to offer some thoughts on the registrar. Go ahead, Barbara.

Barbara Knight: Thank you, James. This is Barbara. So, you know, obviously as the comments from the Registry Stakeholder Group have indicated - and I feel pretty strongly - that we really do need to also include those email addresses because they are used as a point of validation if a dispute were to arise. So I think that we really need to incorporate those.

As far as, you know, whether or not we try to come up with - and maybe group these together as Marika had suggested. Yeah, I don't know that it's a bad idea to do that. I think it actually, you know, they both do address the same thing and I think we need to maybe, you know, kind of look at both sides of the coin here when reviewing those two items.

James Bladel: Okay. Thank you, Barbara. Mikey, go ahead.

Mikey O'Connor: This is Mikey. I agree with Barbara. I am keen on the idea of evaluating both sides of the coin but I am also leaning towards more care rather than less because the - one of the primary attack vectors for bad actors to steal domain names is the email address. And so I think that I would take some convincing to leave that out of the pile of things that we consider a change of control. Thanks.

James Bladel: Thanks, Mikey. So I taking off - putting on my registrar hat here and going to try to do my best to provide that convincing. Speaking of - for a registrar that has I think probably a well recognized within the industry very cautious approach to change of registrant updates we have identified that the first name, last name and organization name are the key fields that need to be monitored rather than email address or anything associated with the administrative contact.

And while I agree that those are also vectors by which hijackers use to compromise and fraudulently transfer domain names I think what we have found is that updates to those data fields are several orders of magnitude more frequent and more commonplace than changes to other data fields.

And therefore kind of starts to negate the entire purpose of monitoring those data fields because they just become so frequent that you are now inconveniencing 99 registrants versus the one that you're trying to catch where we're trying to keep that balance a little close to 80/20 perhaps.

And so, you know, I'm just putting this out here that in practical terms that taking a very strict interpretation of the data field or making the data contacts very sensitive to changes is - has been an operationally problematic. I'm not saying that on principle that it is wrong just that it does complicate this issue significantly and ratchet up the number of transactions both in locking and unlocking significantly.

So I just wanted to put that thought out there that we can catch most of those issues by making the triggers less sensitive. But that's just our operational experience. And I'll drop out to Mikey. Thanks. Mikey.

Mikey O'Connor: Sorry about that, mute button. Mikey again. What this says is that our response to these two comments could be something along the lines of thanks for your comment; we need to think about this some more. Because I

certainly hear what you're saying and I also came into this with sort of a predisposition towards caution and certainly resonate with what Barbara was saying.

So in terms of evaluating the comments I think what we could do is acknowledge that this is one we need to figure out and spend some more time on about that.

James Bladel: I think that's a good approach. I would ask that we do one other thing, one other bit of research which is that there is a - okay so - getting a little weird here.

But when registrants enter into a registration agreement with registrars most retail or even wholesale registrars will do that via electronic signature so you click a button that says I agree to the terms and conditions, blah, blah, blah, blah. And, you know, we all know that we all read those very, very carefully. And Apple iTunes has taught us that we never just click them without reading; we always read them.

But there is a certain threshold I think - and I'm looking towards some of the legal minds on this group - there's a certain threshold I think that has to be met for that to be a legitimate electronic signature. And I'm sure that varies from different jurisdictions but there seems to be some common understanding that if you have your name, you know, and your contact details that that's legitimate.

And so maybe the answer, Mikey, if there is one single answer, is that any of those fields that are required to be present for an electronic signature to be valid - if any of those fields change then that - those are the changes that need to trigger a change of control or change of registrant as opposed to any of the other fields that may be important in terms of transfer policy but are not tied to that registration agreement.

Go ahead, Mikey.

Mikey O'Connor: Yeah, I mean, I agree. I think that what this says to me is that we haven't, you know, we've got some work to do in this whole definition of basically what constitutes a change of control. And I, you know, I kind of want to emphasize the difference between change of control and change of ownership. I mean, we do tend to get these conflated a lot.

James Bladel: Yeah.

Mikey O'Connor: And so I think it's just - at least at this stage to sort of capture some of the outlines of the discussion we've had as a starting point...

James Bladel: Okay.

Mikey O'Connor: ...and then, you know, really dig in and maybe do some homework before we have that conversation. But it does sound like there's plenty of room to work more on this one.

James Bladel: Yeah, it sounds like a good approach. And I agree with you, change of control, you know, administrative contacts have a certain degree of control whether or not they have - but they're not a registrant. So when we say change of registrant, change of control, the latter is probably a larger term.

So - and I think that this also - we can fold Comment Number 5 from the public workshop - we can fold that into this discussion as well because it seems like 4 and 5 and 11 are definitely part and parcel of the same bit of feedback.

And I think you could say that - you could make the case that Number 6 also sort of falls in there because it is a continuation of a discussion of how sensitive these triggers should be. It talks about changing a spelling mistake, etcetera.

And I can tell you that for example with Go Daddy's various security procedures we usually will change - or reverse any locks that someone, say, for example changes from Michael to Mikey or from James to Jim or if someone can demonstrate that they changed their last name due to a marriage or divorce, etcetera. So, you know, there are cases where a trigger can be too sensitive so much so that it doesn't really count for registrant behaviors in the real world.

So any concerns with folding 4, 5, 6 and 11 into that topic that we need to further define the data fields that encompass a registrant and/or control? And - or am I casting too wide of a net here? So I agree, Simonetta, it sounds like we need a little bit more work on that topic.

But - so, Marika, if we could can we - could we just kind of grab all of those together and fold them into one large heading which is that we need to understand this issue a little bit better and do some more work here.

Marika Konings: Yes, this is Marika. I can give a similar response. So reorganizing them might mess up the numbering so it will be easier just to refer to these...

James Bladel: Yeah.

((Crosstalk))

James Bladel: Yeah, I think that leaving in the same order is probably fine. There's just not 1 million of them, there's only - what, there's only about 30, 29, okay. Can you then introduce Comment Number 7?

Marika Konings: Yes, this is Marika. So Comment Number 7 is one of the comments from the public workshop in Prague that you noted. "Adding a 60-day lock might result in registrants staying with one registrar and/or only move to the registrar's reseller in order to go around the 60-day lock."

James Bladel: Okay. Well we can take a queue on that and then I can put myself at the end of it because I have some thoughts there from our experiences but we'll start with Simonetta. I think you're on mute.

Simonetta Batteiger: Sorry, I keep forgetting to unmute myself. I was just wondering if there's any way for us to figure out who said this because I don't really - I don't remember this very well and without the context around it and without knowing who said it and why.

But, I mean, there's just multiple ways you can read this statement. Does this mean that someone wanted to say I disagree with any locks or does this mean to say - I just don't understand so I don't know what to do with this comment.

James Bladel: I agree. Let's go to Marika in a minute here. But I agree we should probably go back and see if we can figure out the context - a little more context of what this person was saying. I can, however, weigh in on - from one I believe - one premise or one assumption is that might result in registrants staying with a registrar.

I can tell you that as a customer retention tool, which we're often accused of, a 60-day lock is very ineffective in that regard because no one retains customers by making them angry.

So, you know, but as far as that, what it means, whether this person supports or does not support that or whether - and the comment about going to resellers to bypass this I really do not understand the context. So go ahead, Marika.

Marika Konings: Yeah, this is Marika. I just quickly pulled up the transcript. And this was a comment made by - the transcript identifies the person as (Alan Barney). And he basically says, "My comment about the introduction of the policy saying of

the change of registrant or control and the change of registrar is that I think the aftermarket will tend to move rather from registrar to registrar transfer into registrant reseller transfer."

"I think we're already seeing that with some of our registrants moving domains now and holding them with a large registrar because they feel that if they need to move them to a new registrar it's easier to do that and avoid the registrant transfer process completely."

"And I fear that if you put this lock on what it might do is encourage certain domain names to keep them with a single registrar and just move them between reseller level under the same registrar. And it's always been, from our point of view, a bit of an issue as to how resellers operate in the larger market base. I think a lot of the end users see resellers at the same level as registrars and it's not always clear."

James Bladel: Okay thank you, Marika. There's our context. I'm not sure if that helps a lot. Go ahead, Simonetta.

Simonetta Batteiger: I think it does at least to me...

James Bladel: Okay.

Simonetta Batteiger: I do remember now where this was coming from. And I guess I can add a little bit to this. It might also come from this idea that there should not be any burdens and competing with each other. And if it's true that there is a concentration of names in the aftermarket that are traded with only a few entities because those are the only ones that you can easily move names around with that basically means that other registrars are at a disadvantage.

And it also may mean that depending on how we restructure this policy if it - the second element of this comment that I'm hearing is something with resellers versus registrars and the person brings up the issue that for a user it

makes - they don't know the difference between what a reseller is and what a registrar is.

So if we make a policy that creates a process that only applies to a situation where two accredited registrars are involved and it doesn't apply to a situation where you would do things between resellers than basically resellers could do whatever they want amongst themselves versus if you want to trade between truly accredited registrars you have to adhere to the policy.

So that's an idea that we haven't even thought about yet what happens if resellers are doing things amongst themselves does this mean that it's a free for all and the policy does not (grasp) it all. And I think those two elements are kind of interesting because one is about competition and fairness in the market and the other one is about do we need to put something in this policy that takes this outside world perception of a reseller being the same thing as a registrar into account.

James Bladel: Okay thank you, Simonetta. I think that helps to build some - a framework of context around where this was coming from. And I think if I can state this in one way it would be that we don't want any sort of change of registrant or security features to have an anti-competitive impact. Is that kind of one overarching way of saying this?

Simonetta Batteiger: Yes.

James Bladel: Yeah. I mean, I think that that certainly - that is something that everyone wants to avoid. We don't want to hinder the competitive marketplace whether we're talking about the primary market or the secondary market we don't want that to be a barrier.

Putting on a hat to address the other issue - the issue of resellers - and I still - I thank you, Simonetta, for helping to clear that up. I still don't claim to be 100% - have a handle on this. But I wanted to mention that first I think it's -

we need to make sure that we're not assuming that all registrars offer reseller programs or that they would be necessarily under the same accreditation.

For example, Go Daddy, does have resellers but that's under (unintelligible) domains which is a separate registrar. So transferring between a reseller and a Go Daddy account would be an inter registrar transfer even though it's going into the same family of registrars it would be changing the accreditation.

And then the other point is with resellers transferring between other resellers. That is - hello? I'm getting a bit of echo, sorry. That is, you know, we're saying that this policy would not apply in those situations. I'm thinking that is correct that this policy would not apply as a number of policies don't apply to internal transactions.

As an example Go Daddy has another function where if two parties want to change a domain name within Go Daddy between two separate accounts and are not intending to transfer we have a separate process for that which is what we call a change of accounts.

It's not a transfer. It is not governed by any ICANN documents or policy because it is not leaving all our accreditation. And I think if Reseller A and Reseller B are part of the same accredited registrar that whatever transfers occur between those two resellers would be governed by that registrar's policies and not by ICANN. So that's just my initial take on this.

And I fully admit to the possibility that I have misunderstood the context. So we'll go to Michele and then to Simonetta.

Michele Neylon: I was going to say something and I've now lost track of what I was going to say. Oh, sorry. In relation to locks and portability and everything else, look, I think some of these comments about this might have been made just around the same time as the last changes to IRTTP came in so they might not be

aware of the fact that there were a couple of changes to how these things are applied.

I mean, as things stand at present some locks are optional, others are obligatory. And ultimately it's up to the registrar to choose which - in some cases which locks they want to apply and which ones they don't want to apply.

And the entire portability argument is fine but, I mean, most of the problems we see around domains being moved from one registrar to another usually involve resellers of registrars who seem to think that they can lock domains forever and not release them, which causes also some interesting headaches.

I think there was something else but I'll come back. Thanks.

James Bladel: Okay thanks, Michele. And, yeah, I think that that is something to bear in mind as the discussion of the 60-day lock in Prague was also done in the shadow of a recent change to (unintelligible) locking procedures that was part of the implementation of IRTP-B. So that may have also been comingled with this discussion.

But anyway, Simonetta, maybe you can help bring us in for a landing on this one.

Simonetta Batteiger: I am still thinking that we're missing the point of what this person was trying to comment on. And I'm trying to make an example that maybe it will become more clear.

And you were speaking about some of it, James, when you said yes indeed we do have something like a internal change of control mechanism where two people who are both Go Daddy customers push a domain from one account

to another and they don't need to follow the same policies that - as if someone were to transfer a name from Go Daddy to (Buster), for example,

So - and I think where this comment is coming from is they're speaking about something entirely different. And now think about this, for example, someone is a reseller of Tucows. And let's say there is a Czech reseller of Tucows who does business in the Czech Republic and I can't think of one right now but (unintelligible) for example, I don't know who they are, if they are their own thing or not or something else.

So let's say they would be a Tucows reseller and this domain name is one that lives in the Tucows accreditation. Somebody in the Czech Republic currently owns this name. Now there's another Tucows reseller in Germany (EPAC). So someone at (EPAC) is the person who is now buying this domain name. They're both resellers of Tucows. The name wouldn't ever leave the Tucows accreditation.

However for the perception of the buyer and the seller they're doing business as two different registrars. They have absolutely no idea that - and it doesn't matter, Michele, if (EPAC) is the reseller or not - but there's these two brands and there's one person who does business with an entity in the Czech Republic and they think that it's their registrar.

And there's a person who does business with an entity in Germany who thinks that's their registrar. They don't know that both are just resellers of someone else. So why would this process of getting this transfer done be different from a process that's being done between two entities that are truly accredited themselves?

So from a user's point of view to make that a different thing makes little sense if there's (events) involved. If it's the same brand, if it's all within Go Daddy that might not - that might make more sense. But so I think where this person was coming from is - it was just making this point think about the fact that for

a user a transfer between two resellers might be the same thing as a transfer between two registrars.

And do you want to or do you not want to address this issue? That's really kind of what this person was raising there.

James Bladel: Okay, Simonetta. So I think we've got - it's amazing we have so much packed into a very small statement here. But I think we've identified two issues in this comment. One is the desire for - or the caution to this group to make sure that a change of registrant doesn't become a barrier to competition.

And then the second one is the much larger conversation about - I want to say standardizing or normalizing the transfer experience - what is between resellers or registrants - registrars.

And I think one possible approach would be that whatever we come up with this in this working group is an obligation on registrars whether they are changing registrants in conjunction with a change of registrar or whether they're changing registrants within their own accreditation or whether they're changing registrants between two resellers or basically making it sort of a universal process that occurs regardless of where the name lives currently or where it's going.

And I think that maybe that's something we could put into our consideration. But it's a big topic to be sure. Go ahead, Mikey.

Mikey O'Connor: This is Mikey. Yeah, I agree with both of you. I think that there's two issues there. There's one is the applicability of change of registrar, that's the whole - in a way story that Simonetta told. And then there's the applicability of the change of control. Are we now calling that change of registrant? Should I start using change of registrant instead of - I can't remember. Anyway...

James Bladel: Yeah...

Mikey O'Connor: ...change of registrant, right?

James Bladel: Yeah, go ahead.

Mikey O'Connor: Yeah, okay. So at least my initial reaction is wow on the first one. You know, the applicability of change of registrar, the applicability of IRTP; it never dawned on me that the scenario that Simonetta described even existed. So that's sort of a giant conversation right off the bat. I'm not sure it's even in scope for this particular working group but certainly a head-scratcher.

And then certainly in-scope for our conversation is the applicability of the change of registrant process that we described whether that applies only within a - only when the accredited registrar changes or also does it apply uniformly across resellers.

So I guess I'm just agreeing that this is definitely something we need to do a lot more work on. Thanks.

James Bladel: Okay thanks, Mikey. And thanks, Simonetta and Michele and everybody who weighed in on this one. I think the two takeaways - and look - one eyeball on the queue here to see if I get this wrong - but I think the two takeaways from this comment are, one, if I could break it into two was that make sure that whatever you do you're not creating a stickiness that - between registrars that hampers competition and choice - registrant's choice of registrars.

And then the second thing is make sure that whatever you do doesn't create loopholes for individuals to get around this by going inside of a registrar accreditation or through their reseller network as a way to bypass these things. And let's make sure that this applies equally to those who are transferring between registrars - within a registrar or between resellers.

So did I capture the two concepts that we need to work on there? I don't see any hands shooting up so I think we'll call that what we have. So recommended action more work required in this subject, Marika, that's an interesting rock we've turned over here with this comment.

So okay if you could take us to Number 8. And it looks like we have about seven, eight minute left on this call so this will be our last one. Go ahead, Marika.

Marika Konings: So this is Marika. Comment 8 from the Registries Stakeholder Group. "The Registries Stakeholder Group would be supportive of Recommendation Number 1 relating to Charter Question A which proposes a change of control policy if the development of the policy can be accomplished without the need for a separate PDP."

"Ideally the Registries Stakeholder Group would prefer to see the development of a change of control policy separate and apart from the IRTP to be completed as part of the deliverables of PDP C. If this is not possible then the Registries Stakeholder Group would support the hybrid of policy approach as suggested on Page 25 of the initial report."

James Bladel: Okay so thank you, Marika. And I believe that this comment from the Registries - and I'm sure Barbara will jump in if I get this wrong - Barbara or Roy. But this comment from the Registries is saying essentially that they would prefer that this document - this change of control, change of registrant be separate from the IRTP which governs inter registrar transfers. But they would not like it to go to a separate PDP; that it would be accomplished within the work of this group.

And then the - if this is not possible that they would want the hybrid approach. And just as a reminder the hybrid approach is that we rename IRTP the Inter Registrar Transfer Policy - to something a little more generic like domain

name transfer policy or something and then it has two sections, one for inter registrar transfers and then one for change of registrants.

And that would be just more of a restructuring of the language to keep it consistent and make sure that we're not folding everything under a misleading title. So that's kind of where we were going.

There was one other question was whether or not this group, based on our charter, was even authorized to address the change of control if we determined it fell outside of the IRTP. And I can't remember if we formally asked this of the Council on Saturday update session or if it was just more of an informal conversation I had with the chairs and vice chairs and whatever.

But I think that the answer or the response that I got was definitely feel that this group is - it's within our remit to address these issues and if it weren't that that would be the sort of thing that they would call us on at these updates and such.

So I don't know that that is still a burning issue but I think that this idea of combined policy versus separate policy is very much in play and on the table. So we'll just take a queue here starting with Michele. Go ahead, Michele.

Michele Neylon: The concept...

((Crosstalk))

James Bladel: ...is on mute.

Michele Neylon: No I'm not.

James Bladel: Okay go ahead.

Michele Neylon: In some ways, you know, I can see why there would be a fear of adding a new policy. But at the same time I also think that we might be causing ourselves more problems by not having a separate policy for registrant changes, change of holder, change of control, whatever it ends up being called.

And I'm going to ping a link into the chat which I think some of you probably already saw which is an article that Thomas Roessler posted a few days ago talking about the WDRP - the Whois Data Reminder Policy - and basically apologizing to the public for the policy because he never thought that the thing would still be hanging around years later.

And it's the same with some of the policies that currently exist, you know, just because they're there doesn't mean they shouldn't be changed, maybe changing them wouldn't be a bad thing and maybe splitting out the policy wouldn't be such a bad thing. Thanks.

James Bladel: Okay thanks, Michele. And we'll go to Mikey next. And I think Mikey will be our last speaker today. Go ahead.

Mikey O'Connor: Hot diggety. This is Mikey. I sort of - at least at this moment - support the Registries on this one. I like the idea of a separate policy for a bunch of reasons, which I won't go into a lot of detail on. I like it for the reasons that Michele describes.

But I also like it because it sort of reinforces the notion that I've been lobbying for all along which is that these are separate processes and should not be conflated. And by putting them into the same policy we tend to make it easier to think of these things as one and the same when in fact they're not.

So for that reason along with the reasons that Michele and the Registries came up with I'm pretty keen on the idea of a separate policy that we

develop. I'm glad to hear that the remit issue is put to bed but not put them together. There you go.

James Bladel: Okay thanks, Mikey. And you're going to make a liar out of me because we always defer to Simonetta on this and we'll give her the last word. Simonetta, go ahead.

Simonetta Batteiger: Okay. I'm a little - I think we need to be really aware that this - while this might make things simpler from a policy development point of view in the real use case world the two actions of changing the registrant and changing the registrar and/or reseller often, often, often happen both in basically the same moment or at the same time.

So if we do choose to make this two separate policies they need to be written such that they do not have any conflicts so that whatever one policy says is not contradicting the other and because we need to be really aware that these things happen both at the same time often.

And so we can - so we should steer clear from anything. And if it's two separate policies we should steer clear of anything that creates a problem for the other policy. And that's why when we were originally thinking about this we thought that this is an alteration or a change to the Inter Registrar Transfer Policy and we didn't even think of it as something that's separate from it.

And I would just want to make sure that whatever final way we go here the policy cannot contradict the other one and they really have to be working in sync very well.

James Bladel: Thank you, Simonetta. And that is - brings us right up to the top of the hour. And I agree if I could summarize Simonetta's concern it's really that - it's that there's a temporal link between these two functions even if we separate them

in policy documents in the real world they happen frequently one right after another or, you know, as - not simultaneously but practically simultaneously.

And I think that, you know, there's also concerns about - I'm going to offend the lawyers I think by using a word incorrectly or a term of (art) but there's a concern about construction here where - or, you know, making sure that the policies, the definitions, the terms that we use in one are - follow in the other and that we don't start creating contradictions or ambiguity by having two documents. So I think that that was something - would be something we also have to pay very close attention to.

So with that I thank everyone for coming on this Tuesday afternoon or morning and appreciate your time as always. Please be (mindful) on the list for any updates and changes. And, Marika, if you could put a - or I'm sorry, Berry, if you could put a placeholder here that we will start with Number 8 when we - when we rejoin our heroes next Tuesday the 31st of July and at the same time. So thanks everyone and have a great afternoon.

Mikey O'Connor: Thanks, James.

Marika Konings: Thank you. Bye.

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