

## **Report from the Inter-Registrars Transfers Issues Prioritization Committee**

prepared by: Ross Rader ([ross@tucows.com](mailto:ross@tucows.com))  
[December 20, 2007](#)

### **Summary**

During the course of November, the Inter-registrar Transfers Prioritization working group met via email and teleconference to discuss and prioritize several important policy questions related to the existing Inter-Registrar Transfer Policy. The working group has prioritized the outstanding issues in the following order.

### **Transfers Policy Issues Priorities:**

1) Item (j). Consensus Ranking: 5/19

Whether there could be a way for registrars to make Registrant Email Address data available to one another. Currently there is no way of automating approval from the Registrant, as the Registrant Email Address is not a required field in the registrar Whois. This slows down and/or complicates the process for registrants, especially since the Registrant can overrule the Admin Contact.

2) Item (o). Consensus Ranking: 6/19

Whether a process for urgent return/resolution of a domain name should be developed, as discussed within the SSAC hijacking report (<http://www.icann.org/announcements/hijacking-report-12jul05.pdf>; see also <http://www.icann.org/correspondence/cole-to-tonkin-14mar05.htm>).

3) Item (g). Consensus Ranking 6/19

Whether there is need for other options for electronic authentication (e.g., security token in FOA) due to security concerns on use of email addresses (potential for hacking or spoofing).

4) Item (e). Consensus Ranking 7/19

Whether reporting requirements for registries and dispute providers should be developed, in order to make precedent and trend information available to the community and allow reference to past cases in dispute submissions.

5) Item (q). Consensus Ranking 8/19

Whether standards or best practices should be implemented regarding use of Registrar Lock status (e.g., when it may/may not, should/should not be applied).

6) Item (h). Consensus Ranking 9/19

Whether provisions on time-limiting FOAs should be implemented to avoid fraudulent transfers out. For example, if a Gaining Registrar sends and receives an FOA back from a transfer contact, but the name is locked, the registrar may hold the FOA pending adjustment to the domain name status, during which time the registrant or other registration information may have changed.

7) Item (c). Consensus Ranking 9/19

Whether additional provisions on undoing inappropriate transfers are needed, especially with regard to disputes between a Registrant and Admin Contact. The policy is clear that the Registrant can overrule the AC, but how this is implemented is currently at the discretion of the registrar.

8) Item (d). Consensus Ranking 10/19

Whether additional provisions should be included in the TDRP on how to handle disputes when multiple transfers have occurred.

9) Item (m). Consensus Ranking 10/19

Whether special provisions are needed for change of registrant simultaneous to transfer or within a period after transfer. The policy does not currently deal with change of registrant, which often figures in hijacking cases.

10) Item (n). Consensus Ranking 10/19

Whether existing penalties for policy violations are sufficient or if additional provisions/penalties for specific violations should be added into the policy.

11) Item (r). Consensus Ranking 12/19

Whether registrants should be able to retrieve authInfo codes from third parties other than the registrar.

12) Item (s). Consensus Ranking 12/19

Whether the policy should incorporate provisions for handling “partial bulk transfers” between registrars – that is, transfers involving a number of names but not the entire group of names held by the losing registrar.

13) Item (k). Consensus Ranking 13/19

Whether additional provisions relating to transfer of registrations involving various types of Whois privacy services should be developed as part of the policy.

14) Item (b). Consensus Ranking 13/19

Whether review of registry-level dispute decisions is needed (some complaints exist about inconsistency).

15) Item (i). Consensus Ranking 13/19

Whether requirements should be in place for Registrars of Record to send an FOA, and/or receive the FOA back from Transfer Contact before acknowledging a transfer.

16) Item (a). Consensus Ranking 14/19

Whether dispute options for registrants should be developed and implemented as part of the policy (registrants currently depend on registrars to initiate a dispute on their behalf).

17) Item (l). Consensus Ranking 14/19

Whether additional requirements regarding Whois history should be developed, for change tracking of Whois data and use in resolving disputes.

18) Item (p). Consensus Ranking 16/19

Whether the process could be streamlined by a requirement that registries use IANA IDs for registrars rather than proprietary IDs.

19) Item (f). Consensus Ranking 16/19

Whether requirements or best practices should be put into place for registrars to make information on transfer dispute resolution options available to registrants.

## **Background**

This report was prepared pursuant to the Council resolution passed at the meeting on 20 September 2007

(<http://gns0.icann.org/meetings/minutes-gns0-20sep07.shtml>)

i) Whereas the GNSO Working Group on Inter-registrar Domain Transfers Policy Review (Transfers WG) has completed its work, and;

ii) Whereas, the Transfers WG has provided a series of reports to the GNSO Council for its consideration,

Be it resolved that;

i) The GNSO Council will issue the working group report entitled "Advisory Concerning Inter-Registrar Transfer Policy" for constituency and community review and comment for a period of no less than 14 days, and;

i.a) pursuant to this comment period, all material commentary will be summarized and reviewed by Council

i.b) pursuant to the review by Council that the current, or an amended form of this report be provided to Staff for posting to the ICANN web site as a community advisory.

ii) Pursuant to section 1.b of Annex A of ICANN's Bylaws, that the GNSO Council initiate the formal GNSO Policy Development Process by requesting the creation of an issues report evaluating issues raised by the working group document "Points of Clarification Inter-Registrar Transfer Policy.

(see

<http://gns0.icann.org/drafts/Transfer-Denial-Clarifications-23aug07.pdf>).

iii). That the GNSO Council form a short-term planning group to analyse and prioritize the policy issues raised in the report "Communication to GNSO on Policy Issues Arising from Transfer Review" before the Council further considers a PDP on any of the work discussed in the report.

The short-term planning group was formed with the following participants under the leadership of Ross Rader:

Committee membership was open to all GNSO participants and included the following individuals:

Ross Rader - Registrar constituency  
Thomas Keller - Registrar constituency  
Tim Ruiz - Registrar constituency  
Barbara Steele - Registry constituency  
Ken Stubbs - Registry constituency  
Pamela Miller - Registry constituency  
Christian Curtis - Non-commercial constituency  
Paul McGrady - Intellectual Property constituency  
Stacey King - Intellectual Property constituency  
Mike O'Connor - Business constituency

ICANN Staff support  
Olof Nordling - Manager, Policy Development Coordination  
Karen Lentz - gTLD Registry Liaison  
Glen de Saint Gery - GNSO Secretariat

The Inter-Registrar Transfer policy: Clarification for reasons for denial of a Transfer Request Issues Report can be viewed directly at: <http://gns0.icann.org/issues/transfers/issues-report-transfer-denial-clarifications-19oct07.pdf>

The mailing list for the group is <[gns0-trans-wg@icann.org](mailto:gns0-trans-wg@icann.org)> public archives may be viewed at <http://forum.icann.org/lists/gns0-trans-wg/>

The committee conducted all of its work via an archived mailing list and teleconference.

## **Methodology**

Participants were asked to prioritize the list of issues based on their interests, views and perspectives. The criteria for ranking was left purposely vague in order to allow participants to rank issues based on their view of the general importance of the issue. The rankings were then merged into a single view based on the overall rankings. The individual rankings and merged view are included as Appendix A to this report. The merged view is prioritized based on the Median Ranking of the prioritized issues from each participant. A ranking of 1/19 is the highest possible priority and a ranking 19/19 is the lowest possible prior-

ity. Those issues scoring 8/19 or higher enjoyed the broadest range of support from the participants and can be viewed as the highest priority items in this ranking.

Specific comments on the formulation of the report, process and output were solicited from the participants and are included as Appendix B of this report.

### **General Comments**

Some participants did not feel that all issues deserved the policy attention of the GNSO at this point in time. It was proposed to the committee that this report denote “must develop further” and “may develop further” policy issues. After discussion, the group agreed that it was best to note this issue in the report and leave the question for the Council to determine if and when lower priority issues get addressed.

Some participants felt that further study of these issues were conducted before they were prioritized. After discussion it was generally agreed that it was better to move the work forward based on a prioritized list that had loose agreement than to wait until a more specific list and tighter agreement on the priorities could be formulated.

Some participants disagreed with the methodology used to rank the individual submissions and merge these into a unified view. Suggestions were made to change the process, but after discussion within the committee, it was generally agreed that moving forward with loose agreement was more important than developing and implementing a more precise methodology.

All participants had the opportunity to submit supplemental comments for inclusion in this report. Only one participant chose to do so. These are included as Appendix B of this report.

# Appendix A - Individual Rankings and Merged View

## DRAFT - GNSO IRDX Issues Prioritization Cttee - Consensus Priorities

| Rank    | Participant A | Participant B | Participant C | Participant D | Participant E | Participant F | Participant G | Participant H  | Participant I |                 |                |
|---------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|-----------------|----------------|
| 1       | J             | H             | A             | O             | A             | A             | M             | M              | D             |                 |                |
| 2       | G             | Q             | K             | G             | F             | K             | I             | O              | G             |                 |                |
| 3       | D             | P             | E             | A             | E             | E             | J             | E              | J             |                 |                |
| 4       | k             | J             | L             | C             | D             | L             | G             | F              | O             |                 |                |
| 5       | m             | R             | J             | K             | O             | J             | C             | Q              | P             |                 |                |
| 6       | L             | M             | Q             | D             | C             | O             | H             | G              | S             |                 |                |
| 7       | N             | S             | O             | N             | B             | R             | P             | C              | E             |                 |                |
| 8       | H             | *             | R             | H             | H             | Q             | S             | B              | Q             |                 |                |
| 9       | R             | *             | C             | B             | H             | C             | O             | N              | I             |                 |                |
| 10      | C             | *             | D             | S             | M             | D             | L             | D              | N             |                 |                |
| 11      | Q             | *             | G             | M             | Q             | G             | D             | H              | H             |                 |                |
| 12      | P             | *             | H             | R             | S             | H             | B             | I              | C             |                 |                |
| 13      | I             | *             | M             | I             | K             | M             | E             | J              | B             |                 |                |
| 14      | O             | *             | N             | Q             | L             | N             | A             | A              | R             |                 |                |
| 15      | S             | *             | B             | J             | G             | B             | R             | K              | L             |                 |                |
| 16      | F             | *             | F             | P             | P             | I             | Q             | L              | F             |                 |                |
| 17      | E             | *             | I             | F             | I             | I             | N             | P              | K             |                 |                |
| 18      | B             | *             | S             | E             | R             | S             | F             | R              | M             |                 |                |
| 19      | A             | *             | P             | L             | J             | P             | K             | S              | A             |                 |                |
| Subject | Participant A | Participant B | Participant C | Participant D | Participant E | Participant F | Participant G | Participant H  | Participant I | Average Ranking | Median Ranking |
| J       | 1             | 2             | 5             | 15            | 19            | 5             | 3             | 13             | 3             | 7.3             | 5.0            |
| O       | 14            | 19            | 7             | 1             | 5             | 6             | 9             | 2              | 4             | 7.4             | 6.0            |
| G       | 2             | 19            | 11            | 2             | 15            | 11            | 4             | 6              | 2             | 8.0             | 6.0            |
| E       | 17            | 19            | 3             | 18            | 3             | 3             | 13            | 3              | 7             | 9.6             | 7.0            |
| Q       | 11            | 5             | 6             | 14            | 11            | 8             | 16            | 5              | 8             | 9.3             | 8.0            |
| H       | 8             | 1             | 12            | 8             | 9             | 12            | 6             | 11             | 11            | 8.7             | 9.0            |
| C       | 10            | 19            | 9             | 4             | 6             | 9             | 5             | 7              | 12            | 9.0             | 9.0            |
| D       | 3             | 19            | 10            | 6             | 4             | 10            | 11            | 10             | 1             | 8.2             | 10.0           |
| M       | 5             | 3             | 13            | 11            | 10            | 13            | 1             | 1              | 18            | 8.3             | 10.0           |
| N       | 7             | 19            | 14            | 7             | 8             | 14            | 17            | 9              | 10            | 11.7            | 10.0           |
| R       | 9             | 6             | 8             | 12            | 18            | 7             | 15            | 18             | 14            | 11.9            | 12.0           |
| S       | 15            | 7             | 18            | 10            | 12            | 18            | 8             | 19             | 6             | 12.6            | 12.0           |
| K       | 4             | 19            | 2             | 5             | 13            | 2             | 19            | 15             | 17            | 10.7            | 13.0           |
| B       | 18            | 19            | 15            | 9             | 7             | 15            | 12            | 8              | 13            | 12.9            | 13.0           |
| I       | 13            | 19            | 17            | 13            | 17            | 17            | 2             | 12             | 9             | 13.2            | 13.0           |
| A       | 19            | 19            | 1             | 3             | 1             | 4             | 14            | 14             | 19            | 10.1            | 14.0           |
| L       | 6             | 19            | 4             | 19            | 14            | 4             | 10            | 16             | 15            | 11.9            | 14.0           |
| P       | 12            | 4             | 19            | 16            | 16            | 19            | 7             | 17             | 5             | 12.8            | 16.0           |
| F       | 16            | 19            | 16            | 17            | 2             | 16            | 18            | 4              | 16            | 13.8            | 16.0           |
|         |               |               |               |               |               |               |               | <b>Cut-off</b> |               | 10.4            | 10.0           |

Note: Participant B indicated that elements 8 through 19 were not a priority for policy development. Accordingly, they were each assigned a ranking of 19 for the purposes of calculating the consensus ranking of the group.

## Appendix B - Supplementary Comments

Received from Mike O'Connor, Business Constituency 12/06/2007

"I'd like to put in a plug for Option A getting special consideration.

Option A reads like this -- ""Whether dispute options for registrants should be developed and implemented as part of the policy (registrants currently depend on registrars to initiate a dispute on their behalf)."

I've attached my voting-detail sheet for Option A and would like to make a few observations;

- Opinions were strongly held. People generally ranked Option A very high or very low.

- An arithmetic analysis masked important information. By using a mathematical average, we've described Option A as a mid-to-low priority when in fact what we had was really a strong disagreement.

- An arithmetic "vote" isn't terribly helpful in a consensus process. One of the goals of consensus decision-making is to promote discussion and negotiation which ultimately leads to; a shared view (consensus), a decision to think more about the issue or a decision to declare the group "blocked" and unable to reach a shared decision. Various forms of voting, including this one, run the risk of "tyranny of the majority" and I think that's what has happened in this case.

- The arithmetic gave extra power to abstainers. Person B elected not to rank 2/3rds of the Options, and Ross's math gave all of those abstentions the bottom ranking -- in effect giving that person 12 "extreme low-priority" votes rather than one. This skewed the results pretty dramatically, further clouding the ranking of Option A."

Attachment:

|                   |   | Whether dispute options for registrants should be developed and implemented as part of the policy (registrants currently depend on registrars to initiate a dispute on their behalf). |   |   |   |   |   |   |   |  |
|-------------------|---|---|---|---|---|---|---|---|---|--|
|                   |   | Option A  |   |   |   |   |   |   |   |  |
| Participant       | A | B   | C | D | E | F | G | H | I |  |
| <b>Draft rank</b> |   |   |   |   |   |   |   |   |   |  |
| 1                 | J | H   | A | O | A | A | M | M | D |  |
| 2                 | G | Q   | K | G | F | K | I | O | G |  |
| 3                 | D | P   | E | A | E | E | J | E | J |  |
| 4                 | k | J   | L | C | D | L | G | F | O |  |
| 5                 | m | R   | J | K | O | J | C | Q | P |  |
| 6                 | L | M   | Q | D | C | O | H | G | S |  |
| 7                 | N | S   | O | N | B | R | P | C | E |  |
| 8                 | H | *   | R | H | N | Q | S | B | Q |  |
| 9                 | R | *   | C | B | H | C | O | N | I |  |
| 10                | C | *   | D | S | M | D | L | D | N |  |
| 11                | Q | *   | G | M | Q | G | D | H | H |  |
| 12                | P | *   | H | R | S | H | B | I | C |  |
| 13                | I | *   | M | I | K | M | E | J | B |  |
| 14                | O | *   | N | Q | L | N | A | A | R |  |
| 15                | S | *   | B | J | G | B | R | K | L |  |
| 16                | F | *   | F | P | P | F | Q | L | F |  |
| 17                | E | *   | I | F | I | I | N | P | K |  |
| 18                | B | *   | S | E | R | S | F | R | M |  |
| 19                | A | *   | P | L | J | P | K | S | A |  |