

**Inter-Registrar Transfer Policy Part B PDP
Transcription
Tuesday 05 January 2010 at 15:00 UTC**

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Participants on the Call:

Michele Neylon – RrSG – chair

Chris Chaplow - CBUC

Berry Cobb – CBUC

Anil George – IPC

Kevin Erdman – IPC

Mikey O'Connor - CBUC

Barbara Steele – RySG

James Bladel – RrSG

Michael Collins – Individual

Paul Diaz – RrSG

Staff:

Marika Konings

Glen de Saint Géry

David Giza

Olof Nordling

Gisella Gruber-White

Apologies:

Tim Ruiz - RrSG

Matt Serlin – RrSG

Michele Neylon: Okay. Thank you. Could somebody do a roll call for us please?

Gisella Gruber-White: Absolutely Michele. Good morning, good afternoon, good evening to everyone. Happy New Year to everyone on our first IRTP call of the year, Tuesday the 5th of January.

On today's call we have Michele Neylon, Mike O'Connor, Barbara Steele, Kevin Erdman, Michael Collins, James Bladel, Berry Cobb, Chris Chaplow. From staff we have David Giza, Olof Nordling, Marika Konings and myself Gisella Gruber-White. Anil George will be a few minutes late. No apologies. And if I could just remind everyone to state their name before speaking. Thank you very much.

Michele Neylon: Thank you. So good afternoon everybody. Good morning for those of you who are far, far, far away over that side. I don't think there's anybody in the evening time zone is there? Unless - or is somebody going to correct me now and make me like an idiot? Did you all get the agenda for today's meeting?

Man: Yeah.

Michele Neylon: Okay. Anybody not get the agenda? No. Okay, fine. Right. So gosh where are we? Okay, so the ICANN Compliance Team - do we have anybody from ICANN Compliance on the call?

David Giza: We do. It's Dave Giza here.

Michele Neylon: David, have you had three or four coffees already or not?

David Giza: I'm actually starting my first coffee right now. But I think I'll be awake enough to get through this morning's meeting here.

Michele Neylon: So it must be what, about 4 o'clock in the morning your time or something silly.

David Giza: No. Actually it's not that bad. It's 7 a.m. here in LA.

Michele Neylon: Oh, okay, then forget it. I'm not - you're not going to get any sympathy from me.

David Giza: I usually never do.

Michele Neylon: Very true. If anybody doesn't - if nobody has any other business they want to deal with I think we'll pass over to David for an update from Compliance.

David Giza: Thank you. Yeah, this is Dave Giza from ICANN's Compliance Group and what I wanted to do this morning here in LA is give you a brief update on the research work that we're doing in response to the request that we received from the working group.

And you may recall from the last call I mentioned that our team was going to essentially investigate and review five months worth of consumer complaint data starting with July of 2009 through November of 2009. And our team has reviewed four of the five months and they're actually finishing the fifth month this week. And so on our next call I'll have the - our final findings and report.

But what I can share with you today is some preliminary observations and some preliminary findings, you know, as we've examined, you know, four months worth of complaint data. And I think you'll find some of this information interesting.

The way that we're analyzing the data, we're building unfortunately an Excel spreadsheet, that's the tool we have to use at the moment, and we're capturing the name of the registrar. We're capturing the name of the person who filed the complaint.

We're also identifying the complaint ticket number, the date we receive the complaint, the date that the registrar received the complaint, the date that the registrar responded and then as you move across this Excel spreadsheet we're listing the various categories concerning the nature of the complaint.

And what we've found so far is that there are essentially five categories that seem to be reoccurring. The first category is failure to provide an

authorization code. The second category is that the registrant just simply doesn't understand the transfer process. The third category is a wrongful denial of transfer by the registrar. The fourth category is failure to unlock the domain by the registrar. And the fifth category are let's say a collection of reseller issues that impact the transfer process.

And based on four months worth of analysis it looks like our top three categories at the moment and I'll give them to you in order is first there's about 25% of the complaints falling into the failure to provide the authorization info code. The second category about 24% is reseller-related issues. And our third category at the moment is the failure to unlock domain which is right around 15% to 16% of the complaints.

So between those three categories, you know, we're starting to see a pattern emerge here. It's interesting that right now only about 10% of registrants tell us that they don't really understand the transfer process. And only about - I'd say about 4% right now tell us that they've experienced a wrongful denial of transfer by the registrar.

And then as you move past those five categories then you start to trail out into some smaller categories that we're collecting data on but again, you know, I don't have anything final to tell you other than those categories represent, you know, WHOIS issues, some privacy proxy issues, domain has been hijacked or stolen and then there are some ownership issues as well. And so in those instances the percentages right now are all in the single digits.

So by the time we gather again for our next call we'll have our analysis completed on November and that will represent essentially five months worth of current data and I don't suspect that this pattern will change much quite frankly. And so hopefully from this data and from the Excel spreadsheet that I send to you, you know, prior to the next meeting, that will help the working group determine specifically how to address these top three, you know,

potentially top five categories of complaints for purposes of making some policy recommendations going forward.

Michele Neylon: David...

David Giza: Yes.

Michele Neylon: ...just one question which Berry just put on the chat there. What volume as in terms of how many complaints are you looking at? I mean are we talking about 100 complaints, 1000 complaints, 10,000 complaints?

David Giza: Sure. For the entire five-month period we're looking at 1330 complaints. And so we're averaging somewhere between 200 to 250 complaints per month.

Michele Neylon: Okay. Thank you. What's the other question? So just to summarize, the top three you had in no particular order were getting EPP keys, getting domains unlocked and issues related in some respect to resellers.

David Giza: Correct. And actually the particular order Michele is getting the EPP code seems to be the Number 1 complaint. Resellers appear to be the Number 2 complaint and failure to unlock the domain is the third highest number of complaints.

Michele Neylon: Okay. And another - just one other question just to satisfy my own personal curiosity. Are you seeing a spread across registrars or are you seeing some registrars reoccurring constantly? I mean it like a kind of spread across all or just focused on one or two?

David Giza: You know, it's interesting, it really is a spread across registrars. Obviously some of the larger registrars have, you know, more complaints by volume. But when you look across, you know, the 1330 data files, it really is a spread across large, medium and small registrars globally.

((Crosstalk))

Michele Neylon: Michael Collins has a question.

Michael Collins: Yes, David, without a detailed analysis can you elaborate a little bit on the kinds of issues are involved with reseller? What kind of problems are identified as just reseller problems?

David Giza: I can tell you, you know, from our early analysis it looks like it's largely a communication problem that the registrant is having with the reseller as the reseller attempts to facilitate the transfer request, you know, in connection with providing service to the reseller's customers. So I think at least at the early outset here it looks like it's mostly a variety of communication challenges or problems.

I also think that it's interesting when you look at the EPP issues here, you know, it seems like it's more a question of not following the process. And so I do think that there are - there's some level of confusion around how the two particular forms are supposed to be used, who's responsible to actually secure the information in the form that's required...

Michele Neylon: Which particular forms are you referring to? Sorry.

David Giza: Yep. Okay. Just to - let me go back here. I'll pull up my notes.

Michele Neylon: Sorry. It's just it's probably beautifully clear to you but for some people on the call it may not be clear exactly what you are talking about.

David Giza: Yeah. There's a particular form that the gaining registrar has to submit to essentially the losing registrar in the transfer process. And then there's another form that the Registrar of Record or, you know, the losing registrar can submit to the - to its customer for purposes of confirming the information surrounding the transfer request.

And it does appear that at times there is some confusion about how those forms are supposed to be used in the process. Even though the policy attempts to clearly state, you know, who's responsible to initiate the use of the forms, it doesn't appear that those forms are always used, you know, consistent with the requirements stated in the policy.

So that could be simply just an information, an education issue that, you know, registrars may need to address either with their employees or may need to address with their customers, you know, as we move forward with our work here.

Michele Neylon: So that's an issue on the registrar side is what you're saying?

David Giza: Correct.

Michele Neylon: Okay, fine. Now just taking questions in order which they (seem to be appearing). Chris and then Mikey and just acting as voice for Berry, Berry you just wanted a confirmation that all these complaints were coming by the InterNIC channel Web site form thing.

David Giza: Correct.

Michele Neylon: Is that correct David?

David Giza: That's correct.

Michele Neylon: Okay. Chris and then Mikey.

Chris Chaplow: Right. Thank you. Chris speaking here. This is very interesting indeed and it falls very much within the sort of experiences that we have now. We're obviously in the world of small businesses. We do Web site design for various clients.

And a very typical scenario for us we're not really talking about hijacking but it's quite clearly when a client says, "I want to move my domain or move my hosting to another supplier. My Web designer will contact you." And then the Web designer doesn't or eventually the Web designer does (unintelligible) provide a key and then nothing happens and then we provide a key again and nothing happens and everybody goes around in circles. And then the client, the actual registrant, will come back and say, "Why has nothing happened?"

And I think really it's all down to education and people putting a little bit of effort to follow the procedures. Thank you.

Michele Neylon: Okay, thanks. Mikey.

Mikey O'Connor: Thanks Michele. This is Mikey. David, two questions for you. The first question is do you see any trending in the data? Is one of these increasing and others decreasing over time? Or is it too short a period to be able to draw anything on that? And then I've got another question for you after that.

David Giza: Sure. I think five months is probably too short a period, Mikey, to answer that question correctly. I think after we do some additional work beyond these first five months, you know, I may be able to give you better clarity around trends. But again just from looking at four months of the data and now going into the fifth month, you know, it does seem that the level of complaints are continuing to increase but not at a dramatic level.

And again it seems that the number of complaints as they increase seem to, again, they just seem to fall into these three categories more often than not. And that leads me to believe that, you know, we need to focus in those three particular areas and determine what can be done through the policy process to improve communication, education and ultimately improve, you know, and

maybe find a way to sort of maybe fast track the process for the benefit of registrants.

Mikey O'Connor: Okay. Thanks David. Now the second question is about forms and your use of that term. I'm assuming, and Michele and James and others can probably jump in and clarify this, that these forms are electronic, yes? Or are these actual paper forms?

Michele Neylon: They can be electronic; they can be paper.

David Giza: That's correct.

Michele Neylon: The policy refers to - that he's referring to is the - oh what the hell do they call it? The FOA or whatever the hell it's called.

David Giza: That's right, FOA.

Michele Neylon: Sorry. Acronym hell. Sorry. I'm out of practice with all these acronyms. I was talking to normal human beings over Christmas, people who use full sentences and what have you.

Mikey O'Connor: Oh, pick, pick, pick. Some people are just never satisfied.

Michele Neylon: I know. Most people will be using electronic but they can be hard copy, they can be faxes.

Mikey O'Connor: Okay. So then I've got a follow-up thought which is that in a way maybe what we're looking at to a certain extent is a scaling problem not unlike what we're looking at at the zone file level where as the number of registrars increases...

Michele Neylon: Why would that be a scaling problem?

Mikey O'Connor: Well because if the forms are - is there are clearinghouse for forms where a registrar goes to a single place with the FOA?

Michele Neylon: The forms are standard. The forms are standard. They're not - we cannot edit any of the text in them.

Mikey O'Connor: Right. But...

Michele Neylon: They have to follow the...

Mikey O'Connor: ...where do they reside? Where do they reside? Are they in a central repository or are they pairwise? Because if they're pairwise, then this is a scaling problem. So in other words if there's a registrar-to-registrar pairwise relationship here, then the number of registrars increases and the number of pairs thus increases as the total number of registrars expands, the number of pairwise relationships expands geometrically and that's a scaling problem. So I'm just curious about the process. I just don't know anything about it.

Michele Neylon: Would one of my fellow registrars like to jump in?

Mikey O'Connor: No, they don't like you.

Michele Neylon: They obviously hate me. Thanks guys.

James Bladel: This is James. I'll jump on that hand grenade.

Michele Neylon: Thank you James.

James Bladel: No, it's - I think I get what you're saying Mikey in that the exchange of forms is not going from a registrar to a central clearinghouse to the other affected registrar. It is in fact a registrar-to-registrar link. However I don't think that that's a scaling process or a problem so long as each registrar is, you know,

abiding by the policy and has a system and procedures to both generate and accept those different types of authorization.

The problem we get into and we're having this now with a couple of different smaller registrars is when, you know, there's either a some sort of a breakdown in that chain of information where we cannot, in the thin registry particularly, we cannot locate any of the WHOIS information for a customer who's trying to move a name. And so that becomes an issue.

Of course the policy takes into account the idea that the losing registrar doesn't respond at all and in most cases I think that after the five days that just moves over. But I think that the problem we're seeing right now is just this breakdown in that chain of information.

And as long as everyone complies with the policy I think it works and it's not really a scaling process. But I understand your concern that there is no centralized clearinghouse of this information and I'll let (Paul) and Michele jump in with their experience as well.

Michele Neylon: (Paul).

(Paul): Okay. Thanks Michele, James. Fully concur with everything James said. It's not an issue of scale but definitely concur with the problem we have registrars who for whatever reason or not publishing the WHOIS information, trying to run them down to contact them to assist the customer with their transfer. That's a problem. That is an issue, a real world one.

Ultimately it's an ICANN Compliance enforcement issue in my view and we do take it up with them when we run into these problematic registrars. But the overall process is not a scaling concern.

Mikey O'Connor: Is - this is Mikey again. Is the process largely done by email?

(Paul): Yes.

Mikey O'Connor: Are the forms largely email forms?

Michele Neylon: It's email and EPP, which EPP may not be email, it could be over (http).

Mikey O'Connor: Yeah.

((Crosstalk))

(Paul): But electronic...

((Crosstalk))

Michele Neylon: Electronic, it's electronic, yes.

Mikey O'Connor: Okay.

Michele Neylon: Which (protocols) is a different matter.

Mikey O'Connor: And they're largely standardized forms so they can be automated and that good stuff, so we're not dealing with that issue, correct?

Michele Neylon: They're standardized unless of course they're not compliant with the policies.

David Giza: Which I think we're going to find evidence of as we do more research here. But I can tell you from the audit work we've done and from the audit work that we're actually planning to do next year in connection with our first IRTP audit, we anticipate we're going to find an interesting level of noncompliance among, you know, certain registrars again who simply haven't made the capital investment necessary either in the systems, technology or people in order to have the processes in place to facilitate a smooth, quick and efficient transfer of domain names.

Michele Neylon: I put myself in the queue so I'm going to actually abuse that slightly now if you don't mind. Just echoing what both James and (Paul) have been saying. At the moment due to the kind of thing that we're doing, we're dealing with a lot of inbound transfers as opposed to outbound transfers. And the biggest problem we've had has been in relation to WHOIS format because the format that the WHOIS is published in varies considerably between registrars.

And while you can probably code your software to deal with the biggest registrars, it becomes more problematic when you're dealing with smaller ones because you wouldn't be dealing with them as often as anything else.

So I'm going to make a horrible - ask a horrible, horrible question of ICANN Compliance. Does ICANN Compliance plan at any point to offer some kind of guidance on best practice for WHOIS format to registrars?

David Giza: We haven't planned an advisory in that respect but you're not the first person to ask the question and so I do think that there's merit in ICANN taking some position around a WHOIS format that from our collective experience, you know, suggests is more useful and more appropriate and quite frankly, you know, just a better way to organize that data.

And so I've asked several folks inside of our organization to look into that and comment on what they think would be the, you know, sort of the best demonstrated example of an organization that has a particularly strong and useful, you know, organization around WHOIS records.

And I'll have that information for you on the next call Michele so that you can share that with the group and then determine at that point, you know, what the working group wants to do with respect to perhaps a policy guideline or initiative in that area.

Michele Neylon: Okay. Thank you. James, do you want to jump back in again?

James Bladel: Yeah, just quickly wanted to point out that this is just one of the operational challenges that we encounter with thin registries that we were discussing in IRTPA. WHOIS formatting is probably a non-issue in thick registries...

Michele Neylon: I'd agree.

James Bladel: ...and neither is chasing down the necessary WHOIS information from the losing or the Registrar of Records. And, you know, I know there's a couple of initiatives going around right now and I think one of them is going to be - is it called the high-security option or what is the name of the week for that initiative?

((Crosstalk))

Man: Security TLD advisory.

Michele Neylon: Yeah.

James Bladel: Yeah. And I think that has some guidance in there as well and I think that, you know, while that has questionable merit from a security perspective it certainly comes into play in an operational context.

Michele Neylon: Okay. I've got myself in the queue because I have a couple of other questions for our friend from ICANN Compliance. I mean it's great we're getting some of this information back from Compliance and I think your team should be commended for doing this.

The question I would have is do you plan to start tracking and categorizing the complaints moving forward? In other words, so that say in 6 months or 12 months time if another working group had a query about complaints that you wouldn't have to go off and kind of, you know, hurt small animals to get the data, that you'd actually be doing it on a day-to-day basis.

David Giza: We're definitely going to continue collecting and analyzing the data month after month here with regard to IRTP issues. But as far as other consumer complaint issues are concerned we really need to build or to purchase an automation tool that would allow us to segregate the data quickly and do the kind of analysis on the data that unfortunately we've had to do here manually, you know, essentially using an Excel spreadsheet and two employees to go through over 1000 records, read those records and then capture the relevant information from those records in the spreadsheet that's almost completed.

So there is a plan here and it is a two-step plan. You know, continue to work with IRTP and then, you know, put in a budget request for the coming fiscal year to make or buy the software we need to automate this process.

Michele Neylon: Okay. Another question I had is okay based on some of the data that you have got with regards to issues that you perceive as lying with the registrars, how does compliance intend to communicate that to the registrars?

David Giza: Well I think what we were hoping to do was to either use the particular working group channel that, you know, we're all currently involved in as one communication tool.

Secondly we are developing our audit plan right now for the fiscal year 2011 IRTP audit and so we're going to be sharing that information with registrars and with the general public in Nairobi because we will have a draft document that will be out for circulation and comment.

And then finally I think we'll reach out and determine if there's a small subset of registrars that might be interested in working together either on an advisory or working together on some sort of best practices set of guidelines that could be useful to not just registrars but more importantly I think useful to registrants going forward.

Michele Neylon: Okay. And I think I had one other question. Now this is something that's simply because it's just to satisfy my own curiosity because I'm not sure of the answer. At the moment when you receive a complaint, how anonymous is the complaint?

David Giza: You know, it's interesting. Most people do give us enough information to identify them. So although there is a percentage of folks who just simply don't disclose their identity when they file a complaint but I'd say in 80% of the cases we're, you know, we've got information on the complainant and that information is held in confidence by ICANN.

Michele Neylon: Okay. Thank you. Anybody else have any questions?

(Paul): Michele, it's (Paul). Can I just ask a quick one?

Michele Neylon: Sure.

(Paul): Quick question David, when you said you will be doing the IRTP audit I didn't catch, is that in this calendar year or is that planned for next year?

David Giza: ICANN fiscal year...

((Crosstalk))

(Paul): I know that's why I'm asking is it this calendar year or next year?

David Giza: It will be this calendar year but it will be the latter part of this calendar year.

(Paul): Okay.

David Giza: Sometime between July and December.

(Paul): Perfect. Thank you.

Michele Neylon: Chris has his hand up.

Chris Chaplow: Yeah, Chris here. I'm just thinking about this largest category, failure to provide the authorization code. Are we talking here then about the registrar failing to provide the authorization code? Or are we talking about when the domain's being transferred from one party to another, the selling or losing registrant is not providing the code? Does that question make sense?

David Giza: I think it does. I mean I'd like to hear some of the experiences that James and Michele and others have had but I think the, you know, again the system is designed to operate in an automated fashion and so if - when the system is working correctly between two registrars, that information should be provided seamlessly, you know, through an electronic exchange of emails.

But again, James, in your experience where have you seen more of the breakdowns in terms of not getting the EPP code?

James Bladel: This is James. If I'm understanding the question correctly, it's where are the failures to provide the authorization code. I think most commonly it is that the Registrar of Record either through their interface or their domain management Web site that they provide to their registrants doesn't offer that feature or has several delays or it's not clear to the user how to request or retrieve the authorization code and when that request is finally made, you know, the authorization code is delivered via email and that email never comes.

So I'm trying with one sentence trying to draw a lasso around all of the possible scenarios there but I think that's the most common one is getting the (auth) info code from the Registrar of Records.

Michele Neylon: Okay. Just from our experience it would be pretty similar but getting the - in some cases getting an EPP code is the problem, in other cases getting a

correct EPP code is the problem. (Because) I've given EPP code but it's not the right one. Michael Collins has his hand up.

Michael Collins: It's amusing. It seems to be the problem I'm having exactly myself. I'm in the process of trying to transfer a domain name from registrars that are apparently cooperating but the EPP code that I am inputting keeps getting denied. And I think maybe it's a copy and paste problem, maybe it's picking up characters I can't see. I don't know. But there is a problem somewhere.

Michele Neylon: Well the current registrar can generate a new EPP code.

Michael Collins: Yeah, they are and they send it to me and I copy and paste it into the form at the gaining registrar and I keep getting a failure notice due to improper code.

Michele Neylon: Well that's because you're obviously not dealing with (Black Mat), GoDaddy or Network Solutions. That's the problem.

Man: There you go.

Michael Collins: I won't comment.

((Crosstalk))

Michael Collins: One of the parties is GoDaddy but we'll see. Okay.

Man: Uh-oh.

Michele Neylon: Anybody else? Any other comments? Berry's made a comment on the chat just mentioning that it's a bit of a - well, how can I rephrase this? It's a sticker to registrants that they've already paid for the transfer after gaining registrar, just as a comment. Okay. Michael do you still have your hand up or is that from before?

Michael Collins: Oh, that's from before. Sorry.

Michele Neylon: Okay. Any other queries or questions for David as we have him and he can't run away? Well he can try. No? Okay, thank you David.

David Giza: You're welcome.

Michele Neylon: So David...

((Crosstalk))

Man: Michele, sorry, just one...

Michele Neylon: Yep, real quick.

Man: ...quick question. Should we continue to direct these types of should we say challenges to ICANN Compliance, David, when we encounter them or...

David Giza: You should. You should. You should use the actual complaint processes that we've set up, you know, email Compliance directly at our Compliance email box and then you can always contact me directly if you haven't received a response of it's time sensitive and it needs immediate action, you can contact me or any member of our team and we'll certainly get on that right away.

But I think it is appropriate to make sure that you're continuing to bring that information to our attention so that when we're ready to launch this audit in the next fiscal year that we'll be in the best position possible to do so in a meaningful and constructive way that will really add some value here for the registrar/stakeholder community as well as, you know, as others.

Michele Neylon: Just one question David on that with regards to registrars reporting to you. Do you differentiate between reports from accredited registrars from those from the public?

David Giza: We do have a way to separate that in our, you know, intake complaint system. But basically we generally treat every complaint the same. And so again if there's a sense of urgency around a particular complaint, then that needs to be pointed out to us in the - when the complaint is filed. And if for some reason you haven't received a response from ICANN, you know, feel free to go beyond the standard complaint process and reach out to the compliance team.

Michele Neylon: Okay. All right. Thank you. Any other questions for David? No? Okay then. Now I believe we have here the - oh, yes, the public comment period and analysis grid. Marika I think was dealing with those.

Marika Konings: Yes. This is Marika. So what you see on the screen is an updated version of the public comment review and grid which basically includes the notes from our previous calls and we basically left off on page 3 almost at the bottom. So I would propose that we just continue there. Do you agree?

Michele Neylon: Perfect. Yep.

Marika Konings: So this comment basically states, it's a proposal for inclusion of specific language in Chapter 3 of the IRTP and to ensure that the domain is unlocked within five days following a request by a registrant. And it is in relation to Issue D whether standards or best practices should be implemented regarding use of registrar lock status.

Michele Neylon: Okay. Any queries/questions anybody? No, okay. Please continue.

Marika Konings: Well I guess a question would be there, is it something that people would think would be worth considering or not at all? Or do people want to think about it?

Barbara Steele: Hi. This is Barbara. From my perspective I know that there are a lot of parameters as far as timing of when various pieces of information should be provided and so from this perspective I don't think it would hurt to put a parameter of what the expected turnaround time would be for unlocking a domain name. I mean I know there's language that says, you know, that it should be done within reason and that type of thing but I think that to have a timing parameter I think it would only help to set expectations.

Mikey O'Connor: This is Mikey. That's exactly what I was going to say as well. So I support that.

Michele Neylon: I thought there was something about a certain number of days in the existing policy or am I misremembering things?

Mikey O'Connor: It's not specific.

Michele Neylon: It says failure by the Registrar of Records to respond within five calendar days - oh, that's for registry. David.

David Giza: No I think it's the - at the moment I think the response is required within a reasonable period of time. But what's reasonable differs among people and to Barbara's point, it varies under the circumstances. So if you want clarity on that point I would agree, set a fixed amount of time in which you expect the activity to occur and then if it doesn't there ought to be a consequence for failure to unlock the domain.

Michele Neylon: Okay. I think that (should've) realized what I was referring to. Okay. This is - yeah, this is a bit of a non - it doesn't make much sense. The current policy specifically states that the registrar must provide the EPP code within five days but the domain could still be locked if you were to interpret the policy loosely as it were.

David Giza: Correct.

Michele Neylon: Okay. Fair enough. Does anybody have an issue with the concept of adding some language into the policy about ensuring that that domain is unlocked as well within the five-day period? Barbara likes the idea. Obviously, she just - she adores it. Okay, (Paul), go ahead.

(Paul): Yeah, just a question for the group or something to point out. We've been working with clients trying to help them with the transfer-in request have been told that some registrars have an automated means to relock a name. In other words a registrant can unlock a name, prepare for the transfer but if it's not executed in a very tight window the losing registrar's software automatically relocks the name.

So we might want to consider that situation because it's not extremely uncommon in fact. And you know, if you're talking about a five-day period I think that in the cases that we've tried to help customers through, five days is probably more than enough time for those losing registrars' software to automatically relock the name.

So by the time the customer comes back to execute the transfer the name's back in lock and it fails and causes a lot of frustration and all the rest. So I'm not sure exactly what the solution is here but we do have a situation that exists in the marketplace and it's not an outlier case. There are - this happens fairly, fairly frequently.

Michele Neylon: James.

James Bladel: Yeah, I just wanted to echo a lot of what (Paul) said about the automatic locking and unlocking. First that the, you know, I think on the surface the response would be that the registrar locks and unlocks a name only upon explicit instructions of the registrant but then we really should take a look at what that means from a security perspective. It would certainly make

transfers more convenient but it also makes domains much more vulnerable to hijacking and other bad things.

So I think that it is reasonable to expect that domains - when a registrant submits and unlocks a (unintelligible) that the domain will - that that will happen in a reasonable amount of time and that the domain will remain unlocked for I would say a reasonable amount of time.

You know, it's difficult to (pin) down on specific dates but I think that we need to be mindful again that when a domain is in an unlocked state it's somewhat fair game for bad actors and so there's a reason for wanting those locked as well.

Michele Neylon: Just before I take - I'll throw my thing in because we've kind of turned around to the registrars. I mean the way we have it set up is that by default all the domains are locked for security reasons because if we left them open I'd hate to think what would happen. So I'd agree with what James is saying about the security aspect, just leaving them randomly open and unlocked all the time probably wouldn't be such a good idea. Mikey, you were next.

Mikey O'Connor: This is Mikey and I would agree with what all three of you are saying. I think that in a way what we're up against here is a time interval that reflects an ancient era. You know, back in the old days when we did these things by email and humans looked at them and that in fact what we want to do is - I would agree that we should specify what a reasonable amount of time is both for the time to unlock and also the amount of time, perhaps the minimum amount of time that the domain remains unlocked.

But I'm not sure that five days is correct. I mean that's part of the reason I was asking all that operational stuff because, you know, if everybody was using an automated system then these intervals should be more on the order of hours rather than days. And so maybe...

Michele Neylon: Just - Mikey, just there's one problem with that.

Mikey O'Connor: Yeah.

Michele Neylon: If I unlock a domain now - sorry, if I request the unlock of a domain from regis- which is with Registrar B, doesn't matter who the registrar is, and if their system (unintelligible) and doesn't - and unlocks let's say for argument sake within half an hour the domain is unlocked, there might not be (unintelligible), okay.

And if it then automatically relocks within say a couple of hours, then I've got a very short window of time to get the domain order - the domain transfer order into the new system and for the new registrar to send that request through.

Mikey O'Connor: Yeah.

Michele Neylon: Because bear in mind that their system might (a queuing), et cetera, et cetera, et cetera.

Mikey O'Connor: Yep.

Michele Neylon: So just bear that in mind.

Mikey O'Connor: No, I get that. That's part of the reason why I'm always intrigued with clearinghouses because one way to avoid a lot of these troubles is by rather than all of these pairwise relationships with different systems between different registrars, have every registrar pointing at a single system once and letting the clearinghouse handle some of the timing issues.

And so I think that we're all in agreement that a minimum time should be specified for taking some of the reasonable length of time language out of the policy and inserting specific intervals. But I think there's actually quite a

(tasty) analysis to be done around how to really accomplish that from an operational standpoint. That's probably almost another PDP when you get down to it.

Because you know, stepping back from this conversation and listening to it, this is quite a clunky system that we've got going here to transfer what are now quite important domains for people. But, you know, it's just like it needs to be redesigned. That's all. It looks like a system redesign kind of project.

Michele Neylon: Chris.

Chris Chaplow: Yeah, you know, thinking about it, what (Paul)'s saying is probably right. The problem is probably more the relocking of the domain than the delay in unlocking for the first time and probably because of these difficulties the original drafters of the IRTP probably went away from putting time (unintelligible) and (unintelligible) reasonable and I suppose that's a little bit of a copout in it really.

But now that things have moved on and time has elapsed and we all could know really what's happening I think we probably should address this and put some suggestions in for times both to unlock and to lock again.

Michele Neylon: James.

James Bladel: I just had a quick question relative to the history behind the lock and unlock function. Certainly it seems like it's available as a deterrent to domains going someplace where they're not supposed to but it seems like it's not completely within control of the registrant and I mean the registrar lock and unlock as opposed to the registry lock and unlock.

If it's not completely in control for the registrar and things are happening without their explicit instruction, then I'm trying to understand exactly what the

purpose of this function is then as it differs from other types of lock that the registrar can put at the registry.

So maybe some of the folks who've been around for the older development of the transfer process can help me understand that. Or is it obsolete? Do we need to call it something else and change the way it operates? Or are we really talking about a transfer active campaign where - feature where we can set something to be transfer active that expires within a certain period of time? Or what's the purpose of the lock now?

Michele Neylon: Chris, you have your hand up. Okay. Barbara, would you like to make any comment about this?

Barbara Steele: I really don't have anything to add to it. Sorry.

Michele Neylon: Okay. Is there anybody...

James Bladel: And Michele, sorry this is...

Michele Neylon: Yep.

James Bladel: ...James. I wanted to draw distinction between the type of locks that occur at the registry and versus the type of lock that registrars put on themselves.

Michele Neylon: Okay. Mikey.

Mikey O'Connor: This is Mikey. I think that James is right on the button with that question. I think that sometimes what happens is systems and processes are in need of change and the kind of question that James is asking is exactly the right one.

You know, why is this process here? What function does it fulfill? And asking that question with an eye towards the possibility that technology and circumstances has changed in the intervening what probably was seven or

eight years at least can lead to a very productive discussion about how to improve the process overall.

So the fact that we can't answer that question with the folks on the call I think should not be construed to mean that it's not an interesting questions. I think it's probably one of the most interesting questions that we can raise going forward.

Michele Neylon: So does anybody have any recollections as to how this all happened? I'll take the deathly silence as a no. Okay. Marika or David...

Marika Konings: Yes.

Michele Neylon: ...since you work for ICANN and probably can find these things out for those of us who don't, would it be possible to find out some more about how these processes came into being in the first place for us as in what the thinking was behind them?

Marika Konings: I'll do my best.

Michele Neylon: I mean does...

((Crosstalk))

Marika Konings: Is it specifically related to the locking of domains?

Michele Neylon: Yeah, it's to do if you were listening to what both James and Mikey were asking about. James might be able to clarify. James.

James Bladel: Yes and I can help with that if you want to contact me after the call. But basically the question is what was this feature or this function attempting to mitigate and is it still valid or is being used in a way that wasn't originally intended and we need to clarify the new uses of the lock feature.

Mikey O'Connor: This is Mikey and I'll help with that too Marika.

Marika Konings: Okay.

David Giza: Marika, this is Dave. You and I may want to reach out to Dan Halloran who is a pretty good source of historical information as one, you know, one contact person inside of ICANN who can help with this.

Marika Konings: Right. I'll do so.

Michele Neylon: I mean it would be interesting to see where these things came from rather than just kind of going, "Oh, that's the way it's been for years" type of thing. Okay.

Marika Konings: And this is Marika, it might be worth as well in checking with some of the people that were involved in writing this initial policy. I can look back as well at the working group member list.

((Crosstalk))

Michele Neylon: Exactly.

Marika Konings: ...that are still involved. For example maybe (Tim) was involved at the time as well in that discussion so maybe he has some recollection as well of how that came into being.

Michele Neylon: Mikey.

Mikey O'Connor: This is Mikey. As long as we're on the "take a look into the past and perhaps revise for the future" discussion, I thought I'd throw another grenade out there and that is how's about we have a similar conversation about thin registries?

Since a lot of this trouble is due to the fact that the largest registry is thin and if we could get it converted to thick we could have a lot smoother processes going on. I don't know if you want to take that one on or not but that's sort of the elephant that's been in the room for me for quite awhile.

Michele Neylon: I've got a link about elephants in rooms that I'll share with you later Mikey. Does anybody have any comments on that?

Mikey O'Connor: Cowards. You're all cowards.

James Bladel: Yeah I think - this is James. And just what we said before, it is an operational challenge to get some of the other of our colleagues in the registrar community to cough up the information that we need that is - in a thick registry would be sent to us in milliseconds. So I'll just leave it at that.

Michele Neylon: And I'll echo James. I mean and because I'm young and naïve I'll go so far as to say I'd (love it) but that's just me personally. And I now expect to receive death threats by email from some registrars.

Mikey O'Connor: Is it really regis - this is Mikey again, sorry. But is it really registrars that are cranky or is it simply the operational hassle of converting the registry? Barbara, where's your gang at on this? Would they be willing to even consider a PDP and take a look at switching .com and .net over to thick registries?

Barbara Steele: Well I know this conversation has been had on several fronts and, you know, from our perspective we obviously have always been a thin registry and a lot of that goes back to the history of when we were both the registry and the registrar and people did not want us to have the registrant data. At this point I can say that there are not plans to convert com and/or net to a thick registry.

Mikey O'Connor: But again - this is Mikey again. Again, that's one of those assumptions that's changed sort of situations where now that you're not the registry and registrar

the issue is moot. And, you know, I can understand how you wouldn't want to take that on as a charitable act all on your own without consensus across the whole community but would there at least be a willingness to discuss it certainly not in this PDP but in some form because maybe what we could do is recommend the launch of that conversation and then let the orderly stately process unfold? Or will...

Barbara Steele: This is...

Mikey O'Connor: ...you guys just throw your bodies on the tracks and say, "Hey, absolutely no way"?

Barbara Steele: Yeah. Obviously I can't say what people would do here because that's kind of out of my bailiwicks but I can obviously talk to the engineering team, the business team to see if I can, you know, get a formal position on where we would be with that.

Mikey O'Connor: I think it's useful - this is Mikey again. I think it's useful to have that conversation informally before we get too formal partly because we could avoid a train wreck but partly because maybe there's an opportunity here for everybody if we could figure out a way to get that conversation started in a positive light.

Michele Neylon: Olof.

Olof Nordling: Oh, just for the record (there unless you) well I guess all of you know that for the (new detail v) applicant guidebook there was a recent inclusion in that one in Version 3 to have compulsory takeaways for new gTLD registries. So well on popular demand one could say (unintelligible) assistance from quite a few communities that we should have it like that. So well (just as amendment of).

Michele Neylon: Okay. Anil George.

Anil George: Hello. I wanted to commend Mikey because I think the thick registry issue seems to be something that's worth discussing as a practical way of addressing this hijacking issue. And I think if there is a feeling among the registrars about why that shouldn't be one possible course of action, I think it would be helpful to have more specific information about why that would be burdensome from an operational standpoint to overcome, you know, an issue that's as important as hijacking.

Barbara Steele: This is Barbara. Could I interject here just really quick? I know that in some of the previous conversations that we've had there's been concern over the availability of admin contact information and registrant contact information and admin contact information and the fact that the largest registry does tend to be a thin registry, that information is not publicly available, at least the registrant information, which I know in the previous conversations we've had could very well assist in preventing hijackings because the information is not so readily available. And would we see more hijackings if that information were available publicly?

Michele Neylon: James.

James Bladel: Yeah, real quickly I just wanted to point out that a lot of the challenges that we encounter with thin registries can be addressed if we have compliance with - uniform compliance with the IRTF and, you know, a rapid intervention on the part of ICANN when we discover that a registrar is not compliant. So I think that, you know, that it is a bump in the road but it's not necessarily a roadblock. We've learned to work with the thin registries.

Michele Neylon: Just my two cents on the two thin registries. If the WHOIS was standardly - formatted in a standard manner across all registrars, in other words we wouldn't have as much problems with transfers, then if, you know, the thin registry issue wouldn't be as much of an issue. But the other thing as well is -

unless I misunderstood things, isn't the provider of .com and .net under a contract with ICANN?

Barbara Steele: Yes.

Michele Neylon: And that contract is not forever and ever and ever.

David Giza: Well in - this is Dave. Yes, in a manner of speaking that's true but the contract is up for review and renewal, that's correct.

Michele Neylon: No, I mean the thing is that if ICANN feels -- and I'm sorry Barbara, please don't take this personally -- if ICANN feels that the registries should all be using the same model, is it possible for ICANN to mandate that that be included in a revision to the contract?

David Giza: Yeah, this is Dave. It's a very interesting thought and I think it's an interesting question to explore in terms of, you know, ICANN's policy setting in that regard. And it's certainly something Marika and I can raise with others inside of ICANN to determine if there's traction around that suggestion.

Michele Neylon: Mikey and then Anil.

Mikey O'Connor: Thanks Michele. This is Mikey. That's why I was thinking that it's probably a good idea for us to sort of take everybody's temperature very carefully and then if there's a reasonable level of comfort with the idea, I think what we ought to do is launch a separate - I'm not sure what it is whether it's a policy discussion or a non-policy discussion around this issue because it seems to me that, you know, there's the possibility that we could poison the well if we're not careful with the way we start this conversation.

And at the same time if we started it well we could build a lot of initial agreement and support. So I'd be careful about (favor rattling) at this stage of the game and encourage thoughtful, careful conversations leading up to

perhaps a fairly innocuous recommendation from us that simply says that a lot of operational issues might be resolved and encouraging a conversation about that.

You know, several questions come to mind. Who's going to pay? How long is it going to take? You know, what's the - certainly if I were in VeriSign's shoes and someone said, "You get to upgrade to a thick registry and you don't get any compensation from anybody to do it," I would probably be less than enthusiastic about that idea.

At the same time I think that there are lots of cost justifications and benefits that could be woven into this conversation, benefits mostly to registrars and registrants that could be used to offset the costs that the registry might incur.

And that's - talk about scope creep, that's way outside the scope of this conversation but I think if we could test the waters a little bit and then formulate a recommendation based on what we learn...

Michele Neylon: Mikey if you just look in the (chass) there you'll see that (Paul) has posted a link to some stuff...

Mikey O'Connor: Yeah, I was part of that group. I'm actually echoing something that I was part of before. But I think that what I'm suggesting now is that we take that recommendation a notch further and put it in as a recommendation for some sort of formal process. So there you go.

Michele Neylon: Okay. Marika, how are we doing for time?

Marika Konings: We're actually seven past the hour. So it's a question of whether people are available to continue a little bit more or whether we should wrap up and continue the discussion next week as we agreed to switch to weekly conference calls from now on.

Michele Neylon: Okay. Okay, I'll just - I'm going to be a swine and put my foot down. Anil, I will allow you to go and then I think we should wrap up.

Anil George: Thank you Michele. I just wanted to say that to Mikey's point I think that's a good idea. And I'm sensitive to the statement that was made earlier that there was a feeling at least by one of the participants that they are able to address these issues without having to deal with a thicker - without having a need for a thicker WHOIS.

And I just wanted to say whatever best practices or solutions we come up for this issue of hijacking I think we have to approach it not from a narrow perspective but more from a comprehensive approach because whatever solutions we come up with, the narrower we focus, the more likely that we're going to allow some type of a loophole or a hole that bad actors can use.

So I think even despite the fact that some people might feel that they can deal with this issue without a thicker WHOIS, I think it's important to include that on the table as part of a sort of a multi-tiered approach to addressing the problem.

Michele Neylon: Okay. Anybody want to come back quickly on that? Okay, from the deathly silence I'll take that as a no. Anybody got any other comments or business they want to raise today? No? Okay.

In that case we'll adjourn until next week and I believe that most - well a large portion of you probably are on other conference calls later today. So thanks everybody for your time and participation and I'll probably speak to you later.

Man: Thank you.

Man: Thank you.

Man: Thanks Michele.

Man: Thanks Michele. Bye now.

END