

**Inter-Registrar Transfer Policy Part B PDP
Transcription
Tuesday 23 February 2010 at 15:00 UTC**

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<http://audio.icann.org/gnso/gnso-irtp-b-20100223.mp3>

On page:

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Participants on the Call:

Michele Neylon – RrSG – Chair
Berry Cobb – CBUC
Kevin Erdman – IPC
Mikey O'Connor - CBUC
James Bladel – RrSG
Chris Chaplow – CBUC
Michael Collins - Individual
Paul Diaz – RrSG
Matt Serlin – RrSG
Barbara Steele – RySG
Anil George – IPC
Baudoin Schombe – At-Large

Staff:

Marika Konings
Glen de Saint Gery
Gisella Gruber-White
Daivd Giza

Apologies:

Eric Brown – RY (all Tuesday calls)

Coordinator: This conference is now being recorded. If you have any objections, you may disconnect at this time. To mute and un-mute your line during the call, please press star followed by 6. Thank you.

Gisella Gruber-White: Good morning, good afternoon, good evening to everyone. (Today)'s our IRTB PDP call on Tuesday the 23rd of February. We have Michele Neylon, Mike O'Connor, Barbara Steele, Paul Diaz, Michael Collins, Berry Cobb, Matt Serlin, James Bladel, Kevin Erdman.

From staff we have Glen de Saint Géry, Marika Konings, David Giza and myself Gisella Gruber-White. Baudoin Schombe will be joining us shortly. And if I can please remind everyone to state their names when speaking for transcript purposes. Thank you. Over to you, Michele.

Michele Neylon: Okay thank you. Good afternoon everybody or good morning for those of you stuck in strange time zones. Before we move on with the main bulk of this, just to give you a quick update.

If you'll recall on the last call, a couple of people threw themselves on swords and agreed to help deal with a couple of policy things we're just going to have a look at to try and draft some stuff together. So that was myself, Mikey, Paul Diaz and James Bladel.

Just to let you know, so far we've been kind of - we've been playing a lot of email ping pong and we've managed to kind of agree on some things, disagree on others and we're moving forward from that and we'll report back once we have something substantive. At the moment we don't have anything substantive. So there's no point in wasting anybody's time with this.

Okay, we were looking at the constituency/stakeholder group statements. Which number were we up to, Marika? Because my memory is - is there a number on this?

Marika Konings: This is Marika. No. There are no numbers that were issued. See - that's not the page. The Page 4, bottom, the next comment is from the IPC.

Michele Neylon: Oh yes.

Marika Konings: (Maybe though) - I don't want to put Barbara on the spot as she has a bad voice but maybe it's for something for her to review. I only got a chance to update the sheet today. So we discussed some of the registry comments in the last call. And she might want to have a look and maybe come back with some further comments or feedback on some of the issues we discussed last week.

Michele Neylon: Right. So we're looking at Issue B. Is that right? Or Issue C, sorry. My brain is just fried.

Marika Konings: Issue C, bottom of Page 4.

Michele Neylon: Right. So the pages actually aren't numbered on the Adobe Connect which is why - which is confusing me, Marika.

Marika Konings: Oh okay. I thought you'd see on the top the number of pages...

Michele Neylon: Oh no I do. Okay. Sorry yes, thank you. And keep on pointing out that I am really stupid. Marika has realized that I'm stupid, thank you. Okay Issue C. Where a special provision is needed for change of registrant.

Oh yes. This was the thing - one of the things that we were discussing previously. We - well there was a lot of backwards and forwards about what we considered to be a registrant, which parts of a contact were - constituted a change of registrant and which parts didn't.

Now to recap as far as - I think as far as most of the registrars were concerned, it was the (bit) in WHOIS that's labeled registrant (or) the first part of (this), whereas other people were concerned about the email address and various other things. Does anybody have any other comments on this?

Kevin Erdman: Well this is Kevin Erdman. I guess my question is how, you know, sort of the - how do you prove the identity or identification? What mechanisms are in place for validating that? If you have - if we're going to say there's just one thing in the who is record, shouldn't there be some other sort of credentials to validate that you're a registrant?

Michele Neylon: Okay. All right. The other business - we went through a lot of this and back - it was a bit of backwards and forwards. And those of you - if you have a look at the notes that are in there that some - there are some of the notes from last week's conversation.

Now there's (another commentary) from the IPC that we haven't looked at. Special provisions are needed as part of a system of uniform - God my eyes aren't working today - (unintelligible) measures that can aid in uncovering potential hijacking attacks. Is anybody from the IPC on this call?

Anil George: Yes I am.

Kevin Erdman: Yes, Kevin Erdman here.

Anil George: Anil George as well.

Michele Neylon: Okay could one of you please clarify what they mean - what is meant by this? Or do you have any idea?

Woman: (Unintelligible).

Michele Neylon: Guys.

Anil George: Yes this is Anil George. It seems to me that if we're dealing with the problem of hijacking, the point here was that there should be a system that is applicable to all users so that it can be addressed in an even manner, given

the fact that some victims of hijacking have been able to resolve these issues and others have not.

Michele Neylon: Okay anybody else want to help clarify this? No. Anybody have any other comments on this? Deathly silence. Mikey.

Mike O'Connor: I hate deathly silence.

Michele Neylon: I know you do.

Mike O'Connor: I think that...

Michele Neylon: Oh my God, they've all woken up. Okay, Mikey and then James.

Mike O'Connor: I think the main thing is that I agree with that. I think we do need a consistent way to identify and validate. I like the idea of validating the identity of the registrant. And so I would stick my thumbs up on that one and...

Michele Neylon: But that's not what the comment says though with all due respect. It says - the...

Mike O'Connor: Well...

Michele Neylon: ...comment is special provisions are needed as part of a system of uniform frontline measures that can aid in uncovering potential hijacking attempts.

Mike O'Connor: I was actually reacting more to Kevin's commentary (on that so).

Michele Neylon: Okay, okay. Well, okay fine. You support Kevin, okay. James.

James Bladel: Hi, Michele, this is James and I just wanted to comment real briefly on the word uniform. I think that it's fairly understood that uniformity and consistency is always a desirable thing.

But when it comes to behavior of bad guys, especially, you know, serial hijackers, I think that, you know, it's good to - it's helpful in some respects that registrars have different procedures to identify hijacking. It's helpful that they have different thresholds or tests that they're employing.

And it's helpful that even amongst the single registrar, those may change over time because, you know, notoriously some of these folks are, you know, probing our defenses so to speak.

They are testing which fields can be changed before which flags are thrown up. And so I just - I want to put out to the group that the concept that uniformity within a single registrar or across all registrars is not necessarily an automatically desirable trait when we're talking about security issues.

Michele Neylon: Okay thank you. Paul Diaz.

Paul Diaz: Yes thanks, Michele. I just want to completely back up what James just said. This proposal on first flush may sound like a good idea. Like James said, uniformity is often a good thing, having standards. However when it comes to security issues, creating a single standard likely will raise significant unintended consequences.

And so many times when we've dealt with issues in the transfer working groups, things that we're trying to do for standardization or often convenience and simplicity sake have very, very significant security ramifications. And exactly as GoDaddy has experienced, Network Solutions experiences all the time.

There are a significant number of professional hijackers out there that are constantly probing, testing, trying to figure out what we do to protect our registrants because they're very, very clever and they're always looking for the weaknesses.

A proposal to create a standard that everybody would stand by would only be making the bad guys' lives a lot easier. And it's not something we could support.

Michele Neylon: Well just to come in - before I let anybody else (comment) here, just a question to James and to Paul. If the uniformity were to refer to the fact that all registrars were expected to adopt some - a minimum level or a minimum standard of security or to implement their own provisions in this regard without specifying what those provisions were, would that be okay by you?

James Bladel: Michele this is James. If I could respond to that.

Michele Neylon: Yes go ahead.

James Bladel: I'm going to jump the queue a little bit so apology to Anil and Mikey. But, you know, I think that when we start talking about minimum standards - and this is a subject that came up quite frequently in the registration abuse working group.

A few things we need to bear in mind is that while the good, you know, the good, accurate registrars, the folks that attend the ICANN meetings and work on these calls, you know, already exceed what would probably constitute a minimum standard or minimum practices.

Man: Right.

James Bladel: What happens when we start to think about imposing a minimum set of standards? In my opinion there's a few issues that we need to be cognizant of. One is that, you know, a lot of registrars will - who are maybe marginal will simply just drop their procedures down to match the minimums and do nothing else. So there's the danger of, you know, least common denominator sort of approach to hijacking.

Another issue that I have with the minimum standards is that - and I'm not sure. It looks like David is still on the call. But, you know, when we get into things that are overly prescriptive to where ICANN has a policy that says in the situation described by X, registrar will take action Y and Z, that has to be accompanied by a certain level of indemnification on the part of ICANN.

And I don't know that ICANN or the registries are willing to indemnify registrars against all types of abuse. But looking at it purely from a registrar perspective, if we're following a mandated recipe, we're not necessarily allowed to improvise on the side or deviate from that, then we need backup from the community if that causes any blowback.

So I just wanted to put those out there (because) this topic came up quite frequently in registration abuse. And now I'm probably going to hear the same story from Mikey but the other side of that argument that came out of the registration abuse.

Michele Neylon: Okay then. Thank you for (those). And Mikey then and then Anil, please.

Mike O'Connor: Well to save James the pain of listening to the other side of the argument, we did have this argument in registration abuse. And I don't want to repeat the same - we basically got to a - we got stuck on this one in registration abuse.

And so I think we need to figure out a way to get unstuck. Because I think we all agree on what we're trying to accomplish, which is how to respond to hijacking attempts.

I actually follow the logic that James and Paul have put forward. I get that. And so I'm trying to figure - I guess what I'd like to do is pose the question, if we don't do a set of minimums and we don't - then what do we do?

I mean what we risk if we don't do anything seems to me is leave a gigantic gaping hole through which bad actors can drive their bus. And that's through registrars that aren't at the GoDaddy/Network Solutions, et cetera, et cetera, Blacknight level of operations.

And what do we do about that? We can't just - I don't think it's fair to the community to just leave that hole there unplugged because of that logic. I think we have to get beyond that (one). That's my puzzler for the day, (guys).

Anil George: Anil. I just wanted to touch on that point. I definitely understand the criticism or comment that you need flexibility in the system and you certainly don't want to race to the bottom. Those are very reasonable points that have been made.

My concern is more to Mikey's point which is if you're talking about a universe of registrars that are - that's incredibly uneven, where not all of the entities are as sophisticated or as conscientious as some of the ones Mikey mentioned and if we know that there are specific things that contribute to a potential hijacking vulnerability, either a great deal of the time or all of the time, then it's sensible to at least identify those and proffer them as part of some type of larger best practices guide that all of these registrars should at least be aware of and should be conscious of acceding to.

Michele Neylon: Okay James.

James Bladel: Yes real quickly. I just wanted to follow up. Mikey and Anil have hit it right on the head, is that we're wrestling with this issue where we have, you know, 1000 let's say ICANN-accredited registrars. And let's say the top 20 or so are constituting, you know, represent 90% of gTLD registrations. I don't know what the top, you know, what the - where that breakpoint is.

But so we're talking about, you know, there's some folks on the margins that really aren't, you know, taking their responsibility to security seriously. And

how do we close that gap without, you know, hamstringing - or handcuffing the folks who are really on the frontlines in this on a daily basis? And I think this is just a symptom of that larger conversation.

And this is where, you know, from my perspective, I would say we can turn to compliance a little bit. You know, the registrars know who the bad guys are. You know, patterns develop over time. We know who's easy to work with and who's asleep at the switch. And I think that we could certainly use ICANN's help there as well.

I'm - and I think that the challenge is finding exactly where those folks are in breach or in violation. But I think that patterns establish over time. And I think I may have touched a nerve with David so I'll drop there.

Michele Neylon: David and then Mikey.

David Giza: Good. Thank you, Michele. In fact the Contractual Compliance Team is going to be conducting our first IRTT audit later this calendar year. And as our audit plan comes together, I do want to share that with the working group so that you have the opportunity to see that plan and comment on that plan, quite frankly, before the plan is executed.

But I do believe there is a need for minimum standards. And I think the audit will substantiate that. And then it'll be a question of, you know, is ICANN willing to provide some indemnity protection for registrars who, as James pointed out, you know, take some risks here to do the right thing and, you know, and don't want to, you know, find themselves in breach of their agreement but are willing to take those risks for the benefit of registrants?

So I think this is a topic that ought to be addressed through again establishment of minimum standards and we ought to explore what level of indemnity, you know, if any, could be, you know, offered, you know, to registrars to provide protection.

Michele Neylon: Okay. Mikey.

Mike O'Connor: I think I was going to say pretty much the same thing. I think if we are going to turn to compliance for help which I think is a fine idea by the way, James, we need to give some thought to what we are going to measure compliance of. And I think that's where there's got to be some sort of policy/minimum standard spec- stuff.

And, you know, the puzzler about the race to the bottom I agree is significant. But I think to wrap this up, my main point is that I think we're all agreeing on what we want to accomplish and we're stuck on how to get it done and that if we could get past this getting stuck phase, we would be making a great contribution to the community.

Michele Neylon: Okay, thank you. Any other comments on this? Right. Next one here, from the business constituency, perhaps this could be addressed by arriving at a consistently applied post-transfer hold policy. And I see Mikey's in the queue. Hold on Mikey. Down boy, wait for a second. Anybody else have any thoughts on this? Okay, Mikey, go ahead.

Mike O'Connor: I was just going to try and translate this because I wrote it and it's...

Michele Neylon: Oh okay.

Mike O'Connor: ...not entirely clear to me so I imagine it's not terribly helpful for you all either. I think what I was trying to get at in this was the notion that there's a lot of variability right now in the hold policies across registrars post-transfer.

And that by making those a little bit more consistent, we might be able to address some of the hijacking issues that are in this Issue C. I think that one way to translate this is to say that it's pretty much the same notion that we've just had a big conversation about but badly phrased and...

Michele Neylon: Okay.

Mike O'Connor: ...I wouldn't spend a whole lot of time debating it. It's not the best phrase I think I've ever written.

Michele Neylon: James.

James Bladel: Hi, Michele. This is James speaking. And my question to Mikey's previous comment is did you say post-transfer policies at a registrar? Because that's the part I'm struggling with.

If I transfer away from a registrar, I'm trying to figure out what that post-transfer practice, you know, why it would even be relevant or did you mean registries?

Mike O'Connor: No I think - this is Mikey again. I think what I was getting at is, you know, often in hijackings a domain will skip across several registries in a big hurry. And I (unintelligible) trying...

Michele Neylon: Registrars you mean.

Mike O'Connor: Or registrars, sorry about that. Thanks, Michele. And so I think what I was trying to get at is the notion of slowing that down so that if the hijacking has occurred, it can't skip quite as fast away from the registrant and reduce the number of parties that would be involved in trying to restore it in the case of a dispute. But quite frankly I can't remember.

Man: To my knowledge, the registry contracts for just about all gTLDs require a 60-day post-transfer hold so that names have to stay at a registrar - at the new registrar for 60 days before they can be transferred again, the notable exception to this being common net. Am I correct on that or are we specifically talking about common net here or...

Mike O'Connor: I think I...

Man: ...or was the 60-day period not long enough? I'm...

Mike O'Connor: No, no. I think that the - what I was trying to do and again I really don't want to defend this, but I think what I was trying to do is get common net up to consistency with the rest with that 60-day hold.

Michele Neylon: Barbara, I think you're the best person to answer this so I'll let you skip ahead of James.

Barbara Steele: Okay I apologize for my voice, everyone. Basically the 60-day hold is actually dictated by, sorry, by the transfer policy itself. Now it's not a system restriction but it is a valid reason for a registrar to be able to NACK a transfer or deny a transfer.

Man: Poor Barbara.

Barbara Steele: Sorry, everyone.

Man: Hi, Barbara, sorry.

Michele Neylon: Okay so you're saying - so what Barbara is saying is the 60 - that the current policy allows a registrar to reject a transfer within 60 days after a transfer, so within the first 60 days after a transfer. Is that correct?

Barbara Steele: I mean basically what it just says is that, you know, that a transfer cannot occur within 60 days of the initial registration which I think VeriSign at least - and I suspect that other registry operators have also instituted a systematic restriction on that particular transfer. But then it also stipulates that within 60 days of a transfer from one registrar to another they cannot (unintelligible) another registrar.

Michele Neylon: Okay.

Barbara Steele: But VeriSign has not instituted a systematic restriction for that particular one. So, you know, if a registry or a registrar - the losing registrar does not NACK it, the beginning registrar has submitted it within 60 days, then it would be allowed to go through after the 5-day grace period.

Michele Neylon: Okay. Anybody have any other comments on this? Okay. Right. Moving on to Issue D, whether standards or best practices should be implemented regarding use of registrar lock status, e.g., when it may/may not, should or should not be applied, in other words the registrar lock statuses. Now the RySG, that's registry isn't it? Anybody know RySG? Is that registries?

Barbara Steele: Yes that's the (unintelligible).

Michele Neylon: Okay thanks.

Woman: (Unintelligible) updated the registry and registrars to reflect that it's (not) a stakeholder group so no longer constitutes it.

Michele Neylon: Stop renaming us. It's confusing goddamnit. Okay it should be left up to the individual registrars how and when a registrar lock status may, should or may not or shouldn't be used. Any thoughts on that?

That's a comment from the registries. Does anybody agree with that, disagree with that, have any thoughts on that? James agrees with it. Mikey has a comment. Mikey. Barbara agrees with it.

Mike O'Connor: Just jumping ahead to the (BC) comment. I think this (unintelligible).

Michele Neylon: No, no, no. Don't jump ahead to the (BC) comment, please.

Mike O'Connor: (Unintelligible). I'm just...

Michele Neylon: Okay so you want to - you said that your comment includes - is relevant to their comment?

Mike O'Connor: Yes. I think that basically we've got a disagreement here. We need (unintelligible).

Michele Neylon: Okay. So you disagree with the registries?

Mike O'Connor: Yes.

Michele Neylon: Just so we're clear. Okay. Why?

Mike O'Connor: Well again this is back to this sort of variability theme that I seem to beat the drum on all the time which is that I see no particular business reason, no particular competitive advantage to be found in having different standards for something as arcane and technical as a registrar lock status.

I can't imagine a magazine article in Forbes that says registrar XYZ takes pride in its registrar lock status process. So why can't we get a little consistency into this so that registrants can have a chance at being able to predict how things are going to behave? That's all. Sorry for the frustration.

Michele Neylon: That's okay. You're allowed. Now we'll disagree with you and tell you why or not, depending. I'll disagree with you anyway. James, are you going to agree or disagree or what do you say?

James Bladel: So am I becoming that predictable, Michele, that you're going to go ahead and comment on...

Michele Neylon: (Unintelligible).

James Bladel: ...my - or like some kind of a psychic. I love it. Mikey, I couldn't disagree more. In fact we have - I'm looking for the Web page on our Web site for some of the products and services that we have built, not solely based upon the use of the registrar lock statuses but certainly that's a major component of those products and services.

In fact VeriSign has also instituted an (arcept) service and there was a recent article on CircleID about more and more registrars building products and services around that as a security - the security offering.

So, you know, this is an area where there's innovation occurring and there's differentiation occurring as well where registrars are doing things differently. I think it was - I see Matt's hand up. I think it was MarkMonitor that actually - was it MarkMonitor, Matt, that wrote the article about why aren't more people using this?

Matt Serlin: Yes. (Unintelligible).

Michele Neylon: It was one of his - one of his sidekicks, yes.

James Bladel: Yes so I mean it is an important feature that allows registrars to, you know, it's part of the ingredients of what we're building to offer to customers to help them manage and control and secure their names.

Michele Neylon: Now I'm going to take my hand down temporarily but I will just say that I agree with James and I disagree with Mikey. Matt, over to you.

Matt Serlin: Yes thanks, Michele. I was just going to pick up on what James said and it was a colleague of mine that posted the article about the registry lock service that VeriSign has rolled out.

And I think - and I think Paul had touched on this earlier but I hear a lot from people about, you know, well why doesn't MarkMonitor, you know, make

more public what our policies are and, you know, what kind of products we have around security?

And so when we talk about things like standardizing and all registrars should treat those things the same, I get a little nervous about that frankly because I think the fact that we don't publicize what our security is and what our protocols are actually makes us more secure.

And so anything that I think levels the playing field and forces every registrar to behave the same, really makes me a little nervous frankly.

Michele Neylon: (Great). Mikey, I'm - do you mind if I skip over you for a minute and let the other two guys have a go and I'll come back to you, okay?

Mike O'Connor: Yes.

Michele Neylon: Michael Collins.

Michael Collins: Yes I'm going to just have to voice a kind of a concern agreeing with Mikey that the - I understand the security issue but there has to be some balance. There has to be some predictability.

I happen to be able to remember back before IRTP policy was written and how hard - how difficult it was to get some registrars to release a domain name. They would NACK it for any reason at all.

And I predict if you don't have any standards about policy to unlock a domain name that it will enable some bad actors to basically lock that domain name up just through creating policies that are too difficult for a registrar - a registrant to use the unlock.

I mean I can just imagine that all the good things that you guys are talking about are going to be balanced by someone that just doesn't want to lose a

domain name and makes it impossible for a registrant to unlock it if we aren't careful and have - and we don't have any standards. Thank you.

Michele Neylon: Chris Chaplow.

Chris Chaplow: Hi, Chris speaking. Yes I tend to like is a clear and orderly world and I struggle with all these domain locks and I liked the article that you sent me. It was late Sunday night so I can't remember all of it now.

But also I do remember some months ago right at the beginning when we were discussing this, asking - or sending to the list, can anybody give me a list or email list - can anybody give me a list of what all these domain lock statuses are, registry lock and all these things?

And actually nobody replied so I don't know whether that meant everybody was asleep or whether there isn't a clear list that, you know, sort of business user can go to the who is, see the status and work out exactly where we are with this all. Thank you.

Michele Neylon: Okay. Mikey, Marika, Paul Diaz. I think that's a reasonable order. Mikey.

Mike O'Connor: I'll wait till the end. You can skip over me again.

Michele Neylon: Oh great - I'm (unintelligible). Mikey's given me permission to skip over him, everybody. Marika, then Paul.

Marika Konings: Yes, yes this is Marika. I just wanted to remind everyone as well when we had them look at the input that was provided by the (unintelligible) compliance team on the level of complaints received that the failure to unlock a domain by a registrar was I think in the top three.

So it is definitely an area where there is confusion or misunderstanding or problems at least in addressing those so that's maybe something to take into account as well as part of this discussion.

Michele Neylon: Okay. Paul.

Paul Diaz: Thanks, Michele. To follow on what Marika just said, I'd remind everybody that in the existing IRTP, you know, Issue number 7 for the reasons you can - a registrar can deny, it says the domain's already in lock status, provide the registrar provides a readily accessible and reasonable means for the registrant to remove the lock status.

You know, if we have concerns here by - about quote "some registrars," you know, and I question again, you know, here we go again with the outliers that are causing problems and whatnot then it seems to me that this is an issue ripe for ICANN compliance to look into.

And if the data is showing that a very, very significant number of complaints are focused on this, then rather than trying to establish a broad policy that's going to affect everybody when most everybody is not necessarily causing any problems, that ICANN compliance dig in and go after those who are the source of the complaints or the confusion what have you and deal with them as necessary.

Michele Neylon: Okay thank you. Mikey, do you want to say something now?

Mike O'Connor: Yes. You know I don't have strong disagreements with the arguments that James and Paul and so on have put forward, Matt, (et cetera). But I think we're in the same exact spot that we were in with the last discussion which is we have to figure out a way to put enough of a framework in place for the compliance team to stand on.

If we have nothing, then there's no place - there's nothing to take to compliance. It may be that what's there is sufficient. We'll have to take a look at that.

But I think if we don't build the bridge between the sort of market innovation island and the consistency island that weaves together a set of tools that compliance can actually effectively use, we're engaging in magical thinking.

So I would encourage us to treat this one a lot the way we treated the last one and, you know, this is the long string of these. If we could figure out a way to address this kind of issue well, I think we could, again, do a lot of good for the community in general.

So I don't want to just roll over and say I'm defeated. I want to try and figure out a way that we can do better because as I think Tim pointed out a call ago, you know, our reputation as an industry isn't that great. And it's because of these difficulties in resolving the points of view of the various islands that we leave ourselves open to that kind of criticism.

Michele Neylon: Okay. I put myself on the queue. I'm just taking my chair hat off for a moment.

I'd be very interested in seeing if the complaints that compliance received about locks are actually valid complaints or whether they're due to misunderstandings, because while it's true that there may be a certain percentage of complaints or (unintelligible) complaints in relation to locks, at the moment there's no easy way - and I wouldn't expect compliance to look at the data they have. It'd be impossible.

But it'd be interesting to see if those - moving forward if the complaints are actually valid. In other words, are they simply a case of somebody registers a domain name on day 1 and on day 42 wants to update the name server but thinks that they have to (transfer first) and can't transfer it because it's within the first days and therefore this is a massive headache, yada yada yada.

And they want to skin people alive for no good reason. I mean is that what's happening or is it a case of the domain was registered ages and ages and ages ago and the registrar is not unlocking the domain or being completely unreasonable about it?

The other thing and then I'll move - let David reply is - I'd be (unintelligible) as well of all the standard stuff in some respects because, again, if we don't - if for example it is a registrar's policy to lock all domains...

Man: Michele?

Man: Hello. Michele?

Man: Lost him.

((Crosstalk))

Woman: (Unintelligible) Michele just has been disconnected so (unintelligible) a second for him to dial back in.

Man: Well I'm glad everyone else talked. I thought it was going to be mine that dropped.

Man: Okay.

((Crosstalk))

David Giza: Looks like I'm getting the high sign from Michele to say a few words here while he dials back in. And so I'll see if I can fill time by indicating that when we've looked at the complaints here, it really is a combination of both instances.

There is genuine misunderstanding on how the policy works, you know, or in short is applied. And then there's the - there are legitimate instances where some registrars have failed to, you know, to institute the lock following the policy.

So because of that we find ourselves in the enforcement world dealing with, you know, these issues kind of in a (one off) status. And sometimes it is the squeaky wheel that gets the grease here. And we don't have a very systemic way to address enforcement on this issue.

And so complaints that are received by contractual compliance are handled by either one or two of my staff members and we work through them, again based on the persistence of the complainer at times and that needs to change.

So if there is a better foundational approach, as Mikey suggested, that would help clarify the policy, interpret the application of the policy and then if compliance has the appropriate tools to continue to enforce the policy, I think there's more work that we could do to address this problem.

Mike O'Connor: Somebody's in the wind making a lot of noise on the call.

Man: We (unintelligible).

Michele Neylon: It's all me anyway. Thank you, David. Michael Collins and then Marika.

Michael Collins: Oh, sorry. It was muted. Yes, I had a question for David. David, do you feel that compliance team has the wherewithal to - under current policy - to enforce a reasonable unlocking policy or could a registrar bring a, sorry.

Man: Somebody's not muted, you know, and made a huge chair squeaking noise just then. Maybe that'll give (unintelligible) as to your identity.

Michael Collins: I - well, if a registrar has a unlock capability but it's burdensome and difficult and - does the policy team, compliance team, have the tools currently to resolve that or not? Thank you.

David Giza: Yes. The short answer is that we are working on that but we're hopeful that the audit that we're planning will actually, you know, identify with - and provide some clarity around the enforcement gaps that exist today, so that we can then attack those gaps through some budgeting requests with resources as well as with, you know, more advanced use of existing software tools because we are a team of six and we're spread pretty thin right now.

But we're trying to do our best to address, you know, IRTTP compliance issues as they arise. But again it's a, you know, it's the squeaky wheel that gets the grease more often than not and that doesn't help the community, you know, at large.

So I think we'll have to take a wait and see approach here based on the work of this working group and others and the results of our audit before I could tell you, you know, that we're - we have everything we need to get the job done.

Michele Neylon: Marika.

Michael Collins: This is Michael. I just want...

Michele Neylon: Sorry (about that, Michael).

Michael Collins: ...to follow up with Dave on that if I may go before Marika. I apologize. I wanted to be more specific in my question to David. I specifically mean (unintelligible) other resources. Does the policy that I believe James read to us just a short time (ago) is that enforceable in a reasonable way? Thank you.

David Giza: The short answer is yes. I think it is enforceable and I do believe that, you know, we could show you some instances where it has been enforced.

But it - but again I think there's still a fair amount of work that hasn't been done, in large part because of the lack of resources and the lack of clarity among registrants who read the policy or if they don't read it hear about the policy and then try to interpret it as best they can, again based on the actions of, you know, again outlying registrars who don't have the sophistication or the capabilities that other registrars do to, you know, to manage this issue, you know, effectively.

So I think that's the best answer I can give you at the moment.

Michele Neylon: Michael, are you okay with this?

((Crosstalk))

Michael Collins: Yes, thank you. Yes, thank you.

Michele Neylon: Marika.

Marika Konings: Yes, this is Marika. I just recall that someone in the (public comments) actually suggested or recommended that this debate should be separated between registrar lock status as defined in the protocol and then the registrar lock status that - I think James is talking about the specific products that are being developed by registrars and registries and, you know, that are a separate area basically.

((Crosstalk))

Marika Konings: So maybe that's a path to follow where the one that's described by the protocol that there more clarity is developed around those - and in those

settings while, you know, the specific developments and innovation is left as a separate track. That might be something to consider.

Michele Neylon: Okay. Anybody else have any thoughts? Oh, Paul Diaz. Go ahead.

Paul Diaz: Thanks, Michele. Just to follow up, Marika, do we have any sense from that (public comment)? I'm just left wondering, I mean, ultimately what's going to appear in EPP is registrar lock.

So, you know, I'm not sure how you parse out the two in terms of protocol versus what a registrar is doing individually behind the scenes. The end result is still going to appear to the public as quote "registrar lock," correct?

Marika Konings: (Unintelligible) question (unintelligible) as I would have - yes (it'd get) the same status value in who is if it would be a registrar lock with a, you know, special product that's developed or the one that's defined in the protocol. Do they get the same status value? Is it exactly the same?

Man: Yes. I believe so. If anybody else can answer, please jump in.

Michele Neylon: No takers. Mikey.

Mike O'Connor: I think that's right and maybe one way out of this is to consider adding some status values to the pile so that we've got the ability to distinguish various kinds of - we've already got a boatload of locks so I'm not sure this is the right approach. But I think today the answer is registrar lock is registrar lock. There is no other (unintelligible).

Michele Neylon: Okay.

Marika Konings: (Unintelligible) check back in the comments to see if there was any further detail. I did look back in our discussion of the comment where we actually said that it would be of interest for - to get further information on this issue. So

maybe something to check in further detail to make sure that we have the right information.

Michele Neylon: Okay. Anybody else have anything else on this? No. Right. Now what's the next one there?

Matt Serlin: Wait, Michele.

Michele Neylon: Sorry.

Matt Serlin: Michele, it's Matt.

Michele Neylon: Hi, Matt, sorry. Go ahead.

Matt Serlin: No. So I - just so I'm clear. I mean right now there - in EPP there is no registrar lock status. That doesn't exist, at least not that displays on the who is.

What's commonly referred to as registrar lock would be client delete prohibited, client transfer prohibited and client update prohibited. But there is no pure registrar lock status. Are we talking about changing the protocol so that the longer list of statuses essentially becomes registrar locked or not registrar locked?

Man: No, no. Mikey.

Michele Neylon: Mikey, go ahead.

Mike O'Connor: I wouldn't go there. I agree with Matt. I - we - I know that on previous calls we've all sort of agreed that the current set of statuses are pretty confusing. But I certainly wouldn't want to collapse those three into one and rename it registrar lock. I think that's bad.

Matt Serlin: Yes, no. I'd agree with you. I'm just trying to understand what we're - what - when we talk about registrar lock, what are we ultimately trying to get to? That just the definitions of what constitutes registrar lock? Because every registrar frankly might respond differently to that question.

I mean, I don't think there is any uniform understanding of what registrar lock is. You know, GoDaddy I think uses client renew prohibited and (several) registrars I see just use client transfer prohibited. So if the goal is to get a uniform understanding of exactly which EPP status is equal registrar lock, then I'm all in support of that.

Michele Neylon: Marika. Oh, what's this? Somebody's put a very large wad of text in the thing. Oh, (Christ).

Marika Konings: Yes. It was me. I found the comment and pasted the relevant section where (unintelligible) talks about the status value in the (unintelligible).

Man: Yes.

Man: Yes.

Michele Neylon: Oh, okay. That's a very big wad of text.

Marika Konings: I'm sorry.

Michele Neylon: Do we know - no, no. That's okay. This (unintelligible) - who actually worded that? Was that the GNSO or did that come from somewhere else? Marika.

Marika Konings: (Unintelligible) question as such. I think...

Michele Neylon: Yes.

Marika Konings: ...the transfer working group that basically categorized all the different issues that they had identified and basically, you know, listed those. I think that group came up with that.

Michele Neylon: So they might have some idea as to what they actually meant by registrar lock?

Marika Konings: Maybe it's worth looking back as well at the issues report because there I try to extract the relevant sections from the different documents that have been developed prior to this working group dealing with that.

I'll have to admit I don't remember by heart exactly what was there. Maybe it's worth checking back there to see if indeed some further details were provided in previous discussions.

Michele Neylon: Okay. Mikey.

Mike O'Connor: I think Marika's on the right track. I have a feeling that registrar lock language came when this work - this series of working groups was initially launched which was so long ago that I think perhaps it precedes EPP. Just been carried forward in our issues list through years and years of these meetings.

Michele Neylon: Okay. So this is something that's been discussed for a very, very long time to be polite about it.

Man: (Unintelligible).

Michele Neylon: Right, okay. So maybe we need to have a look at the issues report and come back to it. Okay, guys...

Marika Konings: (Unintelligible) Michele, just to add because I think what the person tried to point and even the registrar lock term actually came from RRP which existed before EPP, and that now the correct term would be to speak about the

transfer prohibited status instead of - maybe that might clarify our discussion and already separate it from some of the other elements.

Michele Neylon: Marika, would you mind resending that comment to the list so that we just - so we don't have to go - or a link to it or something so that we can just incorporate it into the notes or something just so that we've captured that somewhere.

Marika Konings: Okay.

Michele Neylon: It's just if we could clarify what we're talking about here it might make things a hell of a lot easier for everybody who uses EPP. I don't even know what RR - what's it - RRP? I'm sorry. I'm too young or something. I don't even know what it is.

Man: It predates you, Michele.

Michele Neylon: Well that's what I mean. I'm too young. I wasn't around. It's only the older folks who know what these things are.

Man: Oh, okay.

Michele Neylon: I think I was teaching people how to wreck the English language at the time. Okay. As it's about 3 minutes to 4:00 and there's no - on my time - or 3 minutes to the hour, I think we should call it a day. Does anybody have anything else that they wish to raise with us at this time? No. Okay. So then we'll all talk again then next week. Okay?

Man: Thanks, Michele.

Man: Righto.

Man: Good. Thanks, Michele.

Man: Thanks, Michele.

Man: Bye now.

Man: Bye.

Man: Bye-bye.

Man: Bye now.

Marika Konings: (Unintelligible).

END