
JULIE BISLAND:

Good morning, good afternoon, and good evening. Welcome to the Transfer Policy Review PDP Working Group call taking place on Tuesday the 17th of August 2021 at 16:00 UTC. In the interest of time, there will be no rollcall. Attendance will be taken by the Zoom room. For today's call, we have apologies from Steve Crocker and Greg DiBiase with the RrSG. They have formally assigned Jothan Frakes, RrSG, as their alternates for this call and remaining days of absence.

As a reminder, an alternate assignment must be formalized by way of a Google assignment form. The link is available in all meeting invite e-mails. All members and alternates will be promoted to panelists. Members and any alternates who are replacing members, when using the chat feature, please select either "panelists and attendees" or select "everyone" in order for all participants to see your chat and for it to be captured in the recording.

Observers will remain as an attendee and will have access to "view chat" only. Alternates not replacing a member are not permitted to engage in the chat or use any of the other Zoom room functionalities. If you are an alternate not replacing a member, please rename your line by adding the Z's before your name and add in parenthesis "alternate" after your name, which will move you to the bottom of the participant list.

To rename yourself in Zoom, hover over your name and click "rename." Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you do need assistance updating your statements of interest, please e-mail the GNSO secretariat. Please remember to state your name before speaking

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for the transcription. Recordings will be posted to the public Wiki space shortly after the end of the call. As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you, and over to our chair, Roger Carney. Please begin.

ROGER CARNEY:

Thanks, Julie. All right. Well, we have a full day of losing FOA discussions. And I think, actually, Steinar may have started us on a good path on the list. I wanted to invite him onto the call now to see if he wanted to talk about a few things, actually, to introduce the Consolidated Policy Working Group, just so everybody knows what that is and who's in that and also to discuss any of the discussions they had on the losing FOA. So, Steinar, if you're available, can you come to the mic?

STEINAR GRØTTERØD:

Yes. Hello. I need a minute to get the names for the CPWG members but I can walk you through the outcome of several discussions at the CPWG meetings, which are held weekly on Wednesdays. The team, the At-Large members of this team, have kept the CPWG informed about this Policy Development Process. And we had several discussions and also some polls in today's. And the outcome of this is kind of a consensus that At-Large want to keep the losing form of authorization as some sort of information to the registrant.

Some advocated/argued more into this may be seen as a level of security but this is not the way I understand the discussion in this group. It's not necessarily the fact that this is a level of security. But at least it is

an informative update to the registrant sent by the losing registrar. So, that's the key thing, and we kind of agreed to put this statement into this mailing list and have that as some sort of a statement from the CPWG at this phase. In the chat, I will post the link to the members of this CPWG so we don't spend time on that one.

ROGER CARNEY: Good. Thanks, Steinar. Can you just give maybe a one or two-sentence of what the CPWG is and what groups consolidate that? Not necessarily people but who is actually participating.

STEINAR GRØTTERØD: There are policy members from At-Large communities. Let me put that also into the chat. I'm a little bit new.

DANIEL NANGHAKA: Can I just add something?

STEINAR GRØTTERØD: Oh, perfect. thank you, Daniel. Thank you. Save me on this one.

DANIEL NANGHAKA: Yeah. Daniel, At-Large rep to the working group. So, the CPWG stands for the Consolidated Policy Working Group, whereby passionate At-Large community members come together to discuss various policies. We, as representatives from the At-Large to this working group, report every week on what has been transpiring in the working group.

And in case there is a need to take a position as At-Large, we bring the question back to the discussion during the Consolidated Policy Working Group such that, as At-Large, we have a strong position regarding to a question or where there is need to deliberate. So, this helps us to avoid making so much of a personal decision on behalf of At-Large, but then to get a strong At-Large position. And that's where Steinar came in from, giving the At-Large position regarding to the losing FOA. Probably, that is a little bit clear.

ROGER CARNEY:

Great. Thanks, Steinar. Good information. Just to say something on the side here, I guess, I think it's great that the ALAC is making these discussions, having these discussions, during the week. I suspect and hope that all other groups are doing the same thing, but this is a perfect example of what we would expect the working members to do with their own working groups, is to have these discussions and talk through these items.

Obviously, when someone comes back with a statement there will be questions around that. But what information was provided? What additional ...? For this losing FOA, it was the enhancements to the auth info discussed at the same time, things like that. But this is exactly what we want for participants to do, is reach out to their stakeholder groups and come back with statements, or even questions, or issues that they may have. So, I think that's great. Jothan, please go ahead.

JOTHAN FRAKES: Thank you. Steinar, Daniel, thank you for bringing in the information from the At-Large. I think we have pretty good discussions around the substance and rationale behind some of the things that we are trying to represent, and I wonder if there was maybe more substance to why the losing FOA was important to preserve from within the At-Large. Not challenging it so much as helping to document it so that we can put that substance into some of the documentation and understand it. Because I lean on agreeing with that personally but I do want to understand that a little bit and I wonder if there was more information. Is it just simply on the link that is represented in the chat or could you talk towards that, if that's possible? Thank you.

ROGER CARNEY: Great. Thanks, Jothan. Daniel, please go ahead.

DANIEL NANGHAKA: In response to the question, when it came to the discussion list, it was like it helps protect the registrants [identify] unauthorized transfers. So, once the losing FOA is sent, then, once the member has initiated the transfer, then right at the click of their e-mail they can happen to stop the transfer from taking place because it's not authorized. And in case they don't get this information, then it becomes very easy for someone to transfer a domain. Mainly, it's for security purposes and to prevent, again, unauthorized transfers.

ROGER CARNEY: Thanks, Daniel.

DANIEL NANGHAKA: That's it, thank you.

ROGER CARNEY: Theo, please go ahead.

THEO GUERTS: Yeah, thanks. I think, actually, Daniel just sort of confirmed my question, because when I was listening to Steinar I had the impression that it was more that the losing FOA could also be a notification sent to the registrant, but this seems to be much more affirmative in either to accept or deny the transfer and an extra layer of security in it. So, I think that is that answered, unless a notification would suffice also. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Daniel, your hand is still up. Is that an old hand?

DANIEL NANGHAKA: Sorry, it's an old hand.

ROGER CARNEY: Thank you. Steinar, please go ahead.

STEINAR GRØTTERØD: As you may understand, this is ... There are kinds of consensus in what sort of key elements within At-Large arguing for keeping the losing form

of the authorization. The security issue, as I mentioned, was some way based on the understanding I had on Kim and several others, that, as long as someone gets the authorization code, the losing FOA doesn't really create another level of security, except the pure fact that if the e-mails correspond and is not changed you may stop it.

But if the attack is being grabbed, hacked, whatever it doesn't really mean that. So it is, at least in the normal process, a level of information and also an opportunity for the registrant to stop a transfer if the registrant hasn't initiated the transfer itself. Yeah. That's my understanding of the discussion and also ... In both groups, yeah. Thank you.

ROGER CARNEY:

Great. Thanks, Steinar. Jim, please go ahead.

JAMES GALVIN:

Thanks, Roger. Just a question on this issue of losing FOA or the FOA being generated by the incumbent registrar. There's a distinction that I want to call out and I think, maybe, we just need to document this in this way. Part of what I was trying to assert at one time for consideration is that if the TAC is provided to the registrant and we're going to consider the TAC to be the authorization that the transfer is allowed to take place, then, in order for the FOA to serve as an additional layer of security, it needs to go somewhere other than the registrant. It needs to go somewhere other than whoever got the TAC.

Because if you're just sending the FOA to the same place that would have reached out, and grabbed a TAC, and taken it, then I think it's more of a notification and it certainly is not an additional layer of security as long as those things are the same. It's just a notification. So, I'm wondering if that particular detail can be captured, or is it already an ordinary process for those to always be two different things? Who gets the TAC and who gets the FOA? We should document that they need to go to separate places so that you have a confirmation opportunity there. Thanks.

ROGER CARNEY:

Thanks, Jim. And I would just add, maybe, to throw a roadblock in your way of what you said, I think that, even if you still left it as sending it to the same contact, that's still providing some level of security in the fact that, after the TAC has been received by the registrant, you don't know what happens to it. So, it could get into somebody's hands some other way and them being notified still provides that confirmation. So, again, to your point, yeah, I would say that happens most of the time. But I would say that it still provides some level. Okay. Any other questions, comments? Okay. And again, I ... Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. I just put it in the chat but I just thought I would voice it out, as well. I think if we look at what we're doing today, that has not changed. The TAC will be given to the account holder, which is not always the registrant. It could also be the reseller or someone else

managing that domain on behalf of the registrant. Whereas if we look at today, again, the losing FOA will be sent to the registrant e-mail.

So, if we keep that practice, then, sometimes it will be two different persons or entities and sometimes it will be the same. So, I still think it's extra security. I don't think I agree that it's necessary since, when we look at so many ccTLDs that don't do it today and don't really have any issues, I think we should really consider if we want to keep the losing FOA since it is slowing down the process which is, at least, annoying for some registrants. Thank you.

ROGER CARNEY:

Thanks, Kristian. Just to follow up on your point there, if the losing FOA is kept ... You mentioned it slows it down, but what if that's really just a notification or an, I guess, hand-raising, "Hey, something is wrong," but it doesn't slow down the transfer? What are your thoughts there?

KRISTIAN ØRMEN:

Yeah. If it's just a notification then it doesn't slow down the process. It's good information. I like that. But are they waiting five days? That, I don't really like. I think we should be more efficient in the transfer process.

ROGER CARNEY:

Great. Thanks, Kristian. Sarah, please go ahead.

SARAH WYLD:

Hello. Well, I was going to say basically what Roger just did. I think we should get to a point where the transfer is processed right away when the transfer authorization code is given to the new registrar, then the domain moves to the new registrar. The losing registrar should still send this message. We should probably change the content of the losing FOA to be more oriented towards this new process.

But the losing registrar should send it specifically as a notification. There is value in that. And it should not slow down the transfer but it should just tell the domain owner, "Hey, your domain has moved. It transferred on this date to that place, and if that's a problem, let us know." And then, we need to build in some kind of transfer reversal process and put boundaries around when that process should be used. But I do think that there is still value in having losing FOA and we should still require it but we should not require that delay period. Thank you.

ROGER CARNEY:

Thanks, Sarah. Theo, please go ahead.

THEO GUERTS:

Yeah. I think it all boils down to, how much security do you need, and how big is the security issue anyway? So, I also keep comparing the transfer process to [what a Dutch] registry has in place. I mean, that is a good reference for myself because we have hundreds of transfers on a daily basis, incoming transfers, outgoing transfers. That is all instant. The notification is actually sent to the registrant.

And if I look at the cases of domain theft or unauthorized transfers, that is not something I would support, people are worried about or bothered by. It's not a thing, so to speak. So, again, how much security do you need? And you can actually have a very deep discussion, how secure those levels of FOAs actually are. James Galvin already hinted to it. So basically it's, what are we trying to solve here, and how big is the problem? Thanks.

ROGER CARNEY: Great. Thanks, Theo. Steinar, please go ahead.

STEINAR GRØTTERØD: I think I'd like to say that At-Large or the CPWG will not necessarily vote against improvement of the losing FOA or additional feature within the losing FOA. The pure fact, what we have kind of agreed on, was that there should be a message to the registrant one way or another and the losing FOA is a way to do that. If you can add more flexibility, improve the speed, etc., I will take that into the group for another discussion. But it's not written in stone as it is today. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. Jothan, please go ahead.

JOTHAN FRAKES: Yes, thank you. So, in thinking this through a little bit, there are some circumstances that exist in the marketplace in between registrars of a concept that's called a "fast transfer" or "frictionless transfer." It's often

used in marketplaces and it's where the registrant has actually opted into a fast process of transfer, whether they have listed the name in a marketplace or they're somehow consolidating their names deliberately.

In those circumstances, it's an opt-out, I guess, of the typical messaging and market frictions. And I wonder if the same concerns or considerations might exist within the At-Large if there were a deliberate process on behalf of the registrant where they had deliberately opted out of some of this messaging that may have occurred in order for the domain to be deliberately transferred.

So, in essence, we want to make sure there's a lot of security to the system with a minimum of friction. So, if it were the case that the registrant had somehow opted out, either by e-mail or by some elective opt-in process within the registrar for this on the domain name, would that be an okay circumstance for that FOA to, by the losing registrar, be bypassed? Thank you.

ROGER CARNEY:

Thanks, Jothan. Excuse me. Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. I think the notification e-mail that we are talking about is great, but I think in order to avoid misunderstanding we need to name it something else than "the losing FOA." I think the losing ... Well, FOA, form of authorization, and I don't really think that's a notification. So, we need to maybe call it the losing registrar transfer notification or

something like that, because that is just an informative e-mail and doesn't require anything from the registrant.

And also, at the point that this mail is sent, the transfer is already complete. But it is important that it is the losing registrar sending it, but also because the new registrar would not have the current registrant information. Yeah. So my message is, basically, we need to call it something else so people don't think that we continue the losing FOA if we are actually changing it to a notification.

ROGER CARNEY: Thanks, Kristian. Any other comments, questions? Sarah, please go ahead.

SARAH WYLD: Hi. I would like to support Kristian's suggestion. We should rename it and we should also rewrite it. Thank you.

ROGER CARNEY: Great. Thanks, Sarah. Steinar, please go ahead.

STEINAR GRØTTERØD: Renaming, I personally am in favor of that. I think what they have in the chat is definitely more descriptive. Based on the discussion within the CPWG, I think one of the features that we kind of are in favor is a way for the registrant to stop the transfer, meaning that if the losing FOA, or whatever it's being called, is being sent after the transfer is completed

then there has to be a process to reverse the transfer if it's not in the willing of the registrant. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. Sarah, please go ahead.

SARAH WYLD: Thank you. Hi. I have a thought on the topic of the reversal process, which I'm not sure if it's appropriate to get into discussing it right now but I'm hoping somebody can just make a note for when it is appropriate to discuss, which is that a transfer in some but not all circumstances will also include renewal of the domain name. And that has ... The fact that it doesn't always renew the domain, because it depends on where you are in relation to the auto-renewal period, has already been a source of confusion for, I believe, many customers.

So, we should consider if we can make that easier to understand but also, as we're getting into the idea of a reversal process, if the domain was renewed as part of a transfer and then the transfer is being reversed because it was an invalid transfer of some sort, does that also remove the year that was added on? Because that's complicated. So, just flagging that as something that we need to consider when we build a reversal process, as well as boundaries around under what circumstances is someone allowed to do so. Thank you.

ROGER CARNEY: Right. Thanks, Sarah. Owen, please go ahead.

OWEN SMIGELSKI: Thanks, Roger. Following up with my comment in chat. I support Sarah's suggestion that we should rewrite the losing FOA, or whatever it is we're going to end up calling it, because right now the current requirement is it must be in a specific format and ICANN Compliance is very strict in that. If there is one word wrong, they will make a registrar change it. So, I think we need to do ... I prefer more of we put some guidelines in there about, oh, an FOA should include items one, two, and three and these sorts of terms, and not say, "You need to use this exact form," just to give some more latitude and leeway for registrars to implement it on their own. Thanks.

ROGER CARNEY: Great. Thanks, Owen. Okay. Any other comments? Okay. Well, great. Again, it was great that ALAC brought that forward, especially on list, and the fact that they are taking these items back to their stakeholder group and discussing it, and exactly what we're wanting for everyone to do. We don't want all these things to come to the stakeholder group eight months from now and saying, "Well, we don't like that." We'd prefer those discussions happen in line with the discussions that we have teed up. So, that's great. All right. Keiron, please go ahead.

KEIRON TOBIN: Oh, thank you. Just to confirm, I take it if everyone is in agreeance that we are looking at changing it then everyone is in agreeance that we are keeping the losing FOA.

ROGER CARNEY: Thanks, Keiron. Actually, I think we'll kind of touch on that a little bit later and have everybody be able to talk to that within today's discussion. But yeah, I think that that's one of the points we want to get to. Okay. All right. Again, great discussion. Exactly, the perfect process that we want everybody to be using, so that's great. All right. Let's jump in and discuss ... Well, actually, staff put together another poll for us to work through and get some discussion going, so let's go ahead and jump into the poll.

I don't know. Emily, are you going to run that? Julie? Amy? There we go. Thank you very much. Okay. First question. Does the losing FOA serve as security function? Again, I think people have talked back and forth on this so even ... Already, this call. So please, again, for members only. We'll go through this. Jothan, please go ahead.

JOTHAN FRAKES: I think that we're set in the reverse mode on the poll than we intended to. Right now, hosts and panelists are unable to vote on the poll.

ROGER CARNEY: Julie is fixing that now.

JULIE BISLAND: I did this last time. I'm so sorry. One moment.

ROGER CARNEY: Thanks, Julie. Thanks, Jothan, for bringing that up. There we go.

JULIE BISLAND: Thank you.

ROGER CARNEY: Thank you. Okay. So, again, does the losing FOA serve a security function? Yes, it's important that it continues to serve this function. Yes, but the function [can be served] other ways. No, it does not serve a security function. Or, not sure and needs more discussion. So, please go ahead and vote. Again, members only. We will talk about it in a minute here. Thanks. Thanks, Berry, for mentioning that.

Yes, we're not voting, we're just using this for discussion. Okay. Let's go ahead and show the results. Okay. So, I think that yes is definitely the favorite here, and I think we're leaning between ... Obviously, the majority thought, yes, it's a good security feature, but it can be handled multiple ways. Again, I think yes is heavily favored here. But I think, for those that thought that we need more discussion or wasn't sure, do you want to come on and bring up anything? Concerns, issues that you have, maybe, with this, or what clarification on, just so that you can make a decision of yes or no. Anyone that voted no or needs further discussion? Steinar, please go ahead.

STEINAR GRØTTERØD: It's kind of dangerous for me to say this but what I know from my experience is that several ccTLDs do not have this form of authorization paperwork within the transfer process. We haven't really dug into their

experience. And some of these are kind of large ccTLDs also. Personally, I think I actually [e-mailed] to this group from Norid,, the top-level of .no, Norway. They changed this and they have a very, very positive experience in just getting rid of this paperwork. But the key thing here is whether it's a security or not. That's why I kind of addressed "not sure/needs further discussion."

ROGER CARNEY:

Great. Thanks, Steinar. Theo, please go ahead.

THEO GUERTS:

Yeah, that's actually a great comment from Steinar, there. I mean, a lot of the large ccTLD operators do not use FOA at all. So, you can question if it is a really good layer of security. If you, of course, look into the domain [attack] cases, usually the entire e-mail box was compromised. So, the FOA would indeed end up at the attacker itself or they would have taken the measurements, like setting up a spam rule, so it would directly go to spam and the registrant wouldn't even see it. So, when it comes to security, I think this is one of the weakest forms. I think it's much more effective if a registrant has a control panel with a registrar where there are multiple options of multifactor authentication. That is way much more effective. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. Yeah. And I think that when you described, I suppose, the level of security, I think that maybe you hit on that. It seems like it's a security feature and, sometimes, it obviously will be. But

it does seem like it's one of the ... I don't know if "weaker" is the right term or not but, yes, a weaker level of security. So, Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah. Just to come back to Steinar's point, yeah. in terms of ccTLD, I can think of quite a few that have a much better security thing. The only thing is that, as ccTLDs, they tend to be defined just by that single country, which means they can do things like claw-backs and stuff like that.

But when you have a space of gTLDs it becomes a lot larger, and with different registries involved, and stuff like that. I just think it would require a lot more research before we started to look at other ones. I mean, as you mentioned, yeah, I can think of three or four that are quite good. But yeah, they just have certain UDRP processes in place and stuff like that. So yeah, in terms of gTLDs and ccTLDs, there is a big comparison. Thank you.

ROGER CARNEY:

Great. Thanks, Keiron, and thanks for bringing that up. I mean, obviously, it's not an apples to apples. It may be an apple to orange or something similar, at least. Orange to tangerine or something. But yes, there are some differences, so it's something to keep in mind. So, great. Jothan, please go ahead.

JOTHAN FRAKES:

Thank you. So, I took this question in the poll to mean that the losing FOA as it exists now, today, where I receive an e-mail that allows me to decline and, in many cases, also approve an outbound transfer at the losing registrar ... But I've also heard us discuss four different scenarios around what a losing FOA is that we might want to crispen our definition of so that everybody is agreeing or disagreeing on what those are. There is a notice before the transfer would happen that's just a notice of a transfer about to happen. There is a notice after a transfer might occur. There is what we ...

It would be a version of the losing FOA where the existing registrant receives a notification that includes some form of a link or means to decline the transfer, and then a version of that which also includes a link to approve the transfer if they choose. So, the approval of the transfer is sometimes there, sometimes not, as a variation of that. And I took this question to mean the latter, either two of those circumstances, when I answered this poll. But I wonder if folks might have been answering the question with any of those four scenarios in their mind, and it might be beneficial for us to be explicit about which ones we are agreeing or not agreeing on. Thank you.

ROGER CARNEY:

Great. Thanks, Jothan. And I think that's important. I think that, as we have discussed this, we have noticed that the losing FOA is more than just one thing, and it has multiple factors in it, and each of those needs to be fleshed out and discussed. Okay? Any other comments? Okay, good. All right. Let's go with the next question. So, does the losing FOA [surveying] notification function? Yes, it is important that the losing FOA

continues to serve this function. Yes, but this function can be served through other measures. No, it does not serve this function. Or, not sure or needs further discussion.

Again, members, please vote and we will discuss. Okay. Let's go ahead and show the results. So, definitely that people agree that it serves the function, and it looks like people think that the best way is to keep the losing FOA in whatever form we come up with. But it's definitely leaning toward ... Yeah. So, it does serve this important and it's important to maintain that purpose. So, that's a good notice for us to look at, that no matter how we decide what is keeping the losing FOA, changing it, eliminating it, everybody agrees that this notification process should be part of that. So, that's great. Keiron, please go ahead.

KEIRON TOBIN: Yeah, thank you. Yeah, I agree. I think maybe some of the verbiage in terms of the ICANN RAA maybe need to be changed a bit. But yeah, I think it's a good step forward.

ROGER CARNEY: Great. Thanks, Keiron. Any other comments? I like ones that everybody agrees on because that makes it a little quicker, and easy, and we move on. All right. Next question. So, does the losing FOA serve as a paper trail function? Again, yes, it's important and the losing FOA needs to keep it. Yes, it does, but it could be served by other mechanisms. No, it does not serve this function. Or, not sure. Again, members, please vote and we will discuss. Okay. Let's go ahead and see the responses. Okay.

So, that looks like everybody thinks that it does. A few people wholly not sure that it does or does not. Kind of mixed on if the FOA needs to contain it or if it can be maintained elsewhere, so—excuse me—something good to discuss. For those that don't think it serves this function or not sure, want to discuss it further, if you want to come to the mic and let's talk about those things, get clarification on it? Barbara, please go ahead.

BARBARA KNIGHT:

Thank you. So, I answered “no, it doesn't serve this function” because my understanding is that the FOA—for the losing FOA, anyway—could be sent to the registrant, but the registrant doesn't necessarily have to respond to it and if they don't respond to it then the transfer is going to go through either way. So, I'm not really certain that I'm convinced that it serves as a paper trail other than to indicate that it was sent. I don't know that it necessarily provides anything if the registrants don't actually respond to it. So, that was just my thoughts on that.

ROGER CARNEY:

That's a great point, Barbara. It's one of those where it is always said, and it's required to be said, but a positive or negative response to it does not need to occur for the transfer process to finish. So, that's a good point to bring up. Theo, please go ahead.

THEO GUERTS:

Yeah, same as Barbara. I mean, it is not always the case that you end up with some kind of paper trail but it is necessarily very functional to have

a paper trail that you can actually use it in certain cases. And if a hacker has full control over e-mail box then they will acknowledge anyways and you don't have any use of it.

ROGER CARNEY:

Thanks, Theo. Owen, please go ahead.

OWEN SMIGELSKI:

Thanks, Roger. First, Theo, yes, while commonly I would expect that somebody who is trying to hijack a domain name may have access to a compromised e-mail account, it's also possible that the person who actually is legitimately controlling the e-mail account could still have access to that, even if somebody had gained access through a password. They may not necessarily change the compromised password right away just so that the person is not aware of the hack. They could do this in a way that ... That way, they keep access to the account. So, having an e-mail notification like that could actually still get to the registrant, even with a compromised account.

And then, with what Steinar was asking in the chat, is this required, to keep records of this, like the full e-mail? No, ICANN does not require that the registrar keep a copy of the full e-mail sent to a registrant for a transfer. And actually, in any of the types of records that ICANN requires, it's sufficient that if there is a standard template that they used the registrar must keep a copy of that template and then also a log file indicating date, time, recipient, type of template used in there.

So, it does have to be specific. And then, coming with what Sarah was asking, “Are there alternate methods?” I think we shouldn’t be too restrictive in what we state. When this policy first came up, e-mail was how a lot of the communication happened, and so it was required for e-mail. But I think if there are other types of electronic communications and notifications that could happen now and in the future, whether it’s an app push notification, or a text message, or some other type of instant message communication that’s standardized, or trackable, or something like that, I think we should be pretty broad in allowing registrars different ways to implement this as they see fit for their customers. Thanks.

ROGER CARNEY:

Great. Thanks, Owen. And just going through that and talking about the other mechanisms, the other possible ... Leaving that flexible, it really goes quite in line with what you were saying, that ICANN Compliance does require the logging. Not the specific thing but the fact that the event happened, when it happened, and to, and everything, and those things still stay valid moving forward with any mechanism. It’s just that that template or whatever would be different. So, great. Thanks, Owen. Theo, go ahead.

THEO GUERTS:

I agree with you, Owen, 100%, completely, no disagreement there. But in terms of record-keeping, it doesn’t really tell me as a registrar, or I don’t see how it is useful that I can see in my logs if a domain name has been transferred and the registrant clicked “okay” on the transfer and it

later turns out to be the hacker. I mean, I can track that and I can put it in the logs but I don't see how it is useful in day-to-day cases where we are dealing with domain theft, because usually you end up with a scenario that there was full control of the hacker.

And what does that tell you? That the hacker acknowledged the transfer on day X, on hour X. Maybe you can use it but I find these scenarios so far away that I don't see the actual usage there. I mean, we already track, all of us track, a lot of stuff, anyways. But I don't see how the yes or no is really helpful as a registrar in your record-keeping. But maybe I don't have too many cases of domain theft, so maybe I'm barking up a tree here that is not very productive. But I don't see it, for now. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. Okay. Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. I'm just suddenly not sure ... When we say record-keeping, are we just talking about registrars, or registries, or registrants? Because for me, I think as a registrar I have all the [locks] of what's happening, anyway, so that's not something I would use the FOA for. But if I were a registrant, I would probably look back in my e-mail to see when this domain was transferred from one provider to another. So, for some registrants, that notification that a losing FOA is also ... [It sort says] that could be record-keeping for them, and to go back to see what happened in their mailbox, basically. So my question is, when we say record-keeping, in what level are we talking about here?

ROGER CARNEY: Great. Thanks, Kristian. Yeah. That's a good point, to recognize that there is multiple different record-keeping going on there. Jothan, please go ahead,

JOTHAN FRAKES: Well, the timing on this may or may not be right but I did want to get it onto the records for Jothan, that when we're talking about the losing FOA there are some scenarios that have evolved in the marketplace where the registrant kind of pre-opts-into a somewhat frictionless transfer where a notification may or may not be appropriate or right. And there are marketplace scenarios where a registrant deliberately opts in so that there is a preauthorization of a transfer. There is consolidation of registrars. There is a lot of M&A activity.

So, businesses are buying businesses and registrars may have an agreement with their registrant where company-owned registrars, plural, may be transferring names to consolidate them under one registrar and just do that as part of their registrant agreement with their customer. So, there are some scenarios that I can envision would be very legitimate reasons to not have these losing FOA or these types of transfer things and notification happening that exist outside of ... That are very legitimate scenarios, I would say, that we should leave room for those to occur without forcing, or demanding, or requiring that there is notification occurring. Thank you.

ROGER CARNEY: Thanks, Jothan. Okay. Any other comments, questions, clarifications? Holida.

HOLIDA YANIK: This is Holiday Yanik, ICANN Compliance. I just want to make a note if the FOA will be only in the form of notification. And as was mentioned before, auth code will be able to be retrieved by the account holder, who may not be a registrant. And registrant, the real registrant, has not been provided the option to approve or deny the transfer, because this is only notification regarding completed transfer. Compliance would be interested in hearing about other possible measures to improve the security of inter-registrar transfers and the ways to be used and evidences to be used in investigation validity of completed transfers upon unauthorized transfer complaints. Thank you.

ROGER CARNEY: Great, thank you. Okay. Any comments? Theo, please go ahead.

THEO GUERTS: Yeah. It goes back to how big or how great of a security feature it is, the losing FOA. I think there are better options out there and I think if you look ... If you go a long ... If you go deeper into the process itself, then we will eventually come up with better ideas than just the losing FOA as a security feature. I think there is a lot of improvement there, though security is very hard. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. All right. Any other comments on this item here, the paper trail? Okay. Let's go ahead and move onto the next question. Okay. Does the losing FOA serve other functions not listed in the previous questions? So, I think this kind of goes back to—I think Jothan may have mentioned this—the multiple ways he was looking at one of the questions. So, are there other things that people feel the losing FOA does that we didn't cover in the first three questions? Yes, no, not sure, needs further discussion.

Again, anybody that answers yes or no, needs further discussion, I'll probably ask for some input on that so we can get those documented. Please and answer, members, and we will discuss. Thanks. Okay, great. Let's go ahead and show the responses. Okay. A majority thought that we'd cover most of it. Somebody answered yes, there's another feature that we missed. And some are not sure and would like to discuss. Jothan, please go ahead.

JOTHAN FRAKES:

I'm that guy. I'm that guy who answered yes. And I'll say that I have had it serve another function, although it probably falls under the other categories. It's that I have had two or three situations in the last year or two where, due to all the transfer locks, 60-day stuff, I've had to have somebody forward the FOA e-mail in order to complete a registrar transfer from an e-mail box they couldn't change and they didn't have access to do the things that the registrar ... I've had former employee's situations where they have had to help where they had used a personal e-mail address. So, there are some scenarios, legitimate scenarios, although hopefully we'll close the gaps on some of these as this group

does our work, but there have been some situations where that FOA does kind of help ensure that a transfer occurs reliably. Thank you.

ROGER CARNEY:

Great. Thanks, Jothan. And those that wanted to discuss it further, please come forward and let's discuss it, see if with can identify those things. And as Jothan mentioned, it closes many of those gaps that we can, as we're discussing it. So, anyone that wanted to discuss it further, please let us know. Okay. Nothing else anyone wants to add on this one? I think we've got it covered, somewhat. And as Jothan mentioned, obviously, we'll look for those gaps as we put this all together and make sure that we're accounting for everything that we see.

Okay. All right. Let's move onto the next question, then. All right. Should the losing FOA continue to be required in its current format? Again, I think I saw Sarah ask, and maybe someone else ask, verbally, what we're describing here. And these questions are specific to the current process, as-is. So, should the losing FOA continue to be required as it is today? And obviously, the answers here, as-is, yes.

First one: required but updated/changed. Should be eliminated as a requirement but other measures are needed to serve certain functions. So this is, maybe, the notification is still needed but we can put that somewhere else and nothing else is needed. So, that would be your third option. Should it be eliminated as a requirement with no additional measures to replace it? Or not sure, it needs further discussion.

So members, please go ahead and choose your responses and we'll discuss. Okay. Let's go ahead and show the results. All right. So, strongly

moving away from ... To how it is exactly today, and very heavily on let's update it, and make it more current, and maybe pretty big changes to it. Eliminate the requirement as it is and just move with [several of the functions]. So, I think that, again, here, anyone that answered "not sure, wants discussion," or ... And again, maybe the yes here, "let's leave it as-is," are the important ones to discuss as the majority are leaning elsewhere. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah. If you put the two middle answers together, you get 87%. I think it seems like there was a big drop from kind of "yes, you agree to," no ... Yeah. So, maybe somewhere in the middle there, if there was that middle option. I'm not sure how other people feel about that.

ROGER CARNEY:

Thanks, Keiron. Yeah. And I think that what we're really leaning to is, yes, it needs to be updated and modified to a fairly good degree. But again, I think it's important for us to hear from people that want it left completely as it is today or anyone that wants to discuss it in more detail so that we know that changing is the right thing to do. So, anyone that wants to leave it as-is or wants further discussion, please go ahead and raise your hand and come to the mic.

Okay. Maybe someone clicked the wrong button. I don't know. Doesn't want to talk about it. That's fine. You can bring it up on the list if you do want to talk about it more. If we move down that path of updating and changing it, maybe that still hits on all the needs for that. Okay. No other

comments, questions? Let's move onto the next question. Whoops. That was a quick poll.

JULIE BISLAND: Sorry, not sure. One moment.

ROGER CARNEY: Thanks, Julie. Okay, great. All right. If you no longer support the losing FOA as a requirement, would you support it as an optional resource for the losing registrar? For example, losing registrar may confirm the intent of the registered name holder. Yes, no. I suppose this kind of goes along with the last one. Are there pieces that should be required, some that may be optional? It sounds like that's the path everyone was heading down but let's go ahead and talk about this. Make it a requirement or making it optional. Yes, no, needs further discussion. Maybe that's where to fit in some needs to change, some needs to stay, things like that.

So, members, please go ahead and vote, and we'll discuss. Okay. Let's go ahead and see the responses. Okay. Pretty high support on supporting ... Maybe making it optional. But pretty split, here, compared to our other results. So, I think important here is let's hear from those that are concerned about making it optional or those concerned that ... And just need more discussion to figure it out. Sarah, please go ahead.

SARAH WYLD: Thank you. Apologies for repeating what I basically said in chat. I think it's a really interesting idea. So, I could imagine a situation where a

registrar says that they want to provide an additional security measure, basically, that the domain owner has to approve the transfer at every stage in order for it to go through. And that seems acceptable to me. That seems like it should be allowable. My concern would just be that they might put too many roadblocks in place to make a transfer impossible and then customers can't leave them, which is not good. So, if we allow a losing FOA that does have a requirement for an affirmative response then it needs to have some boundaries to make sure that they can't make it prohibitive. Thank you.

ROGER CARNEY:

Thanks, Sarah. Yeah. I think that's important, that we don't get down the path of making it too difficult to transfer away. I mean, one of the goals into this was making it not as easy but as secure and efficient as possible. So, Theo, please go ahead.

THEO GUERTS:

Yeah. I'm in the not sure camp at the moment. I mean, it looks very low-impact, if it becomes an optional resource. But I'm definitely not going to think about it now. I'm tired. But we'll think about it later on. It seems low-impact but you never know.

ROGER CARNEY:

Great. Thanks, Theo. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. If we make the losing FOA possible, I think we should add the requirement that it should be as easy to acknowledge or deny the transfer. It shouldn't be easier to do one or another because some bad actors might want to block the transfer if possible, and that's destroying the process. Thank you.

ROGER CARNEY: Yeah. Thanks, Kristian. I think that goes along with what Sarah was saying, is there are bad actors that we have to watch for on both sides of this: some that want the transfer to stop and some that want it to continue on without some knowledge. So, I think that's important, to look at both sides of that and make sure that we're covering both of those. Okay. Any other comments, questions? Okay. All good. I think that may have been our last question. Is that right, Julie?

JULIE BISLAND: That's correct, Roger.

ROGER CARNEY: Great, thank you. Okay. So, I think we were able to tease out quite a bit out of that and that it appears there is some value in this losing FOA, which needs to be renamed and changed. But I think that there are some pieces of this that seem like the group want to at least continue forward with. Again, not leave it as it is today but make it more flexible going forward but still maintain some of those good qualities. And I'm not going to say security features, I'm just going to say good qualities/good features of it.

So, I think that's a good spot to get into that we know, yes, this needs to be updated. It shouldn't exist as it is today. We already know that it needs to change name to whatever we call it and leave as much flexibility in there for it to grow along the way, as well. Let's not embed specific e-mail things into it when we know that later in ... Maybe even today, it's not the best communication mechanism for many registrants. Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. You just said the changing name and it just brought me to the fact that, if we keep losing FOA as an optional feature, then losing FOA will still be losing FOA, and then the registrar transfer notification will be a new feature in the transfer process, separate from the losing FOA.

ROGER CARNEY:

Thanks, Kristian. Okay. So, I think that ... Steinar, please go ahead.

STEINAR GRØTTERØD:

Do I understand you, Kristian, that the notification stuff should not necessarily be sent from the losing registrar? Do you ...? What am I misunderstanding here? Thank you.

KRISTIAN ØRMEN:

Thank you for the question. No, it should be the losing registrar sending that. I just reacted to the fact that Roger said, the changing name of the losing FOA. And then, it got me back to the fact that we're talking about

maybe making the losing FOA optional. So, in my mind, if we make the losing registrar transfer notification, that should always be required. And if you have the losing FOA, you should probably still have the losing registrar transfer notification. So, I would like to split those two up so the registrar transfer notification is required while the losing FOA, if we decide to do so, will be optional. Both is being done by the losing registrar.

ROGER CARNEY:

Great. Thanks, Kristian. And I think Kristian is kind of leading us into what I hope we can get a few volunteers on the call here to document between now and in their next call. Some of those changes that seem to make sense or not even ... Just some new ideas, even, of changes to the losing FOA. What I'm looking for is just a few people to write down thoughts on, okay, what do we mean when we say change? Okay, let's change the name. Let's remove that this is not a requirement, an option.

Or, as Kristian mentioned, maybe it's a requirement that you have to notify. So, I'm looking for a few volunteers to document those and possibly bring those to the call next time so that we can talk through those changes that we're looking at making on this losing FOA, or soon to be named different. Anyone interested and taking a [pin] on that and documenting a few of the ideas? Several of them have already come out and I think that's great.

But I'd like to get some people to document their thoughts on this and bring it to the group so we can discuss through those proposed changes.

Anyone? Okay. Thanks, Sarah. Sarah's already ahead of us, like usual, especially since she's taken time off. She always gets ahead of us.

And maybe this is a great spot Sarah started, and, anyone else that wants to add to this, I encourage them to add to this so that we can have a fruitful discussion next week on proposals of a change. It seems like everybody agrees a change is needed, so let's put in the proposals in here and we can discuss all those next week, as well. Steinar, please go ahead.

STEINAR GRØTTERØD:

I just want to emphasize that, based on the discussion within the CPWG, there was no consensus in making the losing FOA as not mandatory, as an option. One of the things that we kind of focused on is that we want to have the transfer process and the change of registrant as simple, safe, and secure. So, whatever kind of work we do for the notification stuff, it has to be in that line, that it should be simple, safe, and secure. So, just for the record, that is the essence of the discussions in the CPWG. Thank you.

ROGER CARNEY:

Great. Thanks, Steinar. I think that's a good ... I don't know what you would call it, but good tag, there, that those make sense: simple, safe, and secure. And hopefully, we can encompass all those with an efficient process. Jothan, please go ahead.

JOTHAN FRAKES: Okay. So, I'm going to add a layer of complexity but also make it easier for certain things. Can this FOA, the losing FOA, be used for a group of names, not just individual name per notice or per FOA? So, could we make this work such that, if I'm transferring five names, they can be consolidated on one? Thank you.

ROGER CARNEY: Thanks, Jothan. Yeah, and you're kind of leaning into our bulk discussions that we've had and will continue to have. Bulk as in ... Even five is a nice efficiency, if you can cut that down to one versus five separate. So, Barbara, please go ahead.

BARBARA KNIGHT: Thank you. So, it seems to me, if we were able to do a notification that a transfer has been requested prior to it being completed, then we could avoid the undo, in some cases at least. And it seems like, instead of it being more of an FOA, per se, it's more of a notification, similar to when you change your e-mail address, for instance, or anything else on an account that you may have at a bank or what have you, that says, "Hey, we've just received this request to change this information. If it was you, great. If it's not, follow up by contacting us," or something to that effect. So it seems to me that if we're looking at a way to give a registrant a means by which to, perhaps, prevent a theft, we would want to do it prior to the transfer actually completing.

ROGER CARNEY: Thanks, Barbara. Yeah, and that's an interesting point. You think the registrars go through the process of doing that as the registrant is requesting, but should there be an e-mail? Or not an e-mail, a communication/notification sent initiating the transfer, so to speak. Sarah, please go ahead.

SARAH WYLD: Thank you, yes. To Jothan's question about multiple domains, I would say that each domain name must have its own unique transfer authorization code but one transfer completion notification could include multiple domains as long as the registrant is the same and the gaining the registrar is the same. But there is also an operational with which is, how would the registrar know to consolidate the messages? So, I think it should certainly not be required but it's something that, if anything, we would leave it up to the registrar to build that into their own system if they feel like it's necessary. Thank you.

ROGER CARNEY: Great, Sarah. Thanks for that input. Owen, please go ahead.

OWEN SMIGELSKI: Thanks, Roger. I would like to just agree with Sarah and then kind of go a little bit more one-up, there, in that I don't think we should force or require this. I think it should be permitted. And it's also my opinion that that is permitted now. It's not prohibited by the transfer policy. There's nothing out there that, I recall, it specifies an individual FOA per domain

or per transfer. And so, I think we can just kind of let it be as it is now.
Thanks.

ROGER CARNEY: Thanks, Owen. Yeah, and I would agree with you there. I think it's important, as you said, not to put in place anything that changes that. Sarah, please go ahead.

SARAH WYLD: I'm sorry, that's an old hand.

ROGER CARNEY: Oh, thank you. Okay. Good. And again, thanks to Sarah for starting this. This is exactly what we wanted to get to, those proposals of change, since we got to that spot of the group feels that the change is necessary. What are those changes? What are the ideas of change that we can make there? So, it's between now and next week. Let's add to that, Sarah's list she started here, and we'll discuss all those items next week, as well. Okay. Any other comments, questions?

Okay. Well, I think that I want to thank everybody for putting up with me. If you couldn't tell, I'm a little stuffy today. The pollen has hit me hard this summer, so I'm fighting a little ragweed here. I probably sound a little stuffy, so thank you all for putting up with me. But I think we'll go ahead and close the call here, then. And again, the homework being let's add to this list so that we can discuss those proposed changes to the losing FOA, until we rename that, so that we can discuss those on the next call.

And again, I want to thank ALAC for sending out the e-mail and getting that going. It's the perfect example of what we hope everybody is doing/I expect everybody to be doing: going back to their stakeholder groups and discussing these items as we discussed them so we can get relevant input as we go through, and make the best decisions we can, and not get blindsided toward the end. So, again, thank you on that. Okay. Any other comments, questions, anyone? Okay, great. Well, thanks, everybody, and we will talk to you next week.

JULIE BISLAND:

Thank you so much, Roger, and thanks, everyone, for joining. This meeting is adjourned. You can disconnect your lines and have a good rest of your day.

[END OF TRANSCRIPT]