
ICANN Transcription

Transfer Policy Review PDP WG

Tuesday, 30 November 2021 at 16:00 UTC

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JULIE BISLAND:

Good morning, good afternoon, and good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group call, taking place on Tuesday, the 30th of November, 2021 at 16:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom Room. We actually have no apologies for today's call.

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. Observers will remain as an attendee and will have access to view chat only. As a reminder, when using the chat feature, please select "everyone" in order for all participants to see your chat and so it is captured in the recording. Alternates

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not replacing a member should not engage in the chat or use any of the other Zoom room functionalities.

Statements of interest must be kept up-to-date. If anyone has any updates to share, please raise your hand or speak up now. All right. Seeing no hands, if you need assistance updating your statements of interest, please e-mail the GNSO Secretariat.

Please remember to state your name before speaking for the transcription. Recordings will be posted on the public wiki space shortly after the end of the call. And as a reminder, those who take part in the ICANN multistakeholder process are to comply with the Expected Standards of Behavior. Thank you and over to our chair, Roger Carney. Please begin.

ROGER CARNEY:

Great. Thanks, Julie. Welcome, everyone. It sounds like a good group. No one had any conflict today. That's good. Just a few items before we get started on our review of any changes that were made to the losing FOA candidate recommendations.

Just a reminder that we are pulling forward section H of the charter, which is dealing with the NACKing reasons. And we're going to work those next month, actually, in the later part of December. Next month, I guess, starts tomorrow. But later part of December, we'll start that discussion and get that wrapped into the overall policy discussion so we can get that done. Then we'll follow that up with the bulk stuff once we get past all the single-item stuff. So just a reminder so people can take a look at the NACKing section—again, section H of the charter.

Other than that, I will see if Owen is available to talk. I think that he has some polling data from the Registrars Stakeholder Group that he'd like to share. Owen?

OWEN SMIGELSKI:

Hi, Roger. Thanks. I know I had sent along a link to staff. Is it possible to put that up on the screen? Great. Thank you. What I did was I sent out ... And I appreciate whatever staff is logged in here. It shows on my end as anonymous axolotl. I love that little creature. Very amusing.

What I did here was I sent out a survey to the members of the Registrars Stakeholder Group. I talked with them at our membership meeting and was able to get 21 respondents to this survey. It was asking questions about what their thoughts were regarding a domain name lock upon domain creation, as well as a domain name lock upon domain transfer.

So it was 21 respondents. The Registrars Stakeholder Group is about 100 members. So about 20% of the membership actually responded. To give an indication of how many domains under management total that represents, although there are several thousand registrars, a lot of them are used for aftermarket drop catch type services. So some registrar families may have several hundred members as opposed to actually being that many individual registrars.

I won't share who voted how here, and I have not done that with the Registrars Stakeholder Group, but there was a very wide selection. All of the large registrars voted, some mediums and

smalls, so it's a very good cross-section as well as a geographic selection—some Asia, as well as North America and Europe voted on this.

The options that were provided here, I gave them a vote, what they thought they wanted. As you can see, from the first chart here, domain name lock upon creation, 60-day lock as well as 30-day lock were the two most popular thoughts there. I note that the 30- and 60-day vote total there was 61.9%. Keep that number in mind. You'll see the other ones. There's also a large—who want no lock as well, too. That's the third biggest one—upon creation, at about 24%.

So if we scroll on down to the next page, this is the domain name lock upon domain transfer. And a similar distribution here as well, too. Remember that number, the 60-plus-30-day lock? Even though the vote totals here are different, the same total of 61.9% want the locks on that period as well, too. Again, also similar to creation lock, the third highest vote total is no lock.

So again, this is not really anything binding, or anything formal, or a position paper from the Registrars Stakeholder Group. But it was feedback—what the Registrars Stakeholder Group thought, and what they liked, and what their thoughts were. So again, I wish I could give a little more clarity and a little bit more solid recommendations there. But it does seem to be a little bit all over.

I do have some comments that the Registrars provided. I'm just coming back from a week in Portland on vacation. So I haven't been able to go through all of them but I can share some of those with the e-mail list for this group so you can get a little bit more

color to some of the reasons why some of those registrars voted for that. And I'll also share the link to this as well, too, so that you can look at it if you want as well, too. So I will pause here, if anyone has any other questions. Otherwise, I will pass it back to Roger to continue on with today's show. Thanks.

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

THEO GUERTS: Yeah. I was wondering. Please remind me or refresh me on this one. What you basically did was just ask the question and we didn't actually provide much of a background on all the other existing—or the proposed changes which would improve the security. I'm correct in that one, right?

OWEN SMIGELSKI: Theo, yeah. Thanks. This was just, "What lock would you prefer? What length?" And then also, there was a comment section. So some registrars did provide some comments or feedback. So I can go back through there and distill that out and share that with the group because some did provide some rationale with why the selected one thing over another or why they wanted this. So I can definitely share that and give some more information to that. I just didn't have the bandwidth to do that yesterday.

THEO GUERTS: That makes sense. And I think if we go through this exercise again—and I predict or expect that we will go back to the Registrar group at some point about these locks—again, I think if we provide them additional information on the changes that are coming, I think might change the outcome a little bit. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Any other questions for Owen? The only question that popped in my mind—and I probably should know this because I looked at it but I don't remember it now—is was there any talk about the opt-in/opt-out feature, as well as the locking?

OWEN SMIGELSKI: Hi, Roger. No. I actually did not include that in there. We did have 20% participation. I know this is an issue that the Registrars are very interested in. So if we do have other things that we want to ask the Registrars Stakeholder Group membership, I'm certainly happy to work with this group to put that there. And I'm certain that we'll get some pretty good participation and feedback there.

So if we have some other things ... This was just intended just to look at the lock option. But we could always do a little more extensive survey and questionnaire if we wanted to get some additional information from them and see if we have that option to make it mandatory or if it's optional. Which way do they go at that? So yeah. Certainly open to do that and happy to help with that. Thanks.

ROGER CARNEY:

Great. Thanks, Owen. Okay. Any other questions for Owen? Yeah. And as many people have said, thanks, Owen, for doing this and providing all the links to it as well. As far as you said in chat, it's kind of scattered. I think that even we saw last week with Steinar, there's a pretty good wide range of thoughts on this idea.

To Theo's point, I think framing that to the groups may—providing some more framing to the groups may help them see that a little differently. Maybe not. But as Theo pointed out, registrars have a lot of different models of business. So it depends, from that standpoint, how they see it anyway. But as Theo pointed out, I think providing a little more information around what we've talked about may help them see that in a different light.

I don't know if we'll need to do this again. I think it's useful and I think it's been nice to see this. I don't know how much benefit we'll get out of additional polling along this line or not. Not against it, for sure. Just not sure what we'll get out of it. But I do appreciate it. And Zak, please go ahead.

ZAK MUSCOVITCH:

Thank you, Roger. Your comments, Roger, relate to something I mentioned in last week's call, in connection with the At-Large poll that was conducted. I have the same observation in connection with this poll, in that the background information is so crucial to understanding these things. And adding other options can really change perspectives.

So I really think we should think along the lines of, at some point in the not-too-distant future, putting together some kind of a

webinar or information session that collects the thoughts and perspectives on this in order to provide some solid basis for people to reach an opinion on these issues. I'd love to participate in that, if and when it does happen. Thank you.

ROGER CARNEY: Great. Thanks, Zak. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Just in regards to this data, Owen, I just wondered if you could delve a bit further into it. Obviously, in terms of the responses that you've received, if we could potentially look to whether the older the registrars—so maybe registrars that were prior to a certain year—are more within a certain percentage of the 60-day lock, as opposed to the newer registrars, which may be higher. I just think delving into that may break some of those numbers up, potentially. Thank you.

ROGER CARNEY: Great. Thanks, Keiron. I don't know if, Owen—if you've got anything now. Like you said, you haven't had a whole lot of time with this.

OWEN SMIGELSKI: Hey, Roger. I do know how every registrar responded so I can go through. I told the registrars that this would be—all the data would be put together and anonymized so that nobody would really be reported. So I can see, and go through, and see if I can figure out

the age of the registrars without telling who every registrar is in there. Thanks.

ROGER CARNEY:

Great. Thanks, Owen. And to go along with what Zak was talking about, another thing about this, throughout December, we're going to look at the locks again. We're going to finish up our candidate recommendations on losing and gaining FOA. But we will get back to locks in December before we get into the NACKing.

So let's take a look at if we end up with a fairly good spot of where this group thinks that locking should be. Maybe that's when we can talk about is it a good idea to poll again—and not just the Registrars but At-Large and whoever else wants to do it—poll again but maybe provide some framing for those polling questions for the stakeholder groups. Again, I think we can talk about that once we get our discussion in December done on the locking. So we can look at doing it at that time. Okay. Any other questions or comments?

Okay. Staff, can we jump to the schedule of things that we're looking at doing for the next few weeks—months, I guess? Do we have that available? I've talked through it a bit. There we go. And again, I think I've talked through a lot of this. This is just our high-level project plan. We're obviously not stuck to this but this is just how we have things laid out.

So as you can see, we'll continue our losing FOA and gaining FOA discussions, revisit any TAC items, again just to make things clear so we can get those recommendations in a better spot. And

then we'll touch on that 60-day lock and any of the locks. At that time, I think if we get into a good spot with this group of, "Okay. Yeah. We think this is what should be going," maybe we can provide some framing for future polls to those groups. Maybe that will help them see some more of the information that we're looking at.

Then we'll move on to the NACKing and then hopefully start the bulk discussion sometime in January. Again, just a high level. We'll work through these. These are just the topics in front of us. However we hit them, we'll hit them and get them done. So just wanted to provide that to everybody.

The last thing before we start talking, I think, is, is there any other comments from any of the other stakeholder groups that had any discussions in the background or have any new information they want to share, that they've been going over the past week? This is the time for that, if anybody has anything. No? Okay. Again, we'll try to touch on that every week, just in case any discussions are happening that want to be brought forward.

All right. So let's go ahead and jump into our discussions and updates to the losing FOA candidate recommendations. I think candidate recommendation 13 got reworked pretty good. So I think we'll take a good read at this again and see if we're on the path of where the group wants to be with this. Let me go ahead and reread what it says now after a few weeks of editing.

Recommendation 13, "The working group recommends that the registrar record must send a notification," and please see footnote below as well, "to the RNH as listed in the registration data at the

time of the TAC request without undue delay but no later than 10 minutes after the registrar record provides that TAC. This notification must be written in the language of the registration agreement and may also be provided in English or other languages.

“If the TAC is provided in the control panel, this notification must be provided to the RNH using a method of communication other than the control panel. If the registrar of record provides the TAC and notifies the RNH of the TAC request using the same method of communication other than the control panel, the two messages may be combined in a single communication. The working group recommends that the registrar record be required to include the following elements of the notification and provision.”

Again, the list hasn't changed but it's the domain name, date and time the TAC was provided, and instructions to the RNH on what to do if this was an invalid request. So again, quite a bit of changes here, kind of lengthened it out. So I open this up for discussion, people's thoughts on the edits. Does this align better to what the group was thinking?

No comments? It's written perfectly how we want it to be? Keiron, please go ahead.

KEIRON TOBIN:

Sorry. Maybe I missed this but where did the 10 minutes come from?

ROGER CARNEY: I think that was just pulled as a placeholder, as it's still in brackets there, the 10 minutes just being a somewhat reasonable time after the TAC has been provided. So I think that's still up for discussion. Obviously, again, it's still in brackets.

KEIRON TOBIN: Yeah. I'm just thinking about some of the smaller registrars because obviously, if you get a lot of requests in regards to different transferring out, sometimes systems can take longer to process. 10 minutes just seems a very short amount of time, especially if you have maybe thousands of domains that are multiple ... Although it may be automated, you still can have backlogs. 10 minutes is a very short time.

ROGER CARNEY: Okay. Good input. Any other comments? Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. If people have difficulty with sending out the notification within 10 minutes, they can just send the notification first and the TAC afterwards. Then they don't have that problem. It is really important that the notifications are sent out, basically, at the same time at least as the TAC, since it also works as a security mechanism. Thank you.

ROGER CARNEY: Thanks, Kristian. To that point, thoughts on ... Should the notification be sent before? Is within a certain time acceptable or should it be that the notice is sent before the TAC has actually been provided? Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. I'm okay with both before and after. But I really think the 10 minutes that are put in there is definitely max. It should not be more than that. So it should either be less or before. I understand it could be difficult, in a small system, to send many. But then you can just reverse it and then you're all good. Thank you.

ROGER CARNEY: Okay. Great. Thanks, Kristian. Other thoughts? Okay. Yeah. Emily, would you like to talk about the alternate approaches to these?

EMILY BARABAS: Hi, Roger. Sure. Hi, everyone. I was just noticing, as Kristian was speaking, that there's two alternative scenarios that we've been discussing. I think the one that Kristian has presented is not yet or currently consistent with what we have on paper. So I wanted to lay out those two alternatives and maybe we can discuss that a little bit.

The way that the recommendations are currently framed is that there's always a requirement of the notification of TAC provision, which would occur after the TAC has been provided. If you look at

the required information, it includes, for example, date and time that the TAC was provided. So it's a pretty specific thing. And then, that notification of transfer completion is also required. But the notification of TAC request is always optional. So that's what we have currently framed.

But I think an alternative that we were discussing is that—and putting aside for a minute the notification of transfer completion because I think there's a fair amount of agreement on that—we could frame the recommendations as saying, "Listen. If this is an instant transfer and the TAC is being provided as soon as it's being requested, the notification that's required is the notification of TAC provision." And that will occur after the TAC has been requested and provided.

But if it's in what I think Jim was calling an asynchronous transfer, where there's some delay between when the TAC is being requested and when it's being provided, that the required notification is actually closer to the request. So it occurs before the TAC is provided. So that's the notification that was in recommendation 15.

Basically, it's a conditional recommendation saying, "Instant transfer, TAC request notification required. Non-instant transfer, TAC provision notice required." So it's an alternative way of framing this but perhaps we can get some input on whether that's an alternative that folks support. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. Okay. Thoughts, questions, comments on that? I know we've been working on this recommendation for a few weeks now so I think that we're in a lot better spot than we were but I want to make sure everybody's comfortable with what it's saying.

Okay, any comments on what Emily was describing, conditional statements? Is that something people are interested in? Do people think it's clearer that way, or maybe not as clear that way? Anyone have thoughts on that?

Okay, one of the things, as I was reading through this, I was thinking that the majority of the way the things work, we're trying to account for scenarios where the account can be accessed by other individuals besides the registered name holder. And I know that happens often, but obviously, the majority of accounts out there, the registrant is the account holder as well. So I don't know, thoughts from people on, are we overcomplicating this for the non-majority?

And again, it's not like it's a small number, so I don't want to say it's not a majority, but the account holder and registrant being different, I know happens often. It's just not the majority of the time that that's true. So I just want to check the temperature and see if people think that we're overdoing this, overcomplicating it, thoughts on that. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Yeah, in regards to the [inaudible], I'm happy with it. My query is just the ten minutes. To be honest with you, I think

this is something that we can potentially, moving forward, when we look at bulk transfers and stuff like that, I think number 13 might be something that we come back to later on. But for the moment, I think it's fine as is. Thank you.

ROGER CARNEY:

Thanks, Keiron. And it looks like Kristian is good with it as it is. And again, obviously, this isn't our last edit of this, but we don't want to spend much more time unless it's being affected by other things. So once we move off of this, we don't want to be wholesale changing it later unless it's absolutely necessary.

Okay, I see in chat Farzaneh had a question. She's not too concerned about what it says, but she did have a question about why try to be so specific and if it's a security issue or not. And I think that to answer that question, that's the issue, is trying to be specific enough to account for when someone can access the account that's not the registrant. The security piece—again, security in quotes here, I guess—being that the registrant at least is made aware that a transfer is being processed, requested in those circumstances. Again, the majority of the time, the registrant is the account holder, but obviously, there's a large enough number of scenarios where they're not the same and that's what we're trying to be specific about as we can. Hopefully that helps.

Okay, if there's no other comments or questions on this one, we'll consider this to be in good shape. Again, this has gone through some pretty good editing for me a few weeks ago. And I think it's much more clear. Again, a lot more words here than there was,

but much more clear of what our discussions early on had uncovered.

Okay, let's move on to Recommendation 14. I don't think we made a bunch of changes here, but let me go ahead and reread it. Obviously, we made the language change and things like that. The working group recommends that the registrar of record must send a notification—and again, see the footnote there—to the RNH as listed in the Registration Data at the time of the transfer request, without undue delay but no later than a certain period after the transfer is completed.

This notification must be written in the language of the registration agreement and may also be provided in English or other languages. To the extent that multiple domains have been transferred to the same gaining registrar or to multiple gaining registrars at the same time, and the RNH listed in the registration data at the time of the transfers is the same for all domains, the registrar of record may consolidate the notifications of transfer completion into a single notification.

The working group recommends that the registrar of record be required to include the following elements in the notification of transfer completion: domain name IANA IDs and link to ICANN maintained webpage, listing accredited registrars and corresponding IDs, and if available, name of the gaining registrars may also be included, text that the domain name was transferred, date and time of the transfer, instructions detailing how the RNH can take action if the transfer was invalid and how to dispute.

So again, some changes that were made in there. Probably the language one is the most straightforward change there because it was changed the same as we changed above. But a few other changes as well. Jim, please go ahead.

JAMES GALVIN:

Thanks, Roger. There's one little bit of ambiguity that jumps out at me in this recommendation as worded. We start out talking about the transfer request and then we jump to the notice of transfer completion. So it just feels like that little bit of ambiguity needs to be resolved. Maybe it's just about notification of transfer and it's either the request or the completion depending on when you sent it. So that's my observation. Thanks.

ROGER CARNEY:

Thanks, Jim. And I think that that quandary of ... This is about the completed transfer and I think the issue comes out as the registrar of record only knows about the registrant at the time of request, not the registrant after the completed transfer. So I think that that's where some of that comes in. Theo, please go ahead.

THEO GEURTS:

Yeah, a couple of questions regarding the footnotes. I think two and three are exactly the same, unless I'm not reading it correctly, but [inaudible] the same. Anyhow, that's not very important.

Number one, the working group recommends ... Is that a recommendation or is that a suggestion, or how do I read this?

ROGER CARNEY: All of our recommendations will be the working group recommends, and that's not suggestion, that's just the wording of how a recommendation is written.

THEO GEURTS: Yeah, but footnote one says the working group recommends that in place of losing FOA, notifications are sent to the RNH when key changes take place within their account. I don't know that. I can't see that. I'm working with resellers. How do I monitor that? Because if a reseller—a registrant's control panel gets changed, we don't get any information back through our APIs. We don't see that. That is within the reseller itself, it's on their system, on their backend. We don't have access to it. So I can't be compliant with that recommendation as in footnote one.

ROGER CARNEY: Okay. Thanks for bringing that up, Theo. We'll have to look at that. Okay, Sarah, please go ahead.

SARAH WYLD: Thank you. Good morning. Hi. I have a point similar to what Jim raised. I think where it says registrar of record in the first line could be confusing, because this message is to be sent after the transfer is complete. So the registrar of record is the gaining registrar now. They have already gained the domain.

So I've put a couple of suggestions for how we might want to raise that into the document. We could say the pre-transfer are a or the former registrar. Certainly, I'm sure there are many other good ideas that we could come up with. But I do think it would be useful to clarify that. Thank you.

ROGER CARNEY: Great. Thanks, Sarah. Yeah, that's a good point to clarify. And I know we've tried to keep clear of losing/gaining, but maybe this is a spot for the losing registrar since they have—to your point, this transfer is now complete. Kristian, please go ahead.

KRISTIAN ØRMEN: I just wanted to say, how I understand this footnote one—in my understanding and explainer text that these recommendations that we are doing here is something we are doing instead of the losing FOA. So just explaining the reader that we are getting rid of the old losing FOA and we're doing this recommendation. That's just how I understood the footnote, but I could be wrong.

ROGER CARNEY: Great. Thanks, Kristian. And maybe Emily will answer that. Please go ahead.

EMILY BARABAS: Thanks, Roger. And yeah, I basically just wanted to confirm Kristian's recollection that several members raised concern about Recommendation 12 which recommends eliminating the losing

FOA. They were concerned that if someone looks at that as a standalone, that they may not see that some of these notifications are intended to replace the functions that the losing FOA has served. So there was a request to add a footnote essentially referring to the following recommendations for details about that replacement. If folks have suggestions for alternate wording for that footnote, we certainly welcome that, you can just insert it directly into the document as a comment. But that's the intention, is really just to direct people to look at the full package of recommendations together, and of course, also the response to the charter question which provides that context and explanation. Thanks.

ROGER CARNEY:

Great. Thanks, Emily. That helped me a lot. And maybe Theo can noodle on that for a while and come up with something through the footnote that works a little better. But now I understand what that's trying to say. Keiron, please go ahead.

KEIRON TOBIN:

Thank you. Just in regards to the IANA ID, I take it in terms of management of this process, would that be something that registries would go to directly to obtain that, or would we be able to work through ICANN in order to get an up to date list in terms of any changes that would be implemented with regards to such as registrars that may have been suspended and stuff like that? Thank you.

ROGER CARNEY: Thanks, Keiron. And I think your question is along the lines, if the IANA ID is provided, the registry is going to provide that to the registrar, whatever the IANA ID is, is what my understanding was. And current list or not current list, it's the IANA ID that it got assigned to. So I don't know how that changes or maybe modifies your comment, Keiron.

KEIRON TOBIN: Yeah, the way I see at the moment, I don't know how different IANA is to ICANN as an Org in terms of how they communicate with each other. So I think just some clarity there, update or kind of further information with regards to how they collect that data, if staff could provide that.

ROGER CARNEY: Okay. Thanks, Keiron. Sarah, please go ahead.

SARAH WYLD: Thank you. I have a comment going back to the footnote number one, which I could save if we're still in the middle of a different topic.

ROGER CARNEY: No, please go ahead.

SARAH WYLD: Okay. If you could just click on the suggestion I made. So I find that this phrasing, when key changes take place, is confusing. I'm

not sure what it's intended to mean. And it worries me that it could just tie into all kinds of account-related changes, like what if they update a credit card number, right? So what if we just say notices are sent in relation to a transfer as detailed in the recommendations? Thank you.

ROGER CARNEY: Thanks, Sarah. Theo, please go ahead.

THEO GEURTS: Yeah, it's a nice suggestion, Sarah, but I don't think for the registrars with resellers, that is going to make any difference. Again, we don't have any access or information on those accounts. We only have the information of the registered name holder. We can send notifications to the registered name holder, but if a registrant, a customer, going to change details in an account at one of our resellers, we don't have that information. They can change the street name, their e-mail address, their credit card, whatever, and we will never know that information.

And that is the problem with this recommendation. We can never be compliant with it because it is not even—if we would have to build such a system, that is going to be a major issue. That's going to cost millions. But maybe it's acceptable—we are talking about the accounts of registered domain name holders, and we might be able to add or we could add also reseller accounts. I'm not sure how problematic that will be. At the registrar I work for, these accounts are very static. As soon as anything is changing, our staff is reviewing the changes prior to processing it, but that is

just us. I don't know how Tucows works or OpenSRS or Enom, I have no idea how that works there.

For us, it would be a big problem, it would add a little additional security maybe if a reseller account gets compromised. That's the only thing I can think of. Thanks.

ROGER CARNEY: Thanks, Theo. And I think Sarah was trying to eliminate any of that [inaudible] change idea, but I'll let her talk to that. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. So this footnote is only explainer text, so we should move these key changes completely from the text because that's not why the footnotes are there. The footnote is only saying or supposed to say that we have decided to remove losing FOA, we have decided to do notifications instead as detailed in Recommendation 13 to 15 which we believe is—we have to find some other wording, but better or good enough or secure enough as going in place of losing FOA. But it should only explain losing FOA is not here anymore, we have these three recommendations that do notifications instead. So the footnote is not a recommendation in itself, it's just explaining the other recommendations.

ROGER CARNEY: Thanks, Kristian. It sounds like you agree with Sarah's rewording there. But I'll let Sarah speak to it now. Please go ahead.

SARAH WYLD: Thank you. So definitely agree that we should make sure that changes like what Theo described are not included here, but I think that that is solved by saying—if we take out the portion of the footnote that I highlighted and use instead the new text that Caitlin put in, I think that solves it because it says in relation to a transfer as related to recommendations 13 to whichever. So those recommendations are limiting what is required to happen. Thank you.

ROGER CARNEY: Great. Thanks, Sarah. I think what Sarah and Caitlin did solves Theo's issue, but we'll let him read it and especially now that it's marked up a little bit, harder to read, but we'll let him read it and let us know. I think that that works. Keiron, please go ahead.

KEIRON TOBIN: Thank you. I just want to raise something with regards to the current EPP. As IANA IDs aren't currently in that, I just want to make sure that registries for the IDs and stuff like that are actually kind of being put into ICANN requirement for it.

ROGER CARNEY: Thanks, Keiron. Yeah, I think that's right, I don't think the IANA ID is passed back. It's just the registry ID at the registry, I think, is what gets passed back. So yeah, I think that that would be a new task that—and the registries can jump on and let us know, but I

think that would be a new item for them to pass back in that poll message. Thanks, Keiron.

Okay, so Theo, Kristian, Sarah, Caitlin, thank you for updating our footnote so that it's workable. Okay, and on the other footnote, I thought I saw in chat—and I think Theo mentioned it, that they're the same, they refer to it in different spots, and I'm not an English major or document guru or anything, I don't know if there's a reason to have separate footnotes if they're saying the same thing, even if they're referenced at different points, but Emily, please go ahead.

EMILY BARABAS:

Thanks, Roger. The reason that we duplicated the footnotes was kind of along the same lines of concerns that if recommendations are taken in isolation, that there might be a concern that some meaning is lost. So we did duplicate that footnote just so that if someone looks at a single recommendation, they can see that language. And of course, we can just sort of do an ibid instead if that's preferred, but ... And you can have both recommendations refer to the same footnote. Okay, we'll give that some thought and see if there's a simpler way to do that. Thanks.

ROGER CARNEY:

Thanks, Emily. Jim, please go ahead.

JAMES GALVIN:

Yeah, sorry. Could you scroll down a bit?

ROGER CARNEY: Jim starts with “sorry,” so we know we have to make some changes.

JAMES GALVIN: You'll see there that since Emily so kindly asked for recommended suggestions, I rewrote that paragraph to get rid of the ambiguity that was bothering me. And I hope that I did not materially change anything. If I did, it was an accident, it was not my intent. Trying to capture what we had but make it clear what was going on, and you can either take a look at this now or I just wanted to call it out and I leave it for staff or whoever to resolve any conflicts that I introduced that were completely unintentional. Thanks.

ROGER CARNEY: Thanks, Jim. I appreciate that.

JAMES GALVIN: Yeah, and I left the footnotes out, unfortunately, so they'll have to be put back in. But I presume people can take care of that. Thanks.

ROGER CARNEY: Great. Thanks. I think that I see where your changes were made. And I think we can get that updated in the original rec so that we remove that quandary there with the registrar of record concept. Does staff or anybody have questions on that? On Jim's point there. If not, we can get that updated. Emily, please go ahead.

EMILY BARABAS: Thanks, Roger. And I'm just skimming through so I apologize if I'm missing it. I just noticed that it looks like it says sending the notification of transfer completion to the RNH without undue delay but no later than ... so essentially removing the reference to the details of the RNH's information. I'm just curious if that works for everyone, if that's sufficiently clear, not specifying the timing of when the RNH's information was gathered. If there's anything that we need to add there. Otherwise, that is simpler and simpler is good if it's clear.

ROGER CARNEY: So Emily, your concern is I think that Jim solved the problem with the registrar of record but may have inadvertently created a problem with the RNH. Because it's got to be the RNH at the time of—

EMILY BARABAS: It may not be necessary to specify if it's already sufficiently clear. But essentially, we just need to make sure that we provide enough clarity about when we have a snapshot of the RNH's information to send that notice. Hopefully that's clear. We can also add it as a footnote instead of including it in the main text if that simplifies the sentence.

ROGER CARNEY: Yeah, and Jim, what are your thoughts on that? I know you didn't want to change anything structurally or meaning-wise, but obviously, that was one of the points of confusion there for you.

JAMES GALVIN: Whatever makes it easier for other folks. I'm just trying to be helpful. It's fine. I see the point that she's making and I'm good with whatever you need to do to make that right.

ROGER CARNEY: Okay. So yeah, I think the clarity here to make sure that we have the registrar of record as Jim has here, but I think—there you go. I think that's right, whoever's editing. Thanks, Jim and Emily. Keiron, please go ahead.

KEIRON TOBIN: Just to go back to the IANA ID here. I can't seem to edit this document for some reason. Can we just add, in terms of the registries at the moment, currently, are using their own IDs and this requirement needs to be kind of imported from the registry side?

ROGER CARNEY: Thanks, Keiron. I don't know if any of the registries want to talk to what's passed back in that transfer complete poll message, or any of our registrar technical gurus on that know? But yeah, if Jody has the answer to this, we'll let Jody talk. Go ahead.

JODY KOLKER: Hi. So what happens currently when a domain is to be transferred away, the registrar will get a poll message from the registry. The registry will send in a requesting ID which identifies the gaining registrar and an accepting ID which identifies the losing registrar. These IDs are not IANA IDs. They're only the registry—the registrar's ID within that registry. So as you can imagine, take any registrar, the registrar will have a different registry ID with every single registry. They'll have a different registrar ID, because there is no way for the registrar to determine what the IANA ID of the gaining registrar is because they have an ID that does not match an IANA ID anywhere.

ROGER CARNEY: So this would be a new requirement for registries then.

JODY KOLKER: Yes, that's right. So for instance, CentralNic, their registry or registrar IDs all start with H and then a six- or seven-digit number. That doesn't correlate to an IANA ID anywhere.

ROGER CARNEY: Okay. Great. Thanks for that, Jody. Theo, please go ahead.

THEO GEURTS: Yeah. Thanks. And I will apologize to the entire group here. I was the one who brought up the IANA ID issue and again, apologies. I looked at the code and I was of course looking at .com, and yes, the rest is history, I created a massive confusion around the group

here. And Jody is absolutely right, all registries have their own internal registrar IDs. So thanks for clearing that up.

ROGER CARNEY: Thanks, Theo. Sarah, please go ahead.

SARAH WYLD: Thank you. Jody, thank you so much for providing that information. I made a couple of notes and dropped them in the chat just in case it's useful. So I feel like where we are right now is we have this idea that this IANA ID or registrar name should be included in the message to the domain owner, and so the next thing we need to think about is, that's going to take work on a lot of different people's parts. So, is it worth doing the work? And I kind of think it is. This seems like a really useful piece of information to send to a domain owner, and I feel like if I were a domain owner and I got an e-mail that said, "Hey, your domain's been transferred," I might think that it's spam or fake or I might think—if I don't get in the e-mail where the gaining registrar is, it just might not be as useful as a security notification. Right?

So I'm interested to hear what others in the group think as to whether this message is useful enough to put in the work that thousands of people all around the world are going to have to put in to accomplish it. Thank you.

ROGER CARNEY: Thanks, Sarah. And yes, recognizing there'll have to be work if that's what was agreed. So Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. I agree with Sarah, and I think it is worth the work. I really think it's valuable info that should be in the notification. Thank you.

ROGER CARNEY: Thanks, Kristian. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Just with regards to stolen domains and stuff like that as well, if Compliance can physically see this information a lot quicker and just go to the IANA ID, it would reduce a lot of work in terms of trying to find out exactly, as Jody mentioned, from the exact information as to where it's gone and stuff like that. So it does reduce work overall. You may end up having to put this through, but I think the benefits, to me, kind of outweigh the negatives on this impact. Thank you.

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

SARAH WYLD: Thank you. So now I want to disagree with myself and take it from the other side. Is that really that useful? So if I'm a domain owner, really, what matters to me is that my domain was transferred, and I'm going to know that either I initiated a transfer and now it's done, or I did not initiate a transfer and so there's a problem. How likely is it that I'm going to initiate a transfer and at the same time,

somebody is going to steal my domain and transfer it away to a different registrar? That actually seems maybe not that likely, and maybe the notice that just says, hey, it's gone, is enough.

ROGER CARNEY: Thanks, Sarah. Theo, please go ahead.

THEO GEURTS: Yeah, I agree with Sarah's thinking there. But basically, that is up to the registries to weigh in on. It looks like a very simple change. They've got all the information, you just map out the IDs. But some of these systems might be very old, so it might be very costly. I don't know, but I don't think that is up to us, but up to the registries. Thanks.

ROGER CARNEY: Thanks, Theo. I think what's up to the group is determining its value so that the registries can actually weigh that against the value, or the group can weigh that against the registry cost for that value. So I think it's important for the group to come to an agreement on how valuable that piece of information is so that the registries can understand that. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. I'm trying to look at it from a registrant perspective and from a registrant perspective, I would say if I transferred my domain name, I would like the notification to include where it was transferred to. Another aspect of it is also that quite a lot of

registrants don't read the registration agreement and maybe they would be surprised to know where the domain had moved to. It is quite a valuable information, especially for people that are not used to dealing with domains. For me personally, I would just look in WHOIS, I can see everything is great, or RDAP or whatever, but for the general, normal Internet user that don't do domains on a daily basis, I think this is quite valuable information in a notification. Thank you.

ROGER CARNEY:

Great. Thanks, Kristian. And I'd just add that from a registrant perspective, it seemed like that would be an obvious data thing to have. Again, just as a registrant. Whatever that makes it elsewhere, I don't know, but from a registrant perspective, it just seems like that would be somewhat obvious to be known in the system and this bigger ecosystem, I guess. Steinar, please go ahead.

STEINAR GRØTTERØD:

Hi. Not taking the view totally from At-Large, but I actually agree with Kristian 110%. I think we should also teach the registrant to be familiar with the kind of hierarchy in the domain name system, the registries, the registrars, etc. Having the IANA ID together with information on the notification that is sent, that you can actually look up the contact details for your new registrar with this link and the IANA ID will be of extreme value for the registrant. So I know it might be costly, but I definitely think it's worthwhile doing that in the long run. Thank you.

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

KEIRON TOBIN: Thank you. Just bringing it back to the requesting ID and accepting ID that we currently have at the moment in place. When you look at this kind of aspect at the moment, what does it actually identify for us, if that could be replaced by an IANA ID, I think it would help even maybe newer people coming into the industry who may kind of want to join in the future a lot more clarity in regards to what it is, because I think at the moment, requesting ID and accepting ID are just kind of confusing. And like Jody said with regards to the specific industries, the registry portals that they use and stuff like that, we need to make it more user friendly as a whole. Thank you.

ROGER CARNEY: Thanks, Keiron. And appreciate you bringing that up because you actually viewed that completely different than how I viewed it, and I didn't think there would be a change at all to the current IDs. I just thought there'd be an additional ID provided by the registries that showed the gaining registrar ID. But I guess that's something we would have to come to, is, does the current system change or is it just something that's added? Jim, please go ahead.

JAMES GALVIN: Thanks, Roger. I want to thank Jody for just creating a very thoughtful question and potentially a great deal of work for all of

us. It's very helpful of him. But more seriously, he really did bring up a good point. I didn't know that the registrar ID is not what's in that EPP transaction, and that's significant.

What I will say is on behalf of the registries, we will ask this question of registries to see what folks think about this issue and what position we're in. The reality is it could potentially be a lot of work for some people depending on what they're doing internally. Do they have their own readily available internal mapping to the registrar ID of this magic ID that they're currently using? So there's potential here for some real change that might be needed. So we need to give a heads up. We will take this back to our stakeholder group and ask the question, and see what we get back from people in terms of the amount of work and what people's thoughts and feelings are about it. Certainly take the point from this group that it looks like something—I think I want to frame it this way, please correct me if I get this wrong, but this group is thinking that it would be a good idea to get that registrar ID. It certainly does facilitate an additional security notification on behalf of a registrant. So that's the motivation for wanting to do this. And I did also see Sarah's comment in the chat about maybe looking for the name and not just the ID. We'll ask the question. I'll tell you my inclination is that let's just deal with what we know programmatically is around and there. If you want to make this user friendly on behalf of your registrant, I think that you can convert the ID to a name. I think that option should be there too. But we'll at least ask the question about name versus ID and we'll see about that.

I should also just offer that I don't imagine we'll get an answer to this question in a week's time, as I'm sure you can appreciate, takes a while to frame the question, ask it, get responses, collect all that up and bring it here. We'll try to get something here in a small number of weeks. But in fairness, we'll ask and see where we are. Thanks.

ROGER CARNEY:

Thanks, Jim. And again, all the holidays and everything coming up, I understand the timing. And as this doesn't impact our recommendation greatly, I think, take the time and get the response needed from your stakeholder group and not try to rush anything. So I appreciate that. Thanks, Jim. Keiron, please go ahead.

KEIRON TOBIN:

Thank you, Jim. And just if you need any help with regards to kind of just data from the registrar side. I'm not sure if anyone else would want—but I'm more than happy to help assist them in any way that we can with regards to this. Like I said, I open that to the registrars as well who may feel that they want to have an input. Thank you.

ROGER CARNEY:

Great. Thanks, Keiron. Okay, again, great discussion. Any other comments on this? Again, as Jim pointed out and I think the group came to, I think the value here is large enough to at least have the registries investigate [inaudible] impact it has on them. So I think

it's worthwhile to leave in here until we hear back from the registries. Berry, please go ahead.

BERRY COBB: Thank you. This question is probably specific to Jody since he's the master technical guru how transfers work within EPP. I am curious, do you have a pointer to documentation about what that looks like, or is it really just the RFCs that are published out there? In particular, I'd be interested in seeing kind of a technical flow diagram about how a transfer works within EPP and a gaining and losing registrar. If anything, just for my own education. If not, then to maybe help have a better perspective when we're laying on policy on top of technical infrastructure.

ROGER CARNEY: Thanks, Berry. I'll let Jody talk to this, but yeah, it's definitely bigger than just the RFC, but most of it comes from there. Jody, please go ahead.

JODY KOLKER: Thanks, Roger. There isn't a particular flow diagram out there, but we could use what Sarah's developed, the Excel spreadsheet, to put in where the transfer poll messages are coming in currently in the current state, and then we could throw examples in there of what the registrar's actually getting from the registry. And those poll messages are actually defined in the IETF in 5731 I believe it is, RFC, and those will tell you or show examples of what those poll messages should look like and what's included in there.

ROGER CARNEY: Yeah, and I'll just lay on top of that that obviously, every registry has its own policy and interface as well. So even the RFC formulates the base of that, recognize that every registry, it doesn't have to be exactly that way to be compliant. Berry, please go ahead.

BERRY COBB: Thanks, Roger. And thank you, Jody, for that response. I'll take a look at RFC. And thank you, Sarah, for the link. Just as an FYI to the group, I'm working on a flowchart, so to speak. Right now, it's from a draft recommendation perspective. I think we've moved on enough that it's not worth the time to develop a current state diagram of what we see today but a future state that is tracking all of our policy recommendations. So right now, the first version of this—and I still have some time to build it out, but it's essentially a swim lane diagram that has the roles of the RNH, gaining registrar, losing registrar, registry, and where there's a task or an action that is moving from left to right on a time scale, so to speak, top-down in nature. Each little square of whatever action is being performed will have a callout as a pointer to our candidate recommendations. And the idea came from this when we were talking earlier, above, on some of the notifications here that were really more closely tied to the recommendations under our TAC discussions. So the end goal here is kind of an end-to-end process flow of how a single domain transfer will look with callouts to each of our recommendations where appropriate and then if I can, then I'll try to interpret this RFC 531 for these EPP polls where they may make sense, and we'll see whether that

complements or distracts from the diagram. But I think it'll be valuable to have this overall picture. And I've started from Sarah's table as the first run, now the second run is to make these callouts to our candidate recommendations. Thanks.

ROGER CARNEY: Great. Thanks, Berry. Yeah, it sounds like Sarah likes that idea more than just a plus one, maybe a plus 100 for that idea of the new swim lane concept or the transfer. Just to help Berry with that, and maybe Jody can jump in again, 5731 mentions, but does it detail the poll message that comes back on the completed?

JODY KOLKER: Hi Roger. Yeah, it details what the requesting ID is and what the accepting ID is. If you want, I can put the example right in here.

ROGER CARNEY: Yeah, you can. I was just wondering if it would be helpful for Berry to go to the poll RFC as well.

JODY KOLKER: I don't think it's in the poll message itself or in the poll RFC itself. It's definitely in the poll message. Let me see if I can find it. I'll post it. Thanks.

ROGER CARNEY: Thanks, Jody. Okay. Correct, Sarah, neither of which has the IANA—well, I shouldn't say that it doesn't. It doesn't require the

IANA. It is possible that they're using the IANA, it's just highly unlikely.

Okay, so again, great. Thanks, Berry. And Jim, thanks for taking that back to the registries and working on that to see what that looks like. Okay, so let's move on from 14 down to 15, which is our one optional notification.

Recommendation 15, the Working Group recommends that the Registrar of Record MAY also, at its own discretion, send a notification—see footnote—to the RNH, as listed in the Registration Data at the time of the TAC request, without undue delay but no later than a certain period after the TAC is requested. This notification may be appropriate to send in instances where there's a delay between the request of the TAC and provision of the TAC. This notification may be written in the language of the registration agreement. It may also be provided in English or other languages. Suggested data elements of the notification of TAC request are the domain name, the date and time the tac was requested, instructions detailing how the RNH can take action if the request is invalid.

Okay, just a few changes there. I think the big help clarifying is the middle sentence, this notification may be appropriate to send in instances where the delay between the request of the TAC and the provision of the TAC exist. Any comments or questions on this?

Okay, I don't think there was a whole lot on 15. I think that clarifying sentence helped a lot as I think that was the only

question that came up on that one. Okay, any other comments or questions?

Okay, and candidate recommendation 16, after last week I believe, I think we agreed to remove this one. So that makes it easy for me. Unless anybody still believes this is needed after our discussions over the last few weeks, I think we got to that spot where this was no longer a needed recommendation.

Okay, and I guess these are the recommendations that were pulled out of our discussions. Maybe an appropriate thing to do is think about, are we missing anything out of our losing FOA discussions? Is there something that we discussed that is not being displayed or portrayed here correctly? Maybe we need to add something. I don't know, I haven't seen anything, I can't come up with anything else. But if anybody can think of anything, let us know so we can get them added.

Recordkeeping. Thanks, Sarah. And then that's a good global thing to think about, and I don't know, maybe that's something we can talk about, is, is that a topic to bring up in each of our discussions, or is that a topic at a more high level on recordkeeping and audit trails and things like that? Any comments on any of that? Theo, please go ahead.

THEO GEURTS:

Yeah. Just a couple high-level ones. I think if you run a business and dealing with customers, either registrants or resellers, you generally keep records and log files of a lot of stuff, and it is my gut feeling based on how I interact with other registrars that we

sometimes can go back a couple years, even beyond what is specified within the GDPR. If you need to defend yourself or legal action, you can actually store a lot of data for a pretty long time. You also have several other laws, maybe tax laws that require you to store records for a pretty long time, sometimes up to ten years, sometimes shorter, but I think it's basically it makes common sense to have log files as a registrar. I don't think anyone would be really in a good shape if you would be without any recordkeeping in general.

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

SARAH WYLD: Thank you. I think if we are to put together some recommendations relating to logs and data retention, we should review the recommendations from EPDP phase one relating to logs and data retention. There is a recommendation specifically there to keep data necessary for the purpose of the transfer dispute resolution policy. So these things are tied together and I think we need to consider them together.

A starting point for a recommendation we might want to include could be that we must keep records of transfer request s and successful and failed transfers—all transfers, and we have to keep those for the same retention period as is required in the EPDP recommendation. So I wonder if we can not specify the timeframe in our transfer policy and instead refer to the timeframe that is

specified in the other policy. That's a thing to think about that might be useful. Okay, thank you.

ROGER CARNEY:

Thanks, Sarah. Yeah, and I think to Theo's point, obviously, again, most registrars are keeping details here, but I think it helps to spell those requirements out. And I don't think we'll come up with anything that the majority of registrars aren't already doing. But we should be specific on what is required and that'll just help Compliance out when they go to investigate anything as well, or help the registrant out when a dispute comes up.

And the timeframes, yeah, I think there's already current wording—I don't think EPDP came up with any specific time frames except for the transfer dispute. And again, I think that we're going to be looking at that during phase two, so we'll be touching on that as well. But I think there's language already out there about—going along with what Theo's saying, keeping logs along the lines of business practice or whatever it is, whatever legal jurisdiction or business practice it is. I can't remember—I thought I saw some language out there about that. So we can look at that.

Thanks, Farzaneh. Yes, if there's no personal data, the EPDP kind of went above—was just looking at the personal data. And I think there's a little more than just personal—registration data the EPDP was looking at if I'm not mistaken, which technically goes just beyond personal data but the GDPR only dealt with that personal data, I think, is what it is.

Okay, but yes, and again, I think I go back to my question, is, as we look at that—I think we all agree we need to have some logging or auditing kind of recommendations, but should we revisit that when we look at the TAC as well and come through and say logging for the TAC? And then as we do these losing FOA, do we say it there? Do we do it in the NACKing? Do we say, is there logging that's required here? Or is there a global just logging for transfer policy?

It seems like it would make it easier if there was one high one, but it seems like it would be more precise and simple for at least me to read if it was broken out per areas that we're kind of discussing.

And again, I think that we definitely need to—and if we touch on the logging and maybe we can even add it here and then if it makes sense to [double] that up, we can do that as well after the fact.

Okay, we made it through the losing FOA and I think we're in a good spot here for the losing FOA. And yes, we still need to add in the logging functionality. And again, I think we can touch on that in each of the topics we hit. So it'll be good.

We only have a few minutes left for today, but I think the important part—if we can bring up the gaining FOA document real quick and take a look at the rationale—perfect. I don't know that we have a lot of comments on this, so I think it's important that everybody take a look at this justification here for eliminating the gaining FOA and read through this and make any comments and we'll start looking at this next week and going through this to make sure everybody is agreeable to this text here about getting rid of the

gaining FOA. So I think everybody take a look at this, provide any comments that you have in the document, and we'll be going over this next week.

Okay, with just a few minutes left, I will open it up for any general comments, questions before we close out today's call. Great. Again, great discussions, and I think we tied up a lot of the loose ends on the losing FOA recommendations, and again, maybe we need to add one more in for auditing/logging and retention there. So something to think about, but also take a look at this document. We'll be covering it next week. And we'll see everybody next week. Thanks, everybody.

JULIE BISLAND:

Thank you, Roger. Thanks, everyone, for joining. This meeting is adjourned.

[END OF TRANSCRIPTION]