
ICANN Transcription

Transfer Policy Review PDP WG

Tuesday, 11 January 2022 at 16:00 UTC

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. Attendance and recordings of the call are posted on agenda wiki page: <https://community.icann.org/x/a4HOCg>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

JULIE BISLAND:

good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP working group call taking place on Tuesday the 11th of January 2022. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room.

For today's call, we have apologies from Keiron Tobin, RrSG, and he's formally assigned Jody Kolker, RrSG, as his alternate for this call and for 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 emails.

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's captured in the recording. Alternates not replacing a

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

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. Okay, seeing no hands. If you do need assistance updating your statements of interest, please email 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 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. Welcome everyone. I don't think there's anything pressing for updates. I will open it up as we do for hopefully every call. Anyone that has discussions from their stakeholder groups over the last week or even more that they want to bring forward, any questions that they have or any discussions that they had that they want to share with the group. So I'll open the floor up to anyone who wants to bring anything forward.

Okay. And I will pointedly ask our alternate, Beth, if she has any updates from her discussions that she left the last meeting with that she was going to take to the registries. And Beth, you can shake your head no, or whatever, or just say no, nothing. But please go ahead.

BETH BACON:

I'm going to say no, nothing, but also provide an excuse that I was out sick all last week, down for the count. So I haven't really floated it with anyone. I let our other team members who weren't on the call last week know that we need to discuss it. We do have our Registries Stakeholder Group call tomorrow. So we'll bring it up then and hopefully have some more information for you. But no, I dropped that ball and was sick as a dog. So I apologize.

ROGER CARNEY:

Great. Thanks, Beth. I'm glad you're feeling a little better, hopefully. And hopefully that continues. Okay. Anything else from anyone as far as any discussions, or else we'll just jump into our work. Okay, let's just go ahead and jump into the recommendations on the TAC. Again, we've gone through these several times now. So we'll kind of cover this hopefully fairly quickly. I think last week, we made one small edit to recommendation three, and I don't know if there's going to be others. Sarah still has the comment on collaboration. So maybe some slight changes to come. But we did remove the "from time to time" from comments from last week. So it may read a little smoother now for people on recommendation three.

And let's scroll down to recommendation five. Sarah, on recommendation three, I think we should have at least wording in there that helps make it either ICANN's choice to make the change or make the text clear that it's ICANN in collaboration with whoever that can make a change to the standard. So I think if the wording—okay, yeah. Thanks, Sarah.

On recommendation five, last week, we had talked about probably possibly removing recommendation five, as it kind of morphed into something that was not actually needed or not follow along with the work that we were doing. So I know there was discussion last week on the call. And I've had several conversations with others over the past week looking at just getting rid of recommendation five. So I think going forward, we'll assume recommendation five is no longer valid, and we'll remove it unless others come forward that want to try to keep it or keep pieces of it anyway.

The additional candidate recommendation that came out afterwards, the xx, we're planning to keep in here until we've completed our discussion on the locking, which we'll hit on after we go through the recommendation. So we'll keep this in until we follow through on those locking discussions, and see if anything specific's needed there.

Let's scroll down to recommendation six. And I think we're going to go ahead and continue forward with the alternate recommendation six, combining six and seven together, just in more pointed, bulleted recommendations here. So I think that moving forward, we'll just continue with alternate recommendation six, it has all the same intent as six and seven have, it's just laid out in an easier to read format. So we'll go ahead and continue with the new version there.

Recommendation nine, a couple edits on recommendation nine and changing it to be a little more clear on the intent of the TAC only being used once for a transfer, and then it gets cleared. So again, just clarifying that it must only be used once. And it's once per domain. And we'll revisit this probably when we talk about bulk

and how that interfaces with this. But for now, we're going to say that this is good, and the must and the addition of the domain name makes it clear that it's only valid for that one transfer.

Now I think the bigger questions was on recommendation 11, where we left it last week. It sounded like 11.1, everyone was good with. And I see in chat that we're getting a couple plus ones on removing five. So that's good. I think everybody was good with 11.1. And I think that we'll keep the 14 calendar days in here. And again, I know there was some discussion last week on if this should be hours or not. I don't know if that needs to happen. And I'll leave that up to the group to make that decision if hours makes more sense here or calendar days is appropriate. We're not talking business days here. So calendar days is 24-hour period. And I don't know how you can change that. So I think 14 calendar days is okay. But again, hours is suitable too, it just gets to be a big number.

So 11.1, I think we had fairly good agreement on. 11.2, there was a lot of discussion. So let's get into that real quick. And I think more of the discussion was on, if it's needed, what are the purposes it's needed. I think there were a few reasons for allowing the current losing registrar or registrar of record, being able to set it to null at some shorter period based on whatever needs. Obviously there's multiple needs. Maybe that's just an agreed upon shorter period between the registrant and the registrar record, or the registrant just comes back and says hey, I don't want to transfer this so the registrar can go in and make that change as well.

So, let's go ahead and open up 11.2 for any discussions, any comments or questions on 11.2. Okay, I think we'll go ahead and leave it as it's written. I think that second bullet under 11.2, I think we can go ahead and plan to keep unless someone wants to remove or discuss that. Holida, please go ahead.

HOLIDA YANIK:

Thank you, Roger. So for the intention to clarify that the registrar may invalidate the TAC after providing it, is it possible to specify in what conditions or circumstances? So to make it more clear what kind of agreement is the registrar and RNH are making or what kind of request is the RNH making. So, for example, it may be to invalidate the TAC in case of change of registrant, [inaudible] request. Yeah, that's it from me.

ROGER CARNEY:

Great, thanks, Holida. And again, maybe we need to have a discussion on, is bullet one and two really any different? Bullet one is the requestor, the RNH. But if the bullet two is basically saying that there's an agreement between the RNH and the registrar of record, is there a difference in that statement? Theo, please go ahead.

THEO GEURTS:

Yeah, thanks, Roger. I'm actually trying to come up with reasons why we have this recommendation. As it is now, a registrant can reset or assign a new AuthInfo code at any given time for most registries at the moment, as it is now. So we already have that capability. And I don't see that it's going to change very differently

when we're going to introduce this recommendation here. So I'm trying to understand what we are trying to solve here.

ROGER CARNEY: Exactly specifically looking at that, I think we're just trying to—I don't know if we say codify or not, but codify the fact of that's what can happen today and we want to continue that, that the RNH has that ability to set that to null, as they do basically today. it's a little different, but it's the same effect of that. So I think that this language is just allowing that to make sure that that is allowable. So I think Jody, please go ahead.

JODY KOLKER: Thanks, Roger. Yeah, I guess I would just like it listed in here to make sure that the registrar can reset it if they need to. And I understand that we're trying to keep other registrars or nefarious registrars from just updating it constantly. But as a registrar, I would like to be able to reset it. If I think that the account has been compromised and there is a password out there, in those 14 days, I'd like to be able to reset it without an agreement between the RNH. I'm not sure how we write that into this and still make sure that a registrar just doesn't reset it because they feel like it or they just don't want the domain to transfer away for various reasons.

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

SARAH WYLD:

Thank you. Hi. A couple of thoughts here. So I do think it's important to have predictability for the registrant as to how long the TAC might last. But also, as Jody and a few others have said, yes, we need the ability to reset it when we think it's appropriate to do so. So what about what our wonderful alt Rich has pointed out, that the transfer policy, the existing policy, sections 3.7 and 3.8 lay out why a transfer can be denied. And so maybe that would be a useful baseline for reasons that we should include as to why a TAC can be reset, separate from the standard 14-day TTL. And part of that, as Steinar was suggesting, could be that the registrants wants to. So that's maybe that's 11 to the first bullet request, right. But there's also things like evidence of fraud or a pending UDRP proceeding or a court order, maybe those are going to be useful and we should lay those out. Thank you.

ROGER CARNEY:

Thanks, Sarah. Yeah, that's a good idea. And I don't know that we have to solve that today, but that's a good idea to look at those and see if those fit here or not. So I think that that's something especially when we get into talking about NACKing, to come back to this and look at this to see if there can be a tie to that list of whatever we end up with. So I think that makes sense. Thanks, Sarah and Rich for bringing that forward. So I think that if we leave it with just the first bullet there, does that work? Do we have to have the second bullet? I'm just trying to be clear and concise. Okay, let's keep both of them now and let's plan to revisit this in our NACKing discussion and see if maybe the second bullet changes into or maybe it's just aa footnote that says here are the

reasons that this is allowed, and that, hopefully—I'll ask Holida now, please go ahead.

HOLIDA YANIK: Yes, regarding this point, I agree with Sarah. And we may in future when we are revising this, reviewing this item again, and the reasons for denial, we can make a reference in this recommendation to the section with the denial reasons. And I'm so sorry, I want to go back to item number one in here. And can we clarify the TAC TTL? 14 calendar days, since when these 14 days are calculated? Since creation, generation, or provision to the registrant? Thank you.

ROGER CARNEY: Thanks, Holida. Yeah, and to my understanding, it was 14 calendar days from being set at the registry. So when the registry actually stores the value, it'll be 14 days at that point. So it'll be when it's provisioned at the registry, is what my understanding is. Please, if that's not true, or if people think it's at a different time, please let us know. Okay, so yes, Barbara, please go ahead.

BARBARA KNIGHT: I guess I don't mind the language there. But I think we need to clarify it a little bit more to say, like 14 days from the time—I'm not comfortable with provisioned at the registry, because the registry isn't actually doing it. But maybe it should be just—I don't know, I'm not sure how we fix that. But I just want to make it clear that it's the registrar that is actually creating and sending the tag to the registry, the registry isn't actually doing anything other than

accepting that TAC. And then I believe the clock would start ticking then if we're being expected to enforce deleting that at the point in time that the 14 days have passed. I just think we need to have a little bit more clarification there.

ROGER CARNEY: Great. Thanks. Yeah, and I agree, and I think that provision is a hard term because as you mentioned, the registrar is really the one creating/slash provisioning it, and it's really when the registry hashes and saves that to the record is when that 14 days really gets started. Otherwise, the registry has no date reference besides that to enforce that 14 days, at least that's my thought. So yeah, we can work on that wording so that it's more precise and fits into the registry being able to actually enforce that. Steinar, please go ahead.

STEINAR GRØTTERØD: Yeah, hi. More like a question. When the registrar is creating the TAC, isn't that automatically or shouldn't it be automatically at the same time being provisioned to the registry? Thank you.

ROGER CARNEY: Yeah, you would think that it's going to be somewhat close. But technically, it wouldn't have to be. The registrar could provision the TAC and hold it before setting it, or their system may be asymmetric and in they provision a TAC, and it sits in a queue and then gets set at the registry at some point when the registry is available to do it. That immediacy isn't necessarily the exact same thing. And I think that's what Barbara's point was, there can be a

time delay between when the registrar creates it and when the registry gets it. And that time, it doesn't really matter, or shouldn't matter to the registry. They should be enforcing when they receive it. And it really should never be given to the registrant, obviously, until the registry has received it as well. So, Sarah, please go ahead.

SARAH WYLD:

Thank you. Yes. Can we just scroll up a tiny bit to look at Rec 10 again? Because I wonder if Rec 10 says the registrar has to provide the TAC within five calendar days, maybe that should also say, generate the TAC in the registry and provide the TAC to the RNH within five days of—maybe we need to tie those two things together in a way that they aren't right now. Thank you.

ROGER CARNEY:

Okay. Yeah, I think that makes sense. And again, I think the important thing to notice is obviously, I think technically there's a possibility of some kind of delay there. But really, the registrant should not be given, supplied that, presented, however we want to say that, that TAC until, in air quotes, that whole transaction is complete, where the registrar creates it, provides it to the registry and the registry writes it to their SRS and provides confirmation back to the registrar of record saying that they've done that. Until that point, we must not provide it to the registrant. Yeah, and that's interesting, Sarah, I'm not sure. I think that saying that those have to occur within that five-day window is still okay. But yeah, I think that maybe there's even more wording to help the registries and to help the process to make sure that that transaction is valid prior to

providing the information to the registrar. Steinar, please go ahead.

STEINAR GRØTTERØD: Hi. I'm going back to a little bit about the—when the TAC is set here. One of the important things, if I recall correctly, this is information that should be forwarded at some point to the registered name holder. So I think it there can't be any confusion about the time to live. If you read this, and it's as Kristian is saying here, that there might be a time delay and when the registrant get the information, he sees that it isn't 14 days time to live, if that is said, it is a smaller, lesser period. So that's a little bit confusing. So I think we should kind of settle down from what time the time to live should start. Thank you.

ROGER CARNEY: Great, thanks, Steinar. Yeah, and again, I think that—so we may need some more wording from Kristian. Yeah, that's my thought. Kristian has noted in chat that TTL starts when the registry gets it. Jody agrees. And that's how I was thinking of it. Sarah agrees with that. To Steinar's point—and I think that obviously, that 14-day clock starts then. But there's also going to be a time delay, theoretically, from when it's set at the registry and when it's provided to the RNH. But we don't really have to even say that, do we? We could say—we could provide the registrant the time it was set plus 14 days so that it expires at X time on that setting. So even if there's a time delay in email, or SMS or whatever, to get that message to the RNH, they know that it's going to be that 14

days minus that time period, and we can tell them what that time is.

There we go, Sarah, thank you. Sarah mentions that it's already in 6.3 that the TAC expires. And should be fairly precise, I would say. Steinar's question, will the registrar get the TTL set by the registry? They'll get the confirmation when the registry sets it and they can use that time. So as soon as the registry actually writes that record, they communicate that back to the registrar in that command. So they'll have the time that it's set.

Okay, so I think we have it covered. Any other comments or questions on that timing-wise? Sarah, please go ahead.

SARAH WYLD:

Thank you. Just a little question, what you just said about the registry telling the registrar in the response, what is the expiry point, should that be in the Rec somewhere? Thank you.

ROGER CARNEY:

Thanks, Sarah. I was not thinking it needed to be. Every command is confirmed by the registry to the registrar. And that specific time won't necessarily have to be passed back, it will be the time that the registry recorded it at. So it will be nothing new. It's something that already exists. And maybe anybody more EPP-aware can tell me I'm wrong or correct anything. But when that gets written, updated, they'll get that, which exists today. They get it today. Okay, all right. Let's go ahead. Emily, please go ahead.

EMILY BARABAS: Thanks, Roger. Before we move on from 11, can I ask two brief questions about that one for the group?

ROGER CARNEY: Absolutely.

EMILY BARABAS: Okay, so for 11.1, we got some support in the chat for using 14 calendar days from the time it is set at the registry consistent with 6.2. Is there any opposition to going with that as opposed to provisioned? That's the first item.

ROGER CARNEY: Set or provisioned is what you're asking?

EMILY BARABAS: Yeah. And I think there was some support for set there. And I'm not seeing any opposition. So for now, we're just going to put set in the text and folks can comment if they have a concern about that word. And then on 11.2, the second bullet, after a period of less than 14 days by agreement by the registrar of record and the RNH, I guess one clarification, is that always prior agreement? So for example, the registrar of record and the RNH both decide sort of contractually that the TAC will expire after five days or whatever, or is it also potentially a case where a circumstance arises, and there's an agreement that there's an issue and the TAC just needs to be reset? And do we need to clarify the

difference between those two scenarios? And Sarah's saying she believes it's the latter. Thanks, Sarah.

ROGER CARNEY:

Great question, Emily. Yeah. I was thinking the latter as well. And my thought there is obviously, how I read it was prior to being set to null, not necessarily prior to anything else. But prior to the registrar of record setting it to null, there has to be that agreement. That's at least how I read that. So, Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. I just wanted to clarify that it should be possible for the registrant at any time to ask for the TAC to set to null, It could be that they agree before setting the TAC that they want to have it nulled already after seven days and they agree to that. And then the registrar can do that after seven days. But it could also be that after two days, they registrant decide he or she doesn't want to transfer the domain anyway, want to null it right away, and they should be able to do that. Thank you.

ROGER CARNEY:

Great. Thanks, Kristian. So I think everybody's agreement that the registrar can request that at any time. And I think the only thing left on 11 is taking a look at the NACKable reasons and seeing how they apply here to allow that to happen for whatever reasons outside of the registrant specifically asking for it.

Okay, any other questions or comments on 11? Again, we'll come back to revisiting this when we talk about the NACKing so we can

see if we can tie all those reasons or some of those reasons in specifically here to allow for, as Jody and others have mentioned, those few reasons why you would want to set it to null before that TTL of 14 days is up.

Okay. I think 11 is our last TAC recommendation. We've had great discussion, we've cleaned them up quite extensively. So I think we're in a good spot on all these. And again, not that we're done with them, obviously. But this second reading has really helped clarify and obviously, it looks like we're going to remove five. And we've done a lot of editing. So it's great that we've gone through these. So I think we can move on from the TAC recommendations and move into the few losing FOA recommendations that we've documented.

And I think we only have four recommendations, some with the extra bullets, but four overall. So on 12—we'll just go through them all real quick. I'll read through them. I don't think there's a whole lot of current text or current comments. So we'll touch on all those comments that are in there and we'll add whatever we can come up with here.

So recommendation 12. The working group recommends eliminating from the transfer policy the requirement that the registrar of record send a losing form of authorization—with an important footnote 1 there. This requirement is detailed in sections to be determined here of the transfer policy. And footnote 1 was just clarifying the working group notes that in place of the losing FOA, notifications are sent to the RNH in relation to that inter-registrar transfer as detailed in recommendations 13 through 15.

Okay, so on recommendation 12, I think we've gone through this once and I don't know that we had a whole lot of comments. Is there any other comments on recommendation 12? Are we good with that? The footnote I think we edited a couple times for clarity, but I think we're good on 12. Anyone comments, questions, concerns on 12? Okay, again, it's not done and over. We'll touch on these again. But we're going to move on and consider it in good shape.

So recommendation 13, a little bit longer one here. The working group recommends that the registrar of record must send a notification of TAC provision—with a footnote 2—to the RNH as listed in the registration date and time of the TAC request without undue delay, but no later than 10 minutes after registrar of record provides the TAC. And a few comments on here. And I think actually Jim may have made a comment later on somewhere about this timing of as listed in the registration data at the time of a TAC request.

I think Jim actually made a point in 14, but it applies here, that, obviously, the registrar of record will have to maintain the historical—if any of this data is changing, at the time of request is the important part that we've noted in a couple of recommendations. So the registrar of record will have to maintain who that at that point in time was, just in case there are subsequent changes. So it's just a comment Jim made. and I'm not sure that Jim is all that concerned, because he doesn't have to do it. But he's just noticing that technicality there. Any comments about the main recommendation 13? We'll get into the bullets, I guess, as we go. But I think where the 10 minutes is highlighted, I

haven't heard anybody say anything against 10 minutes. So we'll set it at 10 minutes until someone comes up with some better ways or idea of what that should be. I think we'll go ahead and live with 10 minutes now.

Okay, can we jump down to footnote 2 just to cover that real quick? Footnote 2 is the working group recognizes that this notification may be sent via email, SMS or other secure messaging system. These examples are not intended to be limiting. It is understood that additional methods of notification may be created that were not originally anticipated by the working group.

Okay. Any comments on that first part? We'll jump into these bullets if there's no comments. Okay, let's go ahead and jump in. And if you have comments, go ahead and jump on. 13.1 is just that notification must be written in the language of the registration agreement, and may also be provided in English or other languages, standard text across most of the policies. 13.2, if the registrar of record provides the TAC via the control panel, this notification must be provided to the RNH using a separate method of communication. If the registrar of record provides the TAC and notifies the RNH of the a TAC requests using the same method of communication other than the control panel, the two messages may be combined in a single common communication. Okay, so this [inaudible] comments on there. Sarah had a few comments to be addressed or comments that Sarah may have edited these, I guess. Okay, so I think that the way we have it, Sarah's comment is taken care of. Thank you, Sarah. Any comments or questions on that? 13.2. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. Did we want to add the TTL in 13.3 as well? The date and time the TAC was provided. I was just thinking maybe TTL would also be nice to include.

ROGER CARNEY: Yeah, okay. Notification of TAC provision. Yes. Was this in? That's a good question, Sarah. Was this in the TAC document? Do we already have that? And should we be making sure they align? Thank you, Sarah. Yeah, and the other thing I noticed—thanks for bringing it up, Kristian—was we don't actually even say in the list that the TAC needs to be provided, but I assume we're providing the TAC as well in 13.3. Kristian, please go ahead.

KRISTIAN ØRMEN: Well, this is the notification of TAC provision. So if the TAC was provided in the control panel, no, the TAC should not be in this notification. That's not the case.

ROGER CARNEY: Good point. Sarah, please go ahead.

SARAH WYLD: Thank you. Kristian, those are some really great points, thank you for bringing them up. I wonder if we should consider putting this recommendation in the TAC section just because it's all about the notification of TAC provision. So definitely, we need to make sure that they line up properly, and especially don't conflict with each

other. But yeah, so 6.3 in the other document says that when the registrar provides the TAC, they must also provide information about when the TAC will expire. So I think it makes sense that that information goes into the 13.3 notification of TAC provision email, and maybe we should just say, include the TAC if it was not provided via the control panel, something along those lines, because in some cases, it should be included, because it's combining it into the same message. Okay. Thank you.

ROGER CARNEY: All right. So is that the easy way to do it, Sarah, is to say if the messages are combined in 13.2, then provide the TAC as well?

SARAH WYLD: I like that idea. Or we could lay out which pieces go in and just a TAC email and which pieces go in the "Hey, the TAC was provided" email, but that seems excessive. So I think maybe we add two things to 13.3, which is—what we just said, if the TAC is not provided in the control panel, then it has to be in this email. And either way, we want the TTL here.

ROGER CARNEY: Yeah, which again, saying that the TTL here, 6.3, I don't think we're in conflict with 6.3 and we're just providing more details specifically in reference to 6.3. And I don't know if we actually say anything about referencing to 6.3 in 13.3.

SARAH WYLD: I think we don't need to specifically reference the recommendation number, but it will make it line up nicely, because when you're reading them, you're going to read recommendation six and say, oh, so I need to include the TTL. And then here in recommendation 13, it's telling me where to include that in this communication. And so as to what Emily has on screen here, I think the TTL needs to be in this email regardless of whether it is a combined or a separate communication. I think it's a separate point. Oh, yeah, I like putting it there. That's nice. I like that.

ROGER CARNEY: I think so too, you can put it in that one bullet.

SARAH WYLD: So just another question about TTL. Should we say instead like the expiry time of the TAC? Because the TTL would be 14 days, right? And it needs to actually say it's going to expire on Tuesday the 15th. Yeah, I like that. Thank you.

ROGER CARNEY: So on the last bullet, does it make sense to change the first part before the comma to say something like if the communication from 13.2 is a combined single communication, this communication will include the TAC? Because right now, it sounds like we're saying the same thing before and after the comma. Something like that. Thanks, Emily, for reading my mind. Theo, please go ahead.

THEO GEURTS: Yeah, thanks. So now I'm getting a little bit worried because when a TAC is created, I as a registrar can see that a registrant or an account holder has created a TAC so I can create a notification like your reseller has created a TAC, please go to reseller whatever, and email them for how to obtain your TAC. But if we are going to the date and the time that the TAC was provided, I'm struggling a little bit with the language, because I don't know exactly when our reseller has provided the TAC. I can only give them an indication when the TAC was created and that they can obtain information, but I cannot give exact information in the notification when the reseller had provided the TAC data.

ROGER CARNEY: Yeah, that's a good point, the provided on that second bullet. Generated. Yeah, something like that, I think makes more sense, Sarah, provided being changed to generated or, again, maybe we need to come up with a general term, maybe a definition of what provisioned and all that means. So maybe we need to come up with a small little dictionary. Sarah, please go ahead.

SARAH WYLD: Thank you. Sorry, I think I've gotten confused about what Theo's point was, because here we're saying in 13.2 we're either providing the TAC in the control panel, or by email. And if you're doing it by email, then you can send only one email instead of two. But if you're doing it in the control panel, you have to send this notification of TAC provision that says, hey, somebody's got the TAC. So it's when it was provided is what we're trying to tell the person, isn't it?

ROGER CARNEY: Interesting, Sarah. So you're saying 13.3 as controlled by 13.2, which I think you're right. Theo, please go ahead.

THEO GEURTS: Yeah, it's an interesting point that Sarah brings up. The way I was reading it, since I have no idea if our resellers who provide such a TAC through a control panel, I would simply ignore this one because I have no idea if that is the case. But just like Sarah mentioned, there is definitely some kind of overlap in what we're trying to achieve here. Thanks.

ROGER CARNEY: Thanks, Theo. So if the presentation is by control panel, there has to be a different communication out to the registrant. And that's what we're trying to describe here. If it's by a different communication method other than control panel, then this still applies. So it still applies to both of these right? Sarah, please go ahead.

SARAH WYLD: Thank you. Yeah, I do agree that it still applies to both of them. Initially, I actually had my hand up to say maybe we want to separate 13.3 into two different points and then for each one of them, we can say what things need to be included in the email. But that might be just overcomplicating it if it's almost all the same, except for the last bullet. Maybe that's not helpful.

ROGER CARNEY: Yeah. Okay. Thanks, Sarah. Kristian, please go ahead.

KRISTIAN ØRMEN: Thank you. I was just thinking about Theo's comment about resellers and trying to work it out in my mind. And I think somewhere in this document we say that we as registrars give out the TAC to the registered name holder or their designated agent. And in this case, the reseller could be the designated agent. So when we as registrars provide the TAC, it would not be when the reseller provide it in their control panel, it would be when we as a registrar provide the TAC to the reseller. And that's what we have to notify the registered name holder about directly, since we gave it out to basically someone else.

So I don't think we have to [count in] what resellers do, basically, because it's about when we gave it to the reseller, we could give it to the reseller in our own control panel. We could give it via some API or some other thing. But it's basically when we ask registrars give it to the next in the chain, that's the time we have to like notify the registered name holder. Thank you.

ROGER CARNEY: Great. Thanks, Kristian. So Sarah brought up a point of, does it make sense to break 13.2 up or not? And does that help? If we separate, basically, presentation via control panel in one bullet and presentation by some other mechanism in another bullet? Theo, please go ahead.

THEO GEURTS: So I'm not an expert when it comes to control panels at retail registrars. But usually, when you create a TAC or an auth code, as it is present, usually that is available immediately. You generate an auth code, and you refresh the page, and bam, it's there. So it could be that there are some registrars who have a very complex situation where there is manual labor involved. I'm not sure. But usually those things are available right away. So I wonder if that notification is really something that helps. Thanks.

ROGER CARNEY: So Theo, your thinking—and I guess the group can answer, but you're thinking that it's almost always available via control panel.

THEO GEURTS: And also registrars, yes. Maybe Jody will correct me.

ROGER CARNEY: Yeah. Jody, please go ahead.

JODY KOLKER: I'm not sure if I'm correcting Theo or not. But that is one way to do it, is to display it on the screen through the control panel. But it sounds like we were wondering if the email actually needs to go out to the registered name holder. Is that right? That we were concerned or that that was not needed to notify the registered name holder that a TAC had been given away? Because if that's a question, I think that we still need to send that e-mail, because we

don't know that the registered name holder is the one that's actually logged into the count. It could be a webmaster or someone they've contracted out to do any number of things, and it might not be the registered name holder. And that's why I think we still need to send that email. Thanks.

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

KRISTIAN ØRMEN: Thank you. I just wanted to say I also think we should send this email. I think it serves a purpose. And I would also say that there is still a lot of registrars that send Auth IDs—sorry, TACs in emails, and there are still some registrars that do have manual processes. And I can talk for one of my own registrars that we have some cases where there's special customers, either high-value customers or customers that have been involved in fraud earlier where we have a manual block on it, so we check manually. So that's also reason why it doesn't always go directly out. Thank you.

ROGER CARNEY: Thanks, Kristian. So I'm trying to reconcile the different thoughts here. Are we concerned about if the registrar of record's provided via the control panel or not? I guess, is that language really moot? Because we're always going to notify the registrar or the registrant via a different mechanism. So we don't really care if the registrar of record is providing it via the control panel or not. Just a thought. Sarah, please go ahead.

SARAH WYLD: Thank you. So I thought we do care, because if they're providing the TAC by email, then they can send one email that includes all of this stuff. And if they're displaying the TAC in the Control Panel, they still have to send an email. Oh, wait, so maybe I'm agreeing with you that either way, we have to send an email. Is that what you just said?

ROGER CARNEY: Yeah.

SARAH WYLD: I think ... Yeah.

ROGER CARNEY: And I don't know if the output of the email is even different or needs to be different in either case. Kristian, please go ahead.

KRISTIAN ØRMEN: Yeah, thank you. Just the word "control panel" MAYBE is the issue because it could be like API, it could be control panel, it could be so many other things. I think the actual word "control panel" should not be in there.

ROGER CARNEY: Thanks, Kristian. I don't know the correct way to modify this. Maybe we need to think about it for a while. And I agree the

control panel is—and it gets back to maybe what I said a little while ago about we may need to come up with a small dictionary kind of thing to understand what provision and generate and all of those things actually mean. Sarah, please go ahead.

SARAH WYLD: Thank you. So I think the only thing that might be there or not be there in the email is the TAC itself. Right? So what if we just say the registrar must send this notification of TAC provision, it's got to include these things, and it's got to include the TAC if the TAC has not already been provided via some other methods?

ROGER CARNEY: Yeah. For security reasons—and I don't know if Jim's on or not, he can jump in. But for security reasons, obviously, you want to present the TAC as few times as possible. So that would cover that, Sarah, instead of just always providing it via the other mechanism. Emily, please go ahead.

EMILY BARABAS: Thanks, Roger. I'm also wondering, in addition to Sarah's suggestion, if we may want to take out the first sentence of 13.2, because that seems like it's kind of extra at this point. If the registrar of record provides the TAC via the control panel, this notification must be provided using a separate method of communication. And perhaps just say, maybe even as a footnote, that the two might be combined. And then perhaps as Sarah said, in 13.3, we note that this message may include the a TAC if the TAC is not provided by the control panel.

I think one other question is, is there a possibility that there would be a reason that the a TAC would be provided outside of the control panel, but the registrar would want to provide it in a separate—would want to send, for example, two separate emails, one notice—would that be an option, or would it be prescribed that it would be a single email? Thanks.

ROGER CARNEY:

Thanks, Emily. I think what Volker put in chat as well was possibly, maybe there is a reason for that. But to your first part, Emily, I think that that's kind of what we're coming down to, is, does this first sentence of 13.2 to do anything? And to Kristian's point on the control panel, the use of control panel, I think right now everybody's got that kind of in quotes, because we're not specifying what a control panel is. And I think that's the hard part. Because as Kristian points out, that control panel may be as simple as an API for different customers and they're not using a control panel, it just comes across an API.

Yeah, exactly. Thanks, Jothan. I didn't see that as I was looking up in the air to think about that. And I don't know if we can come up with something. Maybe we can. Maybe that's all there is, is a control panel includes via an API, maybe there's nothing else or we can say "or similar functionality" or something like that.

Okay, so what are the thoughts on possibly removing that first sentence? And I think that if we do, we may need to clarify a few things. But I think getting rid of that first sentence actually probably helps. Thoughts, questions, comments from others?

Okay, let's go ahead and plan to delete it and if someone sees a reason to keep it, we can revisit that. In 13.3, we should probably update the last bullet to be more similar to if it's not been provided via other mechanism, it has to be provided in that communication. However Emily and Sarah said that.

Okay, big changes to 13.2 13.3. Thoughts, comments? We'll have to hit this again after people can read it and absorb it. But Holida, please go ahead.

HOLIDA YANIK:

Um, just a small thought about item three under 13.3, instructions detailing how RNH can take action. So I guess it would be also logical to place time [inaudible] by when the actions can be taken to revert the TAC, so to make sure that the registrant does not come back maybe after a longer time period of time when it's too late.

ROGER CARNEY:

Okay, thanks, Holida. Yeah, and maybe something as simple as how to invalidate the TAC [inaudible] TAC and timeframe for instructions detailing how the RNH can take action, and related timeframes if the request is invalid. Sarah, please go ahead.

SARAH WYLD:

Sorry, Roger, I had a thought that—I'm not responding to what you were just saying. So I can wait if that—

ROGER CARNEY: No, no, go ahead. Go ahead.

SARAH WYLD: Okay. What if we get rid of 13.2 entirely? What's it doing there? We're already sending a notification, that's first thing on the recommendation, is the registrar must send a notification to the RNH. The notification must be in the language of the registration agreement and it has to include all of these things. And one of these things is that if the TAC wasn't provided by another method, which is where the API or control panel comes in, then it's got to be in this email. Like, do we need 13.2? Maybe we don't. On the other hand, though, do we need something that governs the ability to display the TAC in the control panel? Do we need to say you're allowed to do it that way? But I don't think we need 13.2. Thank you.

ROGER CARNEY: Yeah, I don't think we want to get into the "You're allowed to display it in different mechanism." I think that if we didn't want it displayed, we would say that, but Theo, please go ahead.

THEO GEURTS: Yeah, so I'm leaning towards what Sarah just suggested, given the fact that we already have the requirements in 13.3, but also further up in the policy, earlier on, we lay out how the TAC can be provided. And that can be a secure mechanism. I'm not sure if I'm making that one up right now. But there's something about a secure way, or a secure way of communicating that. And that can be a control panel. Depending on how it's set up, a control panel

can be very safe to communicate the TAC. So I think we can get rid of this entirely, because we already have the ability to present a TAC through a control panel already defined earlier on. Thanks.

ROGER CARNEY:

Thanks, Theo. And Sarah, your question in chat, not mentioning—it won't disallow it. Again, that's how I would see it. If it was specifically disallowed, we would have to say that. Okay, so 13.2, I agree, I don't see that it adds to this. So we can remove 13.2, unless others have feelings of keeping any part of it. Obviously, we've talked through the first sentence being gone. But now, as pointed out, the second sentence really isn't needed either. So maybe 13.2 can be removed as a whole.

Okay. But let's plan to do that. And if others find a reason—again, we'll need to revisit this because we're adding quite a bit. But if others find a reason that some of it needs to be kept or something similar, obviously, we can open that up for discussion. Okay, I think we've hit 13 enough to make everybody cross eyed on it. So let's go ahead and let 13 absorb. We'll get rid of 13.2, take a look at the edits and see, and let's comment on it, moving things around or adding any additional text that helps clarify anything.

Okay, let's go ahead and move on to recommendation 14, then. The working group recommends that the registrar of record at the time of the transfer request must send a notification of transfer completion to the RNH as listed in the registration data at the time of the transfer request, without undue delay, but no later than some period of time after the transfer is completed.

Okay, so, the first time I read this, I'll just admit that I kind of tripped up on the first, "The working group recommends the registrar of record at the time of the transfer request." I wasn't sure if that meant that registrar of record at that time, or at that time, the registrar of record. Does that make sense? And maybe that's just my backwards mind kind of way I read things sometimes. I read it a second or third time and it made sense to me. Theo, please go ahead.

THEO GEURTS: Yeah, it is indeed when you read it a couple of times and you go start to think about it, you can go wander down a few paths. Yeah, I think we do actually. But we actually want to say here that when the transfer is completed, the registrar sends notification to the RNH that it has been completed, when and how, etc. I think that is just the gist of it. Thanks.

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

STEINAR GRØTTERØD: Just an idea. If we manage to get the technique that actually the losing registrar will have the ID of the new gaining registrar, information about the new registrar should also be included in that notification. Thank you.

ROGER CARNEY: Thanks, Steinar. Emily, please go ahead.

EMILY BARABAS: Thanks, Roger. If you wanted to speak to Steinar's point first, I was going to come back to the sentence we were—

ROGER CARNEY: That's okay, we'll hit on Steinar's point a little bit later.

EMILY BARABAS: I agree that it's not entirely clear from the way it's written right now. Would it be helpful instead to say the working group recommends that the losing registrar must send a notification of transfer completion and then perhaps put a footnote to losing registrar and note there that what we're talking about is the registrar of record, who was the registrar of record at the time of the transfer request? Because I think that that's the point we were trying to capture there. But maybe losing registrar in this context is more clear. Thanks.

ROGER CARNEY: Yeah, good suggestion, Emily. Maybe that does help out. Sarah thinks that that might be good. Other thoughts on that? It seems to make sense to me. It clarifies who we're talking about, I think. Kristian likes the losing registrar as well. Let's use that for now and see if that works. Let's use the losing registrar.

Okay, and footnote 3, which is part of that, just states footnote 2 regarding the method by which notification is sent equally applies to this. Okay, so it's just basically taking footnote 2, notice of—

we're not going to list out the methods but we know they're going to continue to evolve. Thoughts on period of time here after the transfer is complete? Again, this transfer communication will be sent back via poll message as we've described elsewhere. So the thought here is it won't be an immediate thing, but we should have an expected communication back. So, thoughts on how long that process could take? Again, it may be fairly immediate, but is there a bound that we want to put on that? 24 hours, 48 hours? Theo likes 24. Sarah likes 24 Okay, let's go with 24 for now. Eric likes 24 Good. Let's use 24 for now. Jody likes it. So let's use that and if we have problems with that, we can obviously revisit it. But let's use that for now.

We've got 13 minutes. Okay, let's go ahead and jump into the bullet or the sub-items of 14. 14.1, similar to others. The notification must be written in the language of the registration agreement and may also be provided in English or other languages. 14.2, to the extent that multiple domains have been transferred to the same gaining registrar or to multiple gaining registrars at the same time, the RNH listed in the registration data at the time of the transfer is the same for all domains. The registrar of record may consolidate the notifications of transfer completion into a single notification. So basically, if a registrant is transferring multiple out, that losing registrar can send just one communication if that works, or can send multiples, Sarah, please go ahead.

SARAH WYLD:

Thank you. How are we defining that the RNH is the same for all domains? Is it the same email address but it could be a different

name? Does it require that all the other points are the same? What is one domain—in a future world where the phone number is an optional field perhaps—I think it's optional. For example, if the phone number could be optional, and one domain has allowed it and the other has not, but otherwise, the data is all the same, is that the same registrant? This is my question. Thank you.

ROGER CARNEY: Very good question, Sarah. And I guess, does the mechanism of communication drive that possibility? Just a thought, if the email is the same across and you're planning to email, or if the SMS is the same all across, and you're planning to communicate via SMS ... So just a thought. Theo, please go ahead.

THEO GEURTS: Yeah, it's a good suggestion, or a good point. I think that should be left up to the registrar. You've got to be responsible for TAC to make sure that it reaches the registrant. So I don't think we have to specify what is considered a registrant. I think that is completely up to the registrar itself. Thanks.

ROGER CARNEY: Great, thanks, Theo. And I think Sarah put in chat something similar to that. And my guess is as Jody's hand was up to say the exact same thing. But yes, it's a good point. And it obviously can be defined multiple ways. So thanks for bringing it up.

Okay, let's move on to 14.3. The following elements must be included in the notification of transferred completion. And we have

the domain names, and in highlight, as we're not really definite on some of this yet, the IANA IDs and link to the ICANN-maintained webpage listing accredited registrars and corresponding IANA IDs. If available, the name of the gaining registrar may also be included.

Again, this is somewhat up in the air. This would be additional work required on all the contracted parties to make that happen. Not necessarily against that. I don't think anybody was. It was just, we needed to detail that out and see if there was definitely the benefit versus the amount of work there. And I think there were a couple of different mechanisms identified and that was going to be reviewed.

Theo, exactly, we are waiting for the Registries Stakeholder Group to get back and as I mentioned, they had a couple of different— Jim had brought back that they had talked about a couple of different ways to make that happen. And they were still evaluating that. And I think that that hit on—was it Kristian or Steinar's point? I don't remember, on providing back the name there. So that domain name, all that, and then additionally, text stating that the domain was transferred, the date and time that the transfer occurred. I assume we want the date and time of the transfer completion, the date and time when the transfer was completed. Instructions detailing how the RNH can take action if the transfer was invalid, in quotes or brackets, how to initiate a reversal.

And I think to Holida's point here, and probably the time parameters as well, [inaudible] to get specific about that. But just notice to the RNH that there's a time period that has to be

followed. So yeah, on the third bullet, probably something about date and time of—thanks, Emily.

Steinar's comment, strong argument about including the IANA ID and maybe even the name. So I think there's a strong way, and we just need to hear back from the Registries Stakeholder Group on their preferred method or—and again, if it's a big roadblock for them, which Jim didn't make it sound like. He had multiple factors or multiple paths that they were looking at. So I think that that yellow text, some of that will definitely make it through. I don't know if it'll all make it through or not. But I think we'll get the IANA IDs back in some form. Steinar, please go ahead.

STEINAR GRØTTERØD: I just want to say that I assume it will be kind of costly to change that protocol and all the communication within the transfer on the registry-registrar level. But in my opinion, I think it's having that information about gaining registrar being sent out from the losing registrar without actually—may solve some disputes when there is an illegitimate transfer, because then the guy that receives this notification, he has at least some point that he can start investigating what went wrong, what happened to my domain name? And I think that's from an At-Large point of view, having that clarity is a strong argument. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. Yeah, and I know you're speaking from the At-Large, but I've also heard from contracted parties that they feel this is an added benefit for themselves as well. So I think that,

to your point, I think the benefit here is fairly large. And the solution is just—the only thing that's up in the air is how do we get to that, not necessarily if it's going to be done or not.

Okay. Other comments, questions on 14.3? Sarah's not sure if the benefit outweighs the cost. And again, I think that once we get back from the registries, we'll know what that impact is. Okay, any other comments, questions on 14.3? We're down to four minutes. So we may be done with this.

Okay, so I don't think we have time to jump into 15. So we'll start next week with 15. We'll review a few of the others. So please take a look at especially the edits we'd done on 13 as we did quite a bit of edits there. And we'll touch on those next week as well. And we'll jump into 15 and then move on to the gaining FOA after that.

Any other comments or questions? Or we will give everyone their three or four minutes back here. Okay, great. Well, thanks, everybody. Great discussion today. And we'll talk to everybody next week.

JULIE BISLAND:

Thank you, Roger. Thanks, everyone, for joining. This meeting is adjourned. Have a good rest of your day.

[END OF TRANSCRIPTION]