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**ICANN Transcription**  
**Transfer Policy Review PDP WG**  
**Tuesday, 18 January 2022 at 16:30 UTC**

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JULIE BISLAND:

Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP working group call taking place on Tuesday the 18th 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 John Woodworth, ISPCP and Owen Smigelski, RrSG stated he would be joining late today. 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 member should not engage in the chat or use any of the other Zoom Room functionalities.

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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:

Great. Thanks, Julie. Welcome, everyone. Hopefully everyone had a good start to their morning on the SSAD call and is good and ready to jump into getting some work done. I don't have anything to do for any updates. I just open the floor up, I guess to any of the stakeholder groups that may have had sort of some discussions over the last week or so. I know the Registries Stakeholder Group was looking at a few things. I don't know if they're ready to present anything. But really this time is for anyone, any of the stakeholder groups that may have any input that they've received during the week or anything that they've talked about that they want to bring to the group. So Jim, please go ahead.

JAMES GALVIN:

Yeah, thanks, Roger, I just wanted to emphasize your point that the Registries Stakeholder Group is looking at a number of issues. And I just wanted to remind this group of that. I know we're on a pretty big schedule here to get our draft report out fairly soon. And we're going to press on those issues in our group, and then we'll bring them back here and sort them out. There might be some

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discussion we want to take to TechOps, I think, or have it here. I don't know. But I didn't want to lose track of the fact that there are some open questions that are under active discussion. And I want to make sure that just remains on our known collection list before we declare closure. Thanks.

ROGER CARNEY:

Great. Thanks, Jim. Appreciate that. Anything else from anyone? Any other groups have some discussions they want to bring forward? Okay, with nothing else now, obviously, anytime anything comes up, just let us know and we'll get them in for discussion. So let's go ahead and jump into our work. Today, most of the day is going to be spent covering the transfer swim lane that staff came up with, and walk through that and try to show the connections to everything. But before we jump into that, we're going to try to wrap up a couple items on the losing FOA and the gaining FOA.

So let's go ahead and jump into the losing FOA real quick. Okay, and if we can go down to—I think we did a lot of edits on 13 here. So let's look at 13 real quick again, and see if anybody has comments. I'll quickly read through it. Again, we made some pretty good edits last week to this. I think we were in a good spot at the end of it, but just wanted everybody have time to look at it and read it. But let me read it real quick, especially for those that can't see it on screen.

Recommendation 13 is the working group recommends that registrar of record must send and notification of tax provision to the RNH as listed in the registration data at the time of the TAC

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request, without undue delay, but no later than 10 minutes after the registrar of record provides the TAC. A few footnotes there, but let's go ahead and finish this.

13.1 is a notification must be written in the language of the registration agreement, may also be provided in English or other languages. We removed 13.2 last week and the new 13.2 now is the following elements must be included in the notification of TAC provision, the domain names, the date and time the TAC was provided, and information about when the TAC will expire, instructions detailing how the RNH can take action if the request is invalid, how to invalidate the TAC. And finally, if the TAC has been provided via another method of communication, this communication will include the TAC. So again, we did a lot of edits last week. And it seemed like we're in a pretty good spot when we ended this, but we've had another week to look at it and think about it. Any questions or comments to help us improve this or move forward with this? Emily? Please go ahead.

EMILY BARABAS:

Thanks, Roger. I don't mean to jump the queue if others want to speak. But I did have a question for the group that came up as we were incorporating the edits. So there are two footnotes in recommendation 13. Footnote number two is the old one, this is about the different forms of notification that may be sent. We suggested based on the discussion to include a new footnote, footnote three, just sort of tying that final bullet point into the rest of the recommendations. So basically saying that the registrar of record may choose to send the notification of TAC provision and the TAC together in a single communication. The idea there is to

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sort of introduce that idea before it's used at the very end and sort of supplements a little bit what used to be 13.2.

The question is whether we need to be more clear in footnote two that the notification or the message is not going to be provided through the control panel. So the idea is that this combination is only happening where both are sent together in a single communication, but that mode of communication will not be the control panel. So I don't know if it's already sufficiently clear or if that's something we need to add a footnote to that the messaging system could be email, SMS or something else, but I think the agreement was not, for example, a control panel or an API. Thanks.

ROGER CARNEY: Thanks, Emily. Yeah, to me, the footnotes look good. Jim, please go ahead.

JAMES GALVIN: Thanks, Roger. What I would suggest for phrasing that would be helpful here is I think the intent is what you want is for the TAC to be provided via some other mechanism—well, notice of the TAC to be provided via some other mechanism that it was actually provisioned. And that's the wording to use. Because I think that's the point you want to get it. It's not about not putting it on your portal, if that's what you have, some kind of information there. If you actually delivered the TAC via email, then you can't use email, you should not use email for the notice mechanism. So that's what I want to emphasize. From a security point of view, I think the

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phrasing that you're looking for is that you should distinguish the mechanism by which you deliver the notice from the mechanism by which you deliver the TAC itself. And that's what I would suggest that the group consider. Thanks.

ROGER CARNEY:

Thanks, Jim. I think what was trying to get communicated here really was to make sure that registrant gets notice. And the thing I think everybody was concerned about is if it's delivered via portal or other mechanism, it may not necessarily get to the registrant. So I think that the important thing is whatever mechanism is used, that the registrant gets notice that the TAC was provisioned. Hopefully that's clear. Please let me know if people disagree with that. Theo, please go ahead.

THEO GEURTS:

Thanks, Roger. And in my mind, that is exactly what we are trying to achieve. And I understand Jim's comment about separating the communication channels in the fashion and how you deliver the TAC, and you just use another mechanism to deliver the notification. I'm not sure how strong that is from a security perspective. I do feel that operational-wise, that is going to be a very—yeah, that's going to be an issue I think. We as a wholesale registrar are actually very limited in our ways of communication with the registrant. So if we're going to limit our options here, I fear that we're going to have some real massive issues where I don't see a real perceived security gain. Thanks.

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ROGER CARNEY: Thanks, Theo. Yeah, and again, I think that the goal of 13 was really that we made sure that the registered name holder was notified. And if that happened to be via SMS, and everything was sent out to the registered name holder, then that message could be combined. But I think that the goal here was no matter what communication mechanism was used, if the registered name holder has it or got the message, that's what the goal here was however the TAC was actually presented or displayed. Jim, please go ahead.

JAMES GALVIN: Yeah, thanks, Roger And thanks, Theo I want to just clarify the observation that I'm making. Let me offer an analogy. Think about two factor authentication. Two factor authentication can be done poorly. And to do it right, you have to have distinct mechanisms for the authentication paths. That's what makes two factor authentication work, is when the mechanisms are distinct and independent. So that's the value in this kind of system too, what I'm proposing.

And also to your point, and just to clarify, what I'm suggesting is— I'm not at all suggesting that it should be a must, that it must be two different things. I'm just observing that it's worth calling out the value of the independence of the mechanisms, one that provisions the TAC and one that notices the TAC. And that it's useful to call that out. And to make it a suggestion, a should, as opposed to a must. Because to your point, you're right, operationally, there are a lot of other factors that come to bear in this kind of scenario. But I think explaining the security value is a good thing. And then that helps to motivate the should, if you will, for those who care to do

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that. I hope that helps. And again, overall, it's just a suggestion. I'm not actually asking for anything in particular here, just making an observation and offering it to registrars to think about things.

ROGER CARNEY: Great. Thanks, Jim. Okay, any other comments or questions? Theo, please go ahead.

THEO GEURTS: Yeah, just thinking about what Jim said. And I think as a suggestion, I think it has value to be incorporated in a footnote, perhaps to just lay out a suggestion, like, hey, here are alternatives in how you can make it a little bit more secure. For those who can do it, I think that is a good suggestion. And if you are in an operational state that you can actually build multiple systems and build multiple messaging systems, it's great if you have the bandwidth. So as a footnote, I would go for it. Thanks.

ROGER CARNEY: Great, thanks, Theo. Okay, any other comments or questions on 13 before we move on? And the footnotes I should say. Okay, I think 14 was okay from last week. So I don't think we need to review recommendation 14. There were some comments but I think we adjusted it and didn't make a bunch of changes to 14. So let's go ahead and skip 14 and jump into 15.

All right, and I don't think we really touched on this. So let's go ahead and I'll read this out for everyone and then we can jump into discussions. Recommendation 15 is the working group

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recommends that the registrar of record may also at its own discretion send a notification of TAC request to the RNH as listed in the date of registration at the time of the TAC request, without undue delay, but no later than period of time after the TAC is requested. The notification may be appropriate to send in instances where there's a delay between the request of the TAC and the provision of the TAC.

15.1, this notification may be written in the language of the registration agreement and may also be provided in English or other languages, and 15.2 is suggested elements of the notification of TAC request are domain name, date and time the TAC was requested, instructions detailing how the RNH can take action if this request is invalid, how to invalidate the TAC.

And again, this was an optional idea that the registrar may send and this was put in place for the concept of the five-day period registrars have from TAC request to providing the TAC. And if they know that it's going to be a longer period here, they may want to notify the registrant early just to set expectations. So again, optional, this is one of our optional notices. And Sarah asked, do we even need this? Good question. A valid question to me is, if we don't have this, does it stop the registrars from doing it or not? So Kristian, please go ahead.

KRISTIAN ØRMEN:

Thank you. So personally, I don't think it makes any sense at all to have this in here. If I didn't like the text, but liked the fact that I could send this, I could still send it, just call it something else. And then whatever it says in this recommendation wouldn't apply to

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me, since I called the notification something else and just did it on my own term. No, it's completely optional. Doesn't really matter. It seems like a waste of time to include it in there, both for the implementation of this policy and also for the registrars in the future to look at it and also future registrants that will be confused if they try to read the policy, because it just doesn't really make sense. Thank you.

ROGER CARNEY:

Great. Thanks, Kristian. Yeah, and I think you've touched on the last part of what you said, kind of touched on what I was going to say, is I think registrars could do this if they wanted to. And maybe the only value besides outlining it for the registrar is the value to consistency and transparency of the process that they may actually receive a notice before receiving the TAC itself. Is there value in that or not, I guess is the big question. So, Sarah, please go ahead.

SARAH WYLD:

Thank you. Hi. I also just don't see a lot of remaining value in this recommendation. I think it makes sense that we had been considering it as we went through the process. But at this point, as has already been said, because it is purely optional, I don't really think it's going to help anybody. Like if my registrar business wants to send this message, our marketing team can certainly figure out what to include without these suggestions and might include other things too, or a reseller could do the same thing.

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I think it does have a little bit of a cost associated with it. And for that reason, I think we should only include an optional recommendation if there is a lot of value to anybody in in doing that. So like the costs here are that we're having this conversation right now. This takes a lot of people's time and I'm drawing it out and then it's going to be considered in the implementation. That's also a lot of different people spending time to figure out how to implement something that's actually just an option. So I think we can lose it. Thank you.

ROGER CARNEY:

Okay, thanks, Sarah. All right, so multiple supporters of nixing this recommendation. Let's flip that coin. Is there anybody that feels that this recommendation should still be here? And let us know what reasons do you think that this will help out in. It sounds like it's already optional, so what's the real drive here to include this as text? As several have noted, it may just lead to more confusion than anything. And again, I think the benefit here is, again, loosely in quotes here, the benefit would be transparency and maybe consistently knowing that there's a possible message that could be here. So, Kristian, please go ahead.

KRISTIAN ØRMEN:

I just wanted to add an experience from earlier today where a colleague asked me regarding something, ICANN policy, and he was like, I think we implemented this wrong, I checked other registrars and they all do like this. And it's definitely a compliance issue. And I took a look at the policy. This thing was just not a requirement. So I could only reply to him that it's not required so

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we don't have to have it there. It's optional. So again, it didn't really make any sense and he was kind of frustrated about it. So I think by putting in an optional requirement like this, you make confusion, and it's better that it's not that.

ROGER CARNEY:

Great, thanks, Kristian. Okay, so I think the group is leaning toward removing this. So let's assume that. And again, if people think that it's still useful, let's put some comments in here over the next week. Otherwise, we'll consider this an obsolete recommendation that is not needed to move forward. Okay, and just one note here on the losing, we did bring up the fact of, do we need to add any recommendations about maintaining records, audit logs and things like that? We don't need to drive into that today. Again, just something that's good to have documented here so that we don't forget it. And should we include any recommendations for that, or are we covered elsewhere? Just something to think about.

Okay, so I think that's it for the losing FOA. Let's jump over to the gaining FOA here real quickly. And there's just one recommendation. Obviously, the big justification here, but the one recommendation we got out of the gaining is recommendation 16. The working group recommends eliminating from the transfer policy the requirement that the gaining registrar send a gaining form of authorization. This requirement is detailed in Section X of the transfer policy.

Again, this was the only recommendation we came out with the gaining FOA as we've not—and again, it's interesting. We didn't

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eliminate necessarily—we eliminated the precise nature of a gaining FOA, where we substituted it with notifications in the losing FOA. So this was the only recommendation we had. No comments since we both posted this a long time ago. But we'll open it up for discussion. Anyone have any comments or concerns about this? Anything else you want to add? So we'll open it up. Any comments? Pretty straightforward. The rationale goes into a good depth of how we got there, so that's good.

Okay, all good. I think we'll change that from a candidate recommendation to for one of our recommendations, and we'll move forward with it as our next recommendation there. All right, so I think we've done all of our editing. Again, I'm sure we'll touch on again, especially as we review them as a final package before the initial report goes out. But we made it through all those, which is great. I think now we'll take the time and turn this over to Berry so that he can take us through the transfer swim lane document the staff created, and he can walk us through this and the answer any questions. Berry, please go ahead.

BERRY COBB:

Thanks, Roger. And hopefully, we can have a fruitful discussion on this. I suspect it won't be the last time that we'll talk about this. I guess some disclaimers and some introduction before I dive into the details. First, apologies for not sending this out beforehand. I think a few of you may be swim lane process masters, but most of the group probably isn't. And I thought it would be better to explain some of the logic that went into this up front. A homework assignment will be available for the group to come back with specific questions or to challenge the logic here.

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Secondarily, I know that this is for those that are screen or monitor size challenged, this will be a little bit difficult to see from a macro perspective. But as I move through the demonstration, I'll be zooming in on it. Thirdly, this is not written in stone. This is kind of the best visual representation of all of the preliminary recommendations as we have them now. In fact, based on just some of our discussions, some of it's probably already out of date. But I fully expect that this will change a few times, especially when we get into discussions around NACKing of transfers, discussions around the lock of domains for a variety of reasons. We've got the bulk transfer discussion. And even when we get into phase 1B and change of registrant, it could potentially impact this.

But the goal of this visual representation was really to pick up where we left off, it was probably, gosh, 10 weeks ago, I think when Sarah produced a Google sheet of written form of kind of the start to end the current state transfer process. And that's when it immediately occurred to me that we needed a more visual representation to accompany it for a couple of reasons. But mostly, the way we're approaching the deliberations of the charter questions are not in order to the reality of what actually occurs through the transfer process. And two, I think that this will be helpful as we jump back and forth between those charter questions whether we're talking about what's going on in losing FOA versus what the possible requirements are from the TAC recommendations, and so on and so forth.

So hopefully this will be a valuable tool for you. If not, we can crinkle it up and throw it in the waste bin. And again, this is definitely subject to change to errors in my logic or understanding

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of the preliminary recommendations, or as I noted, as we have other deliberations on some of the remaining policy topics.

So swim lane modeling, as it's fairly obvious to us, this is based largely on roles or the cast of characters in this consensus policy. Each swim lane is dedicated to each row. So the top row is the registered name holder. We've got the gaining registrar, the losing registrar, registrar of record and we can come back to that, the registry operator, and possibly ICANN, which is mostly a placeholder here.

Now, when we think about swim lanes or process diagrams, generally, the primary rule is to start from top left and work your way right and down. But that rule gets violated when you're looking at a swim lane model, because there are interactions that are occurring across the roles. So it gets a little confusing when you're bouncing from the top, back to the middle, back to the top. But in essence, where possible, I try to adhere to that.

Now, before we get into the details, there's the process legend that I think also provides some context for you to consider when you're looking at this in detail. Basically, the primary objects on the swim lane are roughly defined here. All the blue boxes are a normal process step, or typically, basically a required step for the process flow. When you see a tan box with two vertical lines, this is a sub process step. And this will likely happen for when we get into discussions around the NACK, or when we get into it if the TD ERP gets triggered. The idea here, though, is that that could be its own separate page for a process to talk about. And it's a tool to avoid cluttering up the parent or the primary process map.

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And this is where we get into other tools to reduce what I call spaghetti bowl diagramming, where we have off page and on page references. Off page references are directly connected to the sub process. Whereas on page references are another tool to mitigate spaghetti flow process arrows going all over the place. And you can kind of think about it as a wormhole. Instead of having to draw a process flow arrow from one step to the next, you can jump into the wormhole, which is the white circle, and you pop out of the wormhole, which is the black circle. So it just allows, again, to avoid spaghetti bowls.

Decisions are—there's some sort of question that's being asked and it's basically a yes or no. And that helps refine the logic at various points through the process. The others are pretty self-explanatory, except the last over here on the bottom right, or what I'm flagging as optional decisions or optional process steps. And we just had a discussion around I believe rec 15. And you'll see these a few instances on the diagram.

All right, so let's kind of dive into this. And again, I recognize that this is all fresh to you, I expect that there's going to be some initial questions, I expect that there will be subsequent questions as we continue to revise this and work through it. So I have about two stopping points in here that I'll flag to you when I get to that stopping point and ask if there any questions or clarification that is needed.

So, as I noted, we basically start off with the process, the registered name holder decides to register a domain, they go to their favorite registrar, they'll set up an account, they'll pay the fees to register the domain name. There's a whole lot that goes

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behind the scenes, but at a very high level, the domain is provisioned at the registry, and to help to enable the domain to be used.

And then the next step here that's relevant for our discussions is this possibility about the creation lock that this group still has to work for. But this is a first encounter of where as of right now, today, this is an optional lock that is applied by a certain registries. And the final deliberations of this group will determine what actually happens to this.

For each one of these where there's a charter question or a potential preliminary recommendation, there's a callout to these. In this case, it says ASM rec number TBD. Now, what ASM means is short for additional security measures. TAC is for what we're calling the new AuthInfo code. LFOA a is for losing FOA. GFOA is for gaining FOA, so on and so forth. And so I'm just kind of using it as a pointer to the charter question grouping and then getting more specific when I call out specific recommendations that are in our draft materials now.

So again, this right now is kind of an optional, there's no policy requirement today about this creation lock being applied after the registration of the domain name, subject to change when we come back. But after all of these things happen behind the scenes, we get to the point where the RNH uses the domain name, up until a point that they determine that they wish to transfer the domain name.

Now, when we get into process flows there's always loops to validate the logic that is about to occur. So if they don't want to

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transfer the domain name, maybe they thought about transferring it and then decided not to, and they go back to using the domain until such time that they do choose to transfer the domain. So that's kind of our first example of a decision that this particular role will make.

Now, to allow for an end-to-end process here and taking note that during expiration of a domain at certain points, the registered name holder can still transfer the domain name. Most of that is largely out of scope for what we're trying to accomplish here. But in terms of getting to an end state of this process flow, I've included it in here.

So for the sake of argument, in this particular use case, let's pretend that the domain has expired. Does the registered name holder still wish to transfer it? Yes, then they're going to go to the same very next step as they would if the domain was not expired. But if they chose not to transfer it, then it goes through redemption grace periods until it goes to pending delete. And then basically the domain is returned to registry to be registered again someday.

Now, I have a callout here. And again, this isn't necessarily in scope, but the group may want to consider a statement, because at some point in the future, likely several years from now, is there will be a review of the expiration process. And it may be helpful for this team to consider a statement of validation when they go to review that, can the domain name still be transferred during expiration? It's not required here, but it's something that popped into my mind in case they did.

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So for the purposes of the rest of going through this process flow, we're not going to deal with an expired domain. But I did just want to call it out. And ultimately, that's why—I needed a place to get to an end state to make sure that I'm trying to follow process flow guidelines.

Okay, so the registered name holder decides to transfer the domain and the next step. And what I'm going to say here is that one of the downsides to trying to diagram a process flow is one, that it may not necessarily account for all fringe use cases. We're going to do our best job to try to account for as many of those as possible. But this would be a hyper detailed swim lane if we were to try to do that. The goal, I think, is to try to account for 98% of the processes.

The second aspect to swim lane diagramming, especially in this instance, if we think about reality, and assuming that the skids were completely greased, the transfer of the domain can happen in a few hours to one or two days to as long as maybe five or ten days, depending on the different use cases. So take that with a grain of salt when thinking about the logic here. In some instances, these things are practically occurring in parallel in real time, others are probably taking a longer duration, depending on the aspect of the process.

So I included up here up front that you unlock the domain name to actually make a successful transfer. I have logic down here later to try to account for some of the fringe cases where the domain may—the client lock is still enabled even though they've requested the TAC and all of those kinds of things. But mostly, if we think about this in real terms of at least the registered name holder's in

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the know, will request the TAC and immediately unlock the domain name because literally two or three minutes later, they're already at the gaining registrar, putting in the AuthInfo code or TAC in this case, paying the fees and initiating the transfer. So more about unlocking the domain in a minute.

But what absolutely must happen is they've got a request the TAC and per the TAC charter questions recs 1 and 2, talk about requesting the TAC. So the very next step, which sounds like it's going to be removed after some homework, but we just talked about recommendation 15, where it was a may, that the registrar may send a notice on the request of the TAC to the RNH that's listed in the RDDS. For now, I'm going to pretend that recommendation isn't going away so it helps to bring in the logic. But the flow here is that if the registrar chose to do that, they'd go scrape the RDDS, send the notification, the registered name holder would receive it, again, still pointing to recs 15.1 and .2, and assuming they get the notice to keep the flow intact, the very next step essentially, though, is that there's a 120 hours for the registrar to send the TAC to the registered name holder which has to deal with TAC recommendation 10.

At whatever point the registrar does provision the TAC, again, within that 120 hours, it's provisioned with high entropy. Again, there's a lot more draft, there's more substance around this recommendation. This is all very shorthand; I can't get all recommendation texts fit nicely into these boxes. Plus—so this is the need for these callouts. But specifically TAC recommendations 6.1 and recommendation three talk about the provisioning of the TAC and the security mechanisms that this group is considering.

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In milliseconds of that same time, the registrar is required to set the TTL of the TAC which goes to recommendation 11.1 and literally milliseconds from that occurring through EPP, then it kicks over to the registry that the registry will verify the validity of the TAC, which is to TAC recommendation 4, milliseconds. They are hashing the TAC and securely storing it per recommendations 6.2 and 7. S

Before I go on, stopping right here at this part of the process up to this point, any questions or comments before I continue forward? I see a little bit of action in the chat, but I don't think they're direct questions here.

Okay, Hearing and seeing none, we'll move along. So once the registry has done their thing of verifying the validity of the TAC and securely hashing and storing it, then it comes back to the registrar of record, where per recommendations 12, 13.1 and 13.2, again, semi out of date because we deleted 13.2, so pretend 13.3 doesn't exist. But the substance of these recommendations that the registrar of record must send provision notice and then notice must be sent within 10 minutes of it being revealed or basically disclosed to the registered name holder, and probably in real life, IRL, this is where the TAC is actually provisioned. And per recommendation 6.3, must communicate the expiry date or AKA the TTL to the registered name holder.

So after both of those, we get into a little bit of a hiccup. In a perfect world, we would already have a current state process flow diagram that would show our losing FOA, gaining FOA, how it's broke, and all that kind of stuff. But for the purposes of trying to maintain an inventory of all of the recommendations to this

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diagram, I just have a quick callout here that the gaining FOA recommendation 16 that we just talked about, the preliminary recommendation is that it be sunset. So this is really just an inventory mechanism. There's nothing actually happening here.

So then the registered name holder receives the provision notice and the TAC received. Again, this is really just a carbon copy of this process step from the registrar of record to the registered name holder, nothing new here. But they're in essence combined together. And then at this point, the registered name holder decides to initiate the transfer.

So as long as it took me to explain that, a knowful registered name holder could have probably already done this in less time than it took me to explain to get to this point. So they decide to initiate the transfer, they go to their gaining registrar, they create an account, they pay the fees and submit the TAC. Or the TAC is received by the registered name holder. And then that TAC is then sent to the registry operator.

So again, I you know, having to zoom in here, I can't show you the rows way over to the left. But remember, the top row is the registered name holder. Second row is gaining registrar. Third row is registrar of record or losing registrar. Fourth row is the registry.

We've had discussions about the—and this is where some of the fringe use cases come into play. But per TAC recommendation 11.2, what is currently stated is that the registrar of record has the option to set the TAC to null. My previous version of this had it completely configured differently. And what I might suggest that this group consider is to document some use cases that to put

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more substance around what may be happening here and why. Yes, this is kind of a may type of recommendation. It doesn't have to happen in all cases. But I think in terms of trying to help provide more context for the consumers of the initial report, we may want to consider providing some color commentary about what would happen.

So in this case, the registrar of record does choose to set the TAC to null. And it's going to come out here to be yes. So there's got to be some sort of reason why the registrar of record is doing it. In a very generic sense, there's a process step here to resolve the issue on why the TAC is set to null. And then a decision happens. Does the transfer still move forward or not? If it's not, let's say transfer is canceled, this is our first instance where we go into the wormhole.

So we're jumping into letter A here. And if the transfer doesn't need to happen, then the registered name holder goes about using the domain until they decide to transfer again, so basically, they're starting over from scratch. And I see your point, Jim, and that's the exact kind of feedback that we'll be looking for about where some of these things may fall into place. And again, this is just trying to test the logic in some orderly manner.

But conversely, let's say they do still wish to transfer the name after whatever issue is resolved on why the TAC was set to null, this is a secondary wormhole. And they jump into the letter B, and pop back out of the wormhole to be where we're kind of semi reset on the transfer process, but not the full aspect of it. One way or another, there's a new TAC that is provisioned. They're still maybe within the five-day window. But eventually, the new TAC gets

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provisioned, and you kind of start back over. I'll stop here right now, since Jim has brought it up. And I would welcome input and conversation around this. And I believe staff will be taking copious notes for this part, because I believe some of this substance will be helpful for the report. Please go ahead, Jim.

JAMES GALVIN:

Thanks, Berry. Let me say two things. One is I agree with you that there does need to be a process that reflects the fact that a registrar of record could of course set the TAC to null. And we probably should have a little bit of discussion about all that. But I think from the point of view of a registry operator, so speaking on behalf of registries generally, we don't really care about any of those issues. From a pure transfer process point of view, a request comes in to transfer with a TAC, we're going to look to see if the TAC that we get matches the one that we have. And it either matches or doesn't.

And of course, if the value is currently set to null, then that's a non-match. So that means that a transfer is not eligible. So all we care about is whether the value that comes in matches what we have or not, and we'll hash what we get, and compare it to what's there, that kind of thing. And if it matches, then the transfer is successful. And I would say that the registry would then set the TAC to null and report that to the registrar of record so that the TAC can only be used once. That should be an overall principle here.

And then the transfer completes and all of that is good. It's an outside step if the registrar of record changes their mind, for

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whatever reason. Maybe the TAC expired from their point of view. Maybe they're giving a replacement TAC, and so a new one gets stuck in there. I don't know, whatever is going on, but I think that's part of the registrar processes and really doesn't need to be visible to registries.

So I take your point here, something about this needs to exist, but from the point of view of a transfer, from a registry point of view, we either got a valid TAC or we didn't. That's the only thing, at least in this process flow, I think should exist. Thank you.

BERRY COBB:

Thank you, Jim. We haven't got here yet, but I think from the registry perspective, this is the clearing the TAC after everything's confirmed. This is not to be confused with what is going on within the registrar of record swim lane. So if the registrar of record chooses to set the TAC to null, you're not going to see it as a registry at this point in time. This swim lane is all about the registrar of record working with the RNH to figure out whatever the issue is and get it resolved up until they've restarted the process and there's a fresh TAC that is being sent to the registry. James, go ahead, and I'll let you respond. And then I'll go to Kristian.

JAMES GALVIN:

Yeah, thank you for that. I take your point, I do understand what you're saying. And I get that. So I guess what I want to say from a swim lane display and process perspective, the fact that that TAC could be set to null by the registrar of record, it doesn't belong in this process flow. That's an independent thing that could happen.

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That doesn't happen here. It's not visible at this point. It should go right from submitting the TAC to the registry operator, down to the registry operator who should check, not that the domain is locked, but they first ought to check to see if they got a valid TAC, then they can check the lock. I would reverse those two steps there. I'm just saying that that decision doesn't belong in this process flow, is where I'm going. Thank you.

BERRY COBB:

Thank you, Jim. And again, these things are happening in milliseconds, it seems, and we're slowing time down. And you're likely going to be more right than me. But I guess the whole point, though, is that the TAC is not provisioned ever until it's requested. And we have a draft recommendation here, 11.2, where the registrar of record may set it to null. What are these conditions that are happening within three to five minutes, roughly, when the RNH has already taken the TAC and is already submitting it through their gaining registrar? So I would agree that maybe this is not the right area or spot within the registrar of record for this, maybe it belongs over here. So I'll stop there. Kristian and then Roger.

KRISTIAN ØRMEN:

Thank you. I think the problem with this is just where it is in this document, it does not belong between the submit TGAC to registry and confirm if TAC is valid, because it belongs more between when the tag is provisioned and before the TAC is submitted to the registry. Because when the TAC is submitted to the registry, it goes directly to check if the domain is locked and

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the TAC is valid. So I guess that set TAC to null line should be all the way up from the top between TAC notice and TAC received and initiate transfer, and there should be maybe a line down to the set TAC to null. The set TAC to null usually would happen if the registered name holder requested or if there is an agreement between the losing registrar and the registered name holder on this process. So I think the line from submit TAC to registry should be directly down to domain lock without anything in between.

BERRY COBB: Thank you for clarifying. Roger, please.

ROGER CARNEY: Thanks, Berry. And thanks, everyone. Yeah, I think the tough part—and Berry and I talked about it once was this idea here, probably what Berry mentioned early on was some ideas don't fit swim lanes perfect. And obviously, this is I think one of those that doesn't fit because once the TAC has been provisioned, given to the registrant or whoever it is, that the TAC has been presented, at any point between that point and the point where the registry is going to try to verify it for the final transfer, it can be changed. So, it doesn't really fit well in the swim lane idea.

So I think that that's the hard part, just to get the concept around, okay, where does that really fit? And it really fits across this whole middle section here. But yeah, it's just here for reference, and maybe we can make it better.

Just one other comment on what Jim mentioned, on the checking for the lock versus the TAC at the registry. And Jim, I think Berry

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may have had that swapped, like you suggested, but then I may have suggested the opposite. And the reason I suggested that was the domain lock is more definitive than the TAC or—I don't know, maybe it's maybe it's not any more or less. But I was just thinking that you don't really care if the TAC is valid or not if there's a lock, because if there's a lock, you don't even have to take that next step. There's a lock and you respond that there's a lock. So I was just thinking, it seems simpler or more efficient to check the lock before the TAC. But maybe it doesn't even matter. But that's the only reason it's that way. Jim, please go ahead.

JAMES GALVIN:

So thanks, Roger. So the question here, in terms of the order of those two steps, domain locked and confirming that the TAC is valid, is about what you are giving priority and emphasis to. So from my point of view, the motivation for saying that I want to confirm the TAC first is what's going on here is I need to know if the transfer is going to occur. That's really what's happening here. so I want to check, given that TAC is present in my registry system, I know that a transfer is eligible. But I need to know if you're the right person asking for the transfer. And the question here is, when do you consider the transfer request successful?

And I'm suggesting that the transfer request is successful when a registry—well, success is a multi-step thing. I've got to be careful here. The point is, once I've gotten a valid TAC, I now know that the transfer should execute. And it is at that point, I think, that I should then look to see if there's a domain lock, because of the registry's got a domain lock, then there are now extra, probably manual steps that have to take place. And I want to do those

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knowing that the transfer has been asked for and is validated and is something that is at least partially successful at this point.

So now I need that last little step of just confirming, because of the registry lock that's on it, that you want that to happen. The alternative here would be for the registry lock to be removed beforehand. I'm thinking that I don't want to do a registry lock release in advance of even knowing if the transfer is eligible or not. And so that's the way I'm approaching it. And so that's why I would reverse them. And I would think given that removing a registry lock is largely manual, you definitely want that after all of the automation, if it exists, if it hasn't already been removed. Thanks.

ROGER CARNEY:

Thanks, Jim. Yeah, and I think a couple meetings ago, we talked about maybe the lock being at a higher level than the TAC. But again, I think that's open for discussion. We don't need to get into too much. I think flipping those will just be dependent on the registry, maybe. So thanks.

BERRY COBB:

Thank you for that. And before I give it to Theo, again, I'll move the TAC to null stuff somewhere over here. I might even make it a tan box just to reduce the complexity here that there's a whole bunch of stuff going on behind the scenes here. And if we need to, we can create a secondary page on what happens, if we need to. And then the second action I'll do is I'll swap these around. So, Theo, go ahead, please.

THEO GEURTS: Yeah. Thanks, Berry. And thanks, Jim. Following Jim's explanation, and it got me thinking about the different locks. Because when I was looking at the swim lanes, in my mind when I was reading domain lock, I was assuming that it must be a registrar lock, or perhaps a reseller lock, or a registrant lock. There can be all kinds of locks at a registrar level. There's different contracts, different procedures.

But then Jim was talking about the registry locks. And but how he explained it makes sense to me. I would have done this exact same thing if I were in a registry position. But it sort of made me question, what kind of lock are we talking about here? Because that is not completely clear to me. Thanks.

BERRY COBB: Thank you, Theo. That is an excellent point. And that's why for now, I tried to keep this generic because there are two handfuls of different types of locks that could muck this up. And trying to account for all of those possibilities would make for a very complex swim lane, which again would likely maybe go to a sub process and have its own page to account for all of those locks. And I'll note that this is subject to change, because we still have to talk about the NACK of transfers, that touches locks, and those kinds of aspects.

So for now, I'm hoping to keep it generic. But if through our continued deliberations, we really need to dive deeper into this, then yeah, we would probably consider a different page on how to

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account for all of the different possibilities that come back into this process. Kristian and then James.

KRISTIAN ØRMEN:

thank you. I just wanted to lift it out of the chat that to check if the domain is locked and the TAC is valid basically happens at the same time. It's up to the registry what they do first. I don't think it needs to be specified in the policy. And I think we just get confused [inaudible] it looks like one is before the other, but [inaudible] difficult to make this slimline and have them simultaneously. So I think that's what happened here. There you go.

But yeah, I would say they happen simultaneously and it should not be specified in policy if the registry checks the TAC first or the domain locks first. I don't see how that would change anything if one or the other was first in the actual technical check in the registry.

BERRY COBB:

Thank you, Kristian. Jim.

JAMES GALVIN:

Thanks, Berry. As far as I know, in EPP and thus in policy within ICANN, there are only two locks. There's client lock and there's registry lock. And the client lock is the registrar. Those are the only two locks. The client lock—and I realize that there might be other things that exist in other places. But I guess maybe it would

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help if there's something which is part of policy or some of the contractual thing. Maybe I could use a bit of education there.

But yeah, client lock versus server lock, so registrar versus registry, so there's only two. I want to observe that in your swim lanes here, you actually covered the client lock, the registrar lock. Back up at the top and over a bit on the left, we actually say that the thing has to be unlocked.

Okay, so that has to happen at the registrar of record, they have to remove their locks before they allow the name to be eligible for a transfer. And then by the time you get to the registry, so an interesting policy question is whether you want to require registry locks to be undone, to be released prior to making eligible for a transfer.

I would argue against that but at least it's a question that I'd put out here. So down over here in this swim lane where we are now, the only issue to be addressed—unless I'm missing something, which is fine if I am. I saw Theo's hand go up right away when I first started this. So he's probably going to tell me what I'm missing, which is fine.

But I think the only thing to be addressed here is the server lock or the registry lock, if you will. But from an EPP perspective, you would call it the server lock. And that's the only thing to be addressed here. And then there's a separate discussion here that we're also having about whether or not we have to talk about which order of those two steps there has to come or if we just make them an [item of] operation. I'm not sure I care which. But anyway, I hope that that helps. Thanks.

BERRY COBB: Thank you, Jim. So maybe since I'm going to be moving the null stuff somewhere else, then maybe there's a process step here for the registrar of record to clear registrar locks. And then there's a process step for taking care of any server-based locks. But again, I think the challenge is that there's a variety of reasons why these different locks are applied. And I'm trying to be generic in nature, because each reason for a registry or registrar lock requires different procedures, whether that be automated or warm bodies taking care of the process. And I'll let you respond, Jim, and then I'll go to Theo.

JAMES GALVIN: No, I'd go to Theo, I'm anxious to hear what Theo has to say. His hand went up pretty quickly when I first started to talk and I want to take that on board.

BERRY COBB: Go ahead, Theo.

THEO GEURTS: What Jim said is absolutely correct, there are just two types of locks from a EPP perspective. But the one from the registrar, which can be set, that happens on so many different levels. Owen mentioned UDRPs, we use that one, which we have to our disposal for UDRP. So that's why we lock domain names. There could be some kind of court order. It's usually at a registry level. Then you have the commercial versions of the registry level to

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protect the domain names better. And on the registrar side, you can put basically all those locks for all kinds of services. We use them for a user account roles. We have large hosting companies and we don't want everybody at that hosting company to have access to the domain name locks. So some users can remove them and some can't and require a process to go through the registrar support team.

So there's tons of reasons to keep the processes for the locks and the rendering of the TAC, setting it to null to keep those processes absolutely separate and also in the transfer process itself. You can create a TAC for good reason, but you cannot always move the domain name, because there are several other security features in place which sometimes are commercial and you don't want the transfer to go through because the lock is still present. Thanks.

BERRY COBB: Thank you, Theo. Jim.

JAMES GALVIN: Great. Thank you, Berry. And thank you, Theo, very helpful. So taking all of that on Board and taking that point, then what I would suggest at this point is, to what Berry is trying to accomplish here and in what he was doing with the swim lanes, there's a point early on at the top in the swim lanes where you talk about removing the client TAC. And here. And so clearly, there needs to be some kind of process which intersects with this process in some way that off the top of my head, I can't picture just yet. Got

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to think about that some more and maybe smarter minds will figure this out. But there clearly needs to be further elaboration on the removal and setting of client locks and what that means.

As an additional separate discussion, there should be some discussion about what it means for the registry lock, for the server lock and its intersection with this process. The third thing I would say is I would still say that you go from submit TAC, and it should go right down into the registry operator to do those two things down there, confirming the TAC and dealing with any locks. But maybe we just need to have a different kind of discussion about where locks intersect with this transfer process. It's clear that there's a bit more complication going on here than is immediately visible. And that's my concern. Thanks.

BERRY COBB:

Thank you, Jim. Well, your wishes are a command or whatever that phrase is, because I believe our next agenda item is to pick up where we left off with respect to locks, kind of going back to the creation lock. And you'll recall that staff built an inventory of the different types of locks and for why they're applied. So we have plenty of material to go. I'll go to you, Theo, and then from there, I'm going to try to close this out, because we only have about 12 minutes left. Theo, please.

THEO GEURTS:

Yeah, thanks, Berry. Thanks, Jim. I agree, maybe we should have a little bit more discussion about it. But on the other hand, we have these locks now for 20 years and there is not really an issue.

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If there's a lock on it, it doesn't proceed the transfer. So I don't see a real big issue there. I think it could be a real short discussion. Thanks.

BERRY COBB:

All right. Thank you, Theo. All right, so I'm not going to beat this dead horse on locks. But the idea though is if there was a lock here, something needed to be done to resolve it. And then there's a determination whether the transfer should proceed or not. And the next version, I'll try to do this in parallel, maybe this becomes some sort of sub process. But for now, let's pretend that this works.

The registry has confirmed the TAC and they're ready to initiate the transfer. We did have preliminary recommendations 5.1 and 5.2. Those are on the chopping block, it sounds like, so that's why these are highlighted in red. I'm going to keep them here for now. But the idea here was that if there was an invalid TAC being submitted, that there was notifications from the registry and registrar of record, and trying to escape out of that from a process perspective. So for the most part, ignored this one.

But assuming that everything was going according to plan, then there's the final aspect of completing the transfer. And I think in a prior version, I had this in a different order, but can use some help here. In essence, the registry has confirmed the TAC and all the locks are cleared, they're getting ready to initiate the actual transfer. They're clearing the TAC per TAC recommendation number nine. What happens behind the scenes or in EPP is that the domain is moved to the gaining registrar credentials. There's

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one year added to the registration, roughly, or maybe I won't be specific with one year, maybe it's increase registration duration. It's irrelevant, it's not a recommendation.

Then they send the poll message from the registry to the registrar of record, then per recommendations 14.1 and .2, the registrar of record must send a notification of transfer complete to the registered name holder. We do have some discussion around right now about a 60-day lock post-transfer. This is directly connected to our future conversations around the NACK of transfers. But to be clear, at least from staff's understanding—and happy to be corrected—I've flagged this as optional for now. But this is connected to the change of registrant and the material change that applies a 60-day lock.

But per the existing transfer policy sections 3.7 through 3.9, there's a may section about the reasons for NACKing of a transfer, and then there's a must section which I believe is 3.8 that touch upon locks of a domain. And then I still think there's probably a question that the group needs to address as to mitigate registrar hopping in the case of a hijacked domain. Does the group want to consider any kind of lock, or the conditions around any locks placed when a transfer is complete? So we don't need to discuss this in detail today. But it is on our path forward.

But then, to draw closure to this swim lane, the RNH is notified that the transfer is complete. And then it resets the process back over here to use the domain. And I will turn it back to Roger after Kristian has his hand raised. I hope this is helpful. Thank you.

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KRISTIAN ØRMEN: Thank you, Berry. I was just triggered by the fact with the one-year addition to the transfer, you said it was irrelevant. So I'm just questioning if this is part of the transfer policy today or not, because I think it's pretty important that we add this one year when we transfer a domain. So if it's not part of the transfer policy today, I think we should definitely discuss it.

BERRY COBB: Thank you, Kristian. I think we'll have to go and look at the existing policy. I don't recall it being a provision in the existing transfer policy. What I was saying though—I can be stood corrected. But if I wanted to transfer my domain and add five years to that part of the transfer process, I have that option. So my point was to not be prescriptive about just one year because it could be multiple years. But I'll leave that for the group's discretion. Go ahead. Owen, then Kristian, then Roger.

OWEN SMIGELSKI: Thanks, Berry. I just put into chat the wording from the transfer policy about adding one year. So right now currently, if the registrant does a transfer, one year is then added in there up to the extent that it does not exceed the maximum 10 years. So we do need to keep that in mind going forward. I think we're covered for now. But I think it's kind of what Kristian's saying, but we can't go above those 10 years. Thank you.

KRISTIAN ØRMEN: Thank you. This text is fine to me. Do we need to put a text somewhere that we need to keep this, or it automatically gets kept

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as long as we don't say anything about it, or how does this usually work?

ROGER CARNEY:

Right. Thanks. A great question, Kristian. And actually, it's not one of our charter questions to resolve that, I don't believe. Maybe staff can correct me, but I don't think it's one of our charter questions to specifically resolve this as Owen points out, [inaudible]. But I think that outside of that, yes, it would stay as is if, again, our charter doesn't specifically mention it and therefore not planning to recommend any changes to it. So it'll stay as the one year, as long as it's within that 10-year window.

Okay. Well, thank you, Berry. Again, there's a lot here. And great questions. Obviously, I don't think we'll be able to solve every one of the questions in a swim lane diagram. And again, I think that when we get into the 60-day lock, we'll touch on all the other locking. So we'll have that discussion. And if that changes this, then we'll update it.

Obviously, this this is a living document, especially for now until we get the complete wording done. So again, thanks, Berry, for doing that. Any other questions or comments? We've got four minutes left on the call. Thanks, everybody, for being able to extend this extra 30 minutes later.

Okay, yeah. So, again, the swim lane hopefully is a good visual of what we're doing. And hopefully it helps us as we progress through this and actually get into writing that initial report and

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everything. So if there's no other questions, we'll give three minutes back to everybody. Thanks, everyone.

JULIE BISLAND: Thanks, Roger. Thanks, everyone, for joining. This meeting is adjourned. Have a good rest of your day.

**[END OF TRANSCRIPTION]**