**GNSO**
**Inter-Registrar Transfer Policy A PDP Jun08 Working Group teleconference**
**9 December, 2008 at 16:00 UTC**

**Note:** The following is the output of transcribing from an audio recording of the Inter-Registrar Transfer Policy A PDP Jun08 Working Group teleconference on 9 December 2008. 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. The  audio is also available at:
http://audio.icann.org/gnso/gnso-irtp-pdp-20081209.mp3
http://gnso.icann.org/calendar/#dec


Participants present:

Paul Diaz - Working Group Chair - Networksolutions Registrar c.
Barbara Steele - Registry c.
Mike Rodenbaugh - CBUC - Council liaison
Michael Collins - CBUC
Mikey O'Connor - CBUC
Kevin Erdman - IPC
Sébastien Bachollet - ALAC

Staff:
Marika Konings - Policy Director
Glen de Saint Géry - GNSO Secretariat

Absent apologies
James Bladel
Marc Trachtenberg


Man:            I just found it in my spam filter.


Coordinator:    The recordings have started sir.


(Paul Diaz):    Thank you. And Glen if you would, could you do the roll please?


Glen DeSaintgery:        Yes, certainly (Paul). We have on the call kevin Erdman,

                (Paul Diaz), Sebastien Bachollet, (Mikey O'Connor), (Barbara Steele),

                and (Michael Collins). And for staff, we have (Marika) and (I dare) say

                (Olof) is with (Marika).

(Paul Diaz):          Excellent.

(Marika):              That's not correct, Glen. I think (Olaf) might join a little bit later. He had another appointment.

Glen DeSaintgery:          Oh, okay. Okay, then we've just got (Marika) and myself on for staff. Thank you.

(Paul Diaz):          Okay and I also received probable regrets from (James Sladle). He is fighting an ice storm or something today and he doesn't think he's going to make the call or will be very late.

All right everyone, thank you for joining again. Hopefully our other colleagues will be able to join us once the call is - now that we're underway. I very much appreciate everybody also posting to the list. (Marika) and I (cobbled) together some very rough language -- and please it's understood to be just that -- to get our discussion going about the concluding statements for our initial report.

And if I may, it strikes me that we seem to have as a fair statement that people are comfortable with what we've put together for Issue 3 and Issue 2. All of the discussion on the list seems to be focused on Issue 1, so we'll get to that. But is it accurate to say that people are comfortable for our initial report with the summary or the concluding statement that we've provided for Issues 2 and 3?

(Michael Collins):    (Unintelligible). This is (Michael Collins).

(Paul Diaz):          Please, go ahead (Michael).

(Michael Collins):     I was just going to confirm that 2 and 3 are okay with me.

(Paul Diaz):     Great. Okay, as we go through the call if something pops into someone's mind and you want to address 2 or 3 terrific, otherwise why don't we focus the bulk of the call on working out some consensus on Issue 1. And again, for now, we will consider Issues 2 and 3 good to go with the text we have. And again folks, remember this is our initial report and we're sure to get feedback from the community. So there will be opportunity even if you're not 100% comfortable with it. You know there will be time to weigh in, et cetera.

Okay, so getting back then to Issue 1. You know we have a lot of good debate back and forth on the list. Much appreciate the inputs, and a couple of things strike. We have in our discussions on this issue talked and I'm hoping that Mike Rodenbaugh will be able to join the call. But this notion or concept of recommending a significant change to (who is) policy vis-à-vis trying to make the registrant email address publicly available.

Again, you know I don't think that's in our mandate. I kind of think that particular recommendation is a non-starter. If people feel very strongly about it, we can include that point of view as an alternate opinion. But you know we've received - we've discussed it at some length. We've received pretty straightforward guidance from the chair and vice chair of the (GNSL) Council. That particular aspect I think really should be kind of left off or out of the report.

On the focus of the discussion on the list I, you know, understood correctly, there is, you know, a definite group that's in support of

making recommendations to change the existing structure, which allows the registrant to have sort of the ultimate say on a transfer. And so to recognize again on the list that this can apply to - this can be an issue for - in a domain name transaction of sale that this presents a potential for fraud.

Whereby the admin contact can approve the sale and then the registrant comes in afterwards. It may even be somebody originally involved, hence the fraud angle, and say that, you know, "Hey, this should never have happened," et cetera. And this sort of uncertainty in the process for the parties to try to enter into the transaction in good faith, you know, is seen by some as a flaw in the process and it needs to be addressed.

(Michael Collins) - hopefully not putting you on the spot, but is that fairly summarizing the concern you have and what you want to see addressed?

(Michael Collins):     Yes, I think so.

(Paul Diaz):     Okay, of course just for equal billing, there's the, you know, flipside to that coin - the potential for fraud that exists with the transfer process in general. In the changes that were made back in '04, a transfer request is now - it goes through automatically unless the registrant denies the request within the five-day window.

As a result, the market registrars in particular and registries that have to deal with allegations of fraudulent transfers see this registrant as ultimate authority - as a security protection measure. Because in cases where an illicit transfer attempt is made, it's the registrant who can

initiate a process to recover their name when the transfer has been affected. And again, there are - you can see both sides in this one.

And as a couple of folks had noted on the list, trying to equate the two, registrant and admin, might be problematic from a security perspective from that view. It could create a security issue from that perspective.

So I guess the challenge that we have as a group is if we - you know it seems some feel very strongly that we should be saying something about that. How do we find a comprise - a balance here. And quite honestly, I'm wide open to any suggestion because I think it's a very important issue, but at the same time one that an obvious compromise is kind of escaping me. So I hope the more clever and smarter people will have some ideas. And with that, please throw it open to the group.

(Michael Collins):     This is (Michael Collins). I'd like to start if it's okay.

(Paul Diaz):     Please go ahead, (Michael).

(Michael Collins):     First, I think the easiest compromise is the one that we've spent so much time on. Easiest from a policy standpoint, and not necessarily from a technical one, and that was I think when we started discussing Issue 1 and we spent most of the time. And that was it's - the compromise I - the best compromise is requiring the registrant to approve the transfer instead of allowing either the admin contact or the registrar to approve the transfer.

However, it comes back to the problem that we face, which is how to provide the registrant email address to the gaining registrar in a secure

manner. If we could solve that problem from a technical point of view, I think we would have a compromise on the policy part of it.

(Paul Diaz): Okay, others have thoughts on that.

(Mikey O'Connor): Yeah, this is (Mikey).

(Paul Diaz): (Mikey).

(Mikey O'Connor): You know I'm sitting here kind of at a disadvantage because I don't have any email in front of me, and so I'm working off the draft. And as I read Issue 1, I'm not sure that this particular discussion is really what Issue 1 is trying to get at. The reason that it comes up at all is because of the last sentence in the issue statement. This slows down or complicates the process for registrants especially since the registrant can override the admin contact. It's almost a parenthetical at the end there, but I don't know that our brief really includes a discussion of changing the roles of the admin and the registrant contacts.

You know I'm looking at Issue 1 as what you were saying (Michael) - you know a mechanism to provide that address and maybe the thing to do is sidestep this issue. Essentially park it somewhere and say, "Look, this came up. It's a tasty issue, but we feel it's outside our brief to resolve this one. And the thing that we're really charged with resolving is trying to figure out a way to get that address to the gaining registrar in a secure manner. And then we have a whole bunch of sort of technical choices that we looked at."

And so maybe one way to kind of chime in behind (Michael), but at the same time take some of the pressure off of this issue is to say, you

know, let's focus on the technical process, which I really think is the intent of the issue statement.

(Paul Diaz):      Okay, (Michael) any thoughts you want to respond or others?

(Michael Collins):    Well I only get - I'm sorry. I thought we had kind of exhausted the technical solutions or had exhausted them to the point that (there were costs) that we didn't have the ability or desire to impose on anyone to solve the technical problem. But I don't mind continuing to discuss it if there's a solution.

(Mikey O'Connor):   You know I think that's right. I think basically what we've - what our conclusion on Issue 1 is we've looked at the technical solutions, which is really what that issue statement is all about, and we've found that they would impose additional costs on the process and we're not ready to recommend that - end of statement. And that the whole issue of the role of registrant versus admin contact is really out of scope for what we're charged to do.

Mike Rodenbaugh:  Mike Rodenbaugh. I don't necessarily agree with that. I think we could certainly make other recommendations at least as to future works that might be done.

(Mikey O'Connor):   Well that's fine, but I think in terms of this issue statement that would be - you know (Mike) you may have come in just a little bit after I started my rant. But my rant was, you know, let's park this one or give it to a subsequent group to look at or something, but that it's out of scope of this one.

(Paul Diaz): How about this? For the three (Mikes) and for the group, what is we were to try and craft the concluding statement or the summary statement basically in two parts. We can say, you know, under a narrow focus or narrow view of the charter question.

(You have) (Mikey) saying that we've, you know, looked at all of the technical issues and don't feel that the additional costs or burdens that they impose are worth recommending at this time. However, or in addition - and then take or craft some language that would be forward looking towards future groups should or may want to consider or something like that. And get it - you know what (Michael Collins) is looking for.

Because again, I wish I had printed it off. I don't have the list of future PDPs, but some of the future ones if the questions that they will address are broader and would as I remember lend themselves to - you know it would be within scope to take on some of the further reaching suggestions that, you know, we could at least put a price (holder) out there serving notice for the future groups to deal with this.

I mean would an approach like that - you know initially say, "On a narrow reading of our charter question about, you know, technical means, we don't see - we don't have anything to recommend at this time." And then, you know, "However, there are these broader questions that we feel need to be addressed," and sort of lay out the concerns that we have. Basically just lifting the language we have in the...

(Michael Collins): This is (Michael Collins). I'm back from (unintelligible).

((Crosstalk))

(Paul Diaz): Yeah, (Michael). Were you able to hear everything (Michael)?

(Michael Collins): No, I just got back. I was dropped for about a minute.

(Paul Diaz): Okay, but in general, the suggestion - my suggestion right now is that, you know, basically to take what the three of you have said and offer it up as a narrow response to the issue. The charter question would be - as far as technical issued are concerned, the group has looked at various potential solution and finds that the costs of such - at this time, we don't have any recommendations.

However, on the broader question and in particular the issues that you're raising on the list and I would pull language from the emails, that we would encourage the future PDP groups to consider looking at or taking on the broader questions about registrant trumping admin, and is that appropriate, should they be of equal status, et cetera.

(Michael Collins): And I would like to make sure it's phrased after, you know, after a transfer has occurred. I personally have no problem and I don't think there's a security problem with the registrant trumping the admin blocking a transfer. But you know I'm not sure it's appropriate to reverse a transfer that's already occurred in the past.

(Paul Diaz): Okay and again, my thinking (Michael) is that you've explained your positioning very well in the email, so I would lift that language.

(Michael Collins): Okay.

(Paul Diaz):     Looking ahead, I have now - I found my printout. PDPB - okay, so the follow on one. The first two questions are going to talk about or focus on processes for returning - resolving you know domain names when there's either a hijacking attempt or some inappropriate transfers are needed. I mean it would seem to me that this whole concern about a transfer is executed but there is some bad faith element in the registrant negates it. You know that it would be within the scope of PDPB at least to take on the issue. So we could you know set it - kind of tee it up for them in our recommendation here.

(Michael Collins):     Thank you.

Mike Rodenbaugh:  Could you send that around please, (Paul)?

(Paul Diaz):     The lift of the questions?

Mike Rodenbaugh:  Yeah.

(Paul Diaz):     I'll have to pull it because I literally have a printout of it, (Mike), but I definitely will. It was I think something drafted from 19 March this year. But it was the thing that the previous group that (Chuck Gones) headed listed with all the PDPs. So I'll get that out to the group after the call.

(Mikey O'Connor):   Yeah, actually it would be great to get that on the Web site because I'm constantly trying to find it. And so maybe...

(Paul Diaz):     I thought we had...

(Marika):		(Paul) I just tried to pull it up now and (it seems everyone during) has managed to find it.

(Paul Diaz):		Yeah, it is on our list. I thought we had put it up (Marika). It's the enter registrar transfer policy issues dated 19 March. Pardon me.

(Marika):		The document is there.

(Paul Diaz):		It's there in PDF form.

(Marika):		Yeah.

(Paul Diaz):		So it's the first thing under background documents everybody on our wiki site.

(Mikey O'Connor):	Oh, cool.

(Paul Diaz):		Yeah, so it's - there it is. And all right, so I mean with all of this discussion, I mean are people comfortable with this sort of approach or our summary statement for Issue 1?

(Mikey O'Connor):	This is (Mikey). I'd like to get (on the queue).

(Paul Diaz):		Go ahead, (Mikey).

(Mikey O'Connor):	I like the approach a lot. The one thing I'd like to do is lobby gently for some language on the technical side. I know that in general, we're a little edgy about costs, but at the same time, the techy in me says that it would be nice to sort of bring this issue to the community in such a

way that they at least start thinking about their future operational systems.

I wish (James) was on the call because he and I are sort of on the same square here that the operational systems that we use to communicate between registries, registrars, and registrars between themselves totally focusing on (who is), is sort of antiquated and creaky.

And this is but one of many issues that having (who is) as the core system creates for both registries and registrars. And so if there was some way that we could leave some wiggle room for people to at least start thinking about the next generation operational systems, I think that would be a helpful thing.

I don't feel terribly strongly about that, but you know as a geek, I'm looking at (who is) and going, "This is a really crummy system to do what we're asking it to do." And this might be an opportunity to at least highlight some of the alternatives and encourage people to start thinking about them.

(Paul Diaz):     Scanning through the draft report that we have (Mikey) and...

(Mikey O'Connor):   We have a (fair)...

(Paul Diaz):     Didn't you and (James) - yeah.

(Mikey O'Connor):   We have a pretty good discussion in there. It's mostly just - in terms of the language that you threw out on the first half, instead of just saying, "We have no recommendation because of cost issues," if we

could say something like, "We have no immediate recommendations, but the group observed that there are many opportunities for operational systems improvement that registries and registrars might want to consider."

Some sort of language like that just to sort of open the door without making a recommendation that people actually adopt these systems. But that they at least get a message that we noted how creaky those - that (who is) system is getting given, you know, things (have scaled) and the difference between thick and thin registries, and you know, blah, blah, blah, and all that stuff.

(Paul Diaz): Okay, (Marika) I've been taking notes. Did you get that as well - that we can incorporate that in our next whack at this?

(Marika): Yep.

(Paul Diaz): Okay, good.

(Mikey O'Connor): I wish I could type it but I can't.

(Paul Diaz): That's fine (Mikey). Okay, we will definitely make an effort to incorporate that. Other thoughts, other concerns. Is there - again, getting back - are people generally comfortable now with trying to go in this - present Issue 1 with this approach?

(Mikey O'Connor): Works for me.

(Paul Diaz): Okay, not hearing any immediate (house of protests), then let's...

Man: I think as long as it's written in such a way that we're encouraging some attention to the underlying problem that I brought up, I'm happy with the response to the technical question.

(Paul Diaz): And just to make sure I got that clear, you are comfortable with the response to technical as long as your concerns are duly noted.

Man: Exactly. Thank you.

(Paul Diaz): Got it. Good. Okay. All right.

Mike Rodenbaugh: But we haven't lost the (who is) completely, right? Is that still in the report?

(Paul Diaz): From what angle, (Mikey)? Excuse, me (Mike). There's coverage on - I guess it's Page 18 now in the report. And then for the statement, the overarching statement, what...

Mike Rodenbaugh: I just didn't want to lose the notion that, you know, potentially a change to the (who is) policy could resolve this problem. If the registrant email address became a required (who is) field.

(Paul Diaz): Yeah. Okay, we did start the call I guess just before you came on with that. You know we've discussed this one (Mike) and you know it seemed to be just from my view, you know, the broad consensus that there was - that recommending a change in (who is) policy (is beyond the scope).

Mike Rodenbaugh: I'm not recommending a change. I'm saying that it could be something that could be done. It could be further looked at. That's all.

(Paul Diaz): Okay, let's do this. Obviously, (Marika) and I are going to have homework after this call. We will try to incorporate that - everybody's inputs obviously and get it out to the list quickly again with the goal. And then once you have the text in front of you, you know if it's not up to anybody's standard, please make the edits. We will adjust it from there and we'll address that as well (Mike). We'll (fit) something in.

Mike Rodenbaugh: All right.

Man: I might add (Mike) that I think that the public registrant (who is) would only partially solve the problem if the policy change - if there was not an accompanying policy change that required the gaining registrar to confirm the transfer exclusively with the registrant. If the admin could still approve it and the registrant could still reverse it, (it would still) be a problem. It would enable us to recommend - or someone to recommend policy that would solve the problem. But in itself, it would not. It would be a partial.

Mike Rodenbaugh: Yeah, that makes sense to me. Thanks.

(Paul Diaz): Yeah, I do want to come back to that notion of requiring the registrant's approval. Just a quick bit of history for the group. When this new transfer policy was put in place, a clear motivating force in making the changes and providing the system as we have it today is that in the past, an affirmative consent to a registration was a requirement.

Members of the community - the majority members of the community felt that that was a problem in that the argument was made that many

registrars would not pass on the requests or were trying to find ways to use that as a hurdle.

(Michael Collins):    (Paul) I might make a (terrible) distinction if I could interrupt you.

(Paul Diaz):    Yeah.

(Michael Collins):    In that older policy, it was the losing registrar that was responsible for that. And today, it's the gaining registrar that's responsible for doing the confirmation. I'm not proposing that we change that part only who they are able to make that confirmation with - exclusively with the registrant.

(Paul Diaz):    Okay, very good clarification. Excellent. And I'm thinking on this fly and I didn't speak clearly. And a very good clarification (Michael). Because of course as we - as the system is currently architected, even taking - putting the onus on the gaining registrar to receive that consent gets us back to the well what if they can't get the registrant email. And then it comes full circle.

So the recommendation is that you - well, what exactly - you know where exactly are we headed? You know if the technical means to share that and publication in the (who is) is problematic on different levels, you know then it's probably - it leaves you with the option of the more fundamental question should the registrant continue to trump. I'm not sure.

Let's do this, folks. The - we - (Marika) and I will work on a revised summary statement for Issue 1. Given there are many angles here, we

will ask everybody again to look at it carefully - closely on the list. And you know we can polish it in the interim.

I don't want to unnecessarily cut this call short. You know we've only used a half hour today. But it just seems that if we're good on Issues 2 and 3, we need to put together some revised drafts for Issue 1. Maybe you know to wrap this one up early today and let (Marika) and I focus on Issue 1, and get it back out to everybody. And then you know our goal might be to work on it in the intervening week and then on next Tuesday's call, we can have a final run through of the report - the draft that is posted again on the wiki. And you know assuming there are no major concerns, we can then have the report ready for posting shortly after the call next week.

(Mikey O'Connor):   (Paul).

(Paul Diaz):       Yes, who is that?

(Mikey O'Connor):   This is (Mikey). Again, I apologize for not having the email draft in front of us. I'm looking at Issue 2 and just could you summarize where we're at on that? Because I think I might want to lobby for the same sort of geek-oriented notion that I lobbied for in number 1, which is that - and I just can't remember what our summary statement was. So if somebody could remind me of that, that would be (helpful).

(Paul Diaz):       Yeah, right now what we've said is that, "Based on the discussions in the working group, there appears to be some agreement that there is a need for other options for electronic authentication. However, opinions in the working group differ as to whether this should be an issue for (GNSL) policy making or for market solutions."

(Mikey O'Connor):   Oh, okay. That's fine.

(Paul Diaz):        And we have the kind of boilerplate for the rest. You know, "It should be noted that we won't take any final decisions until we've received community inputs, yadda, yadda, yadda."

(Mikey O'Connor):   Yeah, actually that's perfect for number 1 as well. You know you might want to steal that kind of language for the geek stuff in number 1 - encouraging people to sort of be aware of this. Take a look at some of the technical options that we discovered during our research and offer their opinions. I think that would be just fine. Thanks.

(Paul Diaz):        All right.

(Mikey O'Connor):   Sorry to derail you there.

(Paul Diaz):        No, not all. So does this seem like a plan to folks? Again, we will - what we'll do is we'll repost - (Marika) and I will redraft Issue 1 and we're going to cut and paste 2 and 3. So you'll have the three statements in front of you again. We will try to get this out to the list as soon as possible - certainly by sometime early tomorrow.

And then again, I strongly encourage everybody - you know take a look at it, recommend edits, you know, so that we can more or less have worked through the text before our call next Tuesday. We can take some of the time next Tuesday. If there are any additional things that need to be debated as far as the issue statements, great.

If not, we will kind of skim through the report noting any of the changes that have been highlighted -- past text edits that is -- address any other concerns people may have, and then you know hopefully we'll be able to wrap that up on the call next week. That we can get this thing teed up and out for the public comment period.

And at that time, also I guess we'll decide what the date should be. With the holidays in front of us and whatnot, the standard 30 days may not be realistic. So we'll also have to decide as a group what the deadline should be.

But with that - I mean are there any other questions? Okay, then you know please keep an eye on your inbox. Hopefully nothing gets (shunted) into spam folders. But know that it's coming in the next day and you know please take a close look and make sure that you're comfortable and suggest any edits. If you see things in the report as well, feel free to raise them on the list.

Give us a head start on next week's call, and we will try to pull this all together next Tuesday at the same time. And with that, I thank everybody for their time today. Talk to you all soon.

(Mikey O'Connor):   Great job, (Paul). Thanks.

Man:            Thanks (Paul).

(Paul Diaz):     Okay, guys.

Man:            Thank you (Paul).

(Paul Diaz):      (Marika), will you have a moment.

(Marika):        Yes. Yes, I can stay on the line.

(Paul Diaz):      Thank you. Okay, it's just us now.

(Marika):        Yeah, I guess you should ask the operator to stop the recording.

(Paul Diaz):      Yes.

(Marika):        Operator, are you there?

Coordinator:     Yes, madam. I will stop the recording.

(Marika):        Okay, thank you.


                        END