

Registrar Stakeholder Group Position on Registry-Registrar Separation

BACKGROUND

The ICANN Registrar Stakeholder Group (“RSG”) has participated in the debate regarding Registry-Registrar separation for New TLDs for well over one year. This RSG Position Statement captures the overall sentiment expressed by the RSG Members. The Statement was approved by formal vote of the RSG.

RSG POSITION STATEMENT

After consideration of the public interest benefits, the RSG supports the following principles regarding Registry-Registrar separation for New TLDs:

1. The RSG continues to support the GNSO recommendation that domain names be registered only through ICANN accredited registrars. This ensures that the public interest is protected by having all registrations governed by the rights and responsibilities found in the Registrar Accreditation Agreement;
2. ICANN should maintain the current structural separation requirements between the registry and registrar functions (i.e. the functions are handled separately);
3. ICANN should maintain the current requirement that registry operators not discriminate amongst registrars;
4. We agree with ICANN’s expert economists that vertical integration of registries and registrars will enhance consumer benefits and provide consumers with lower prices, better service, and new innovation;
5. The risks of malicious and abusive conduct that certain parties have raised as a concern would not be prevented by restricting the ability of a registrar to sell names of an affiliated registry operator;
6. There is a rich history of registrars selling TLDs of affiliated registry operators in the gTLD and ccTLD spaces without any allegations of wrongdoing;
7. Any requirements intended to protect registrants from malicious or abusive conduct , including data issues, should go to the conduct at issue and not serve as an excuse to exclude an entire potential class of competitors along with the attendant public benefits of such competition;
8. ICANN should not prohibit affiliates of ICANN-accredited registrars to apply to be a New TLD registry operator;
9. ICANN should not prohibit affiliates of ICANN-accredited registrars to provide any types of services to registry operators; and
10. ICANN should not strictly prohibit registrars from selling registrations for TLDs of an affiliated registry operator.

CONCLUSION

ICANN should move forward positively and firmly to permit the integration of registry operators and registrars for New TLDs without sales restrictions, as such would inure to the benefit of consumers and the public interest.

The opinions expressed by the RSG in this Position Paper should not be interpreted to reflect the individual opinion of any particular RSG Member.