

AGP Policy Comments from VeriSign

Effect on Operators

The Policy contemplates a March 1, 2009 implementation date. Because of the new reporting requirements, implementation should not occur until at least 120 days (or a reasonable amount of time depending upon each Operator's appropriate implementation) after the final form of the implementation plan has been adopted.

Reporting Requirements

The second paragraph reads as follows:

“Operators must keep copies of all exemption requests, subject to ICANN review, and must include in its comma or pipe separated-value formatted monthly report to ICANN the following information for each Registrar:

- Number of exemption requests
- Number of exemptions granted
- Number of names affected by granted exemption request
- Number of AGP deletes (domains-deleted-grace) if this information is not currently defined in the Operator's monthly reporting requirement ”

It would be very difficult to have this information automatically entered into the pipe delimited file that we provide to ICANN. It would be much preferable to submit this as a separate report initially. Once we get some experience and can better determine the value, we could, at a later date, evaluate whether it makes sense to build some tools for automating the report process. The immediate impact of building tools to allow the information to be automatically inserted into the per registrar activity report could cause delays in implementing the policy.

The fourth paragraph reads as follows:

“ICANN may request copies of exemption request documentation for analysis and reporting requirements to the GNSO on AGP delete activities subject to the same confidentiality restrictions applied to registry reports to ICANN (i.e., Registrar specific information could not be provided to the GNSO until 90 days after the applicable reporting period). Upon request, Operators must supply the exemption request documentation to ICANN within 10-business days.”

We recommend that the example provided be amended to read: “. . . (i.e., Registry and Registrar specific information could not be provided to the GNSO until 90 days after the applicable reporting period.) . . .”

Monitoring Progress

The first paragraph reads as follows:

“ICANN will collect and analyze Operator monthly reports to track information on numbers of net new registrations and AGP deletes as well as Registrar exemption requests. ICANN will summarize this information and report it to the GNSO at six-month intervals for two years following implementation of the Policy subject to the same confidentiality restrictions applied to registry reports to ICANN (i.e., Registrar specific information could not be provided to the GNSO until 90 days after the latest applicable reporting period). . . .”

As above, we recommend that the example provided be amended to read: “. . . (i.e., Registry and Registrar specific information could not be provided to the GNSO until 90 days after the latest applicable reporting period. . . .”

The last sentence of the first paragraph says, “In its semi-annual report to the GNSO, staff will provide the following: . . . (second bullet) The number of net new registrations and AGP deletes, on an aggregate basis, for each month from each Operator.” Is this aggregate for all registrars combined or broken out individually by registrar?

The fifth bullet in the same paragraph says, “Statistical information about the effects of the Policy on AGP deletes. The statistics will provide detailed information about numbers of AGP deletes per month by Operator. The statistics will compare AGP deletes information for the current and prior six-month period.” This must be subject to the same confidentiality requirements already in place for registry reports and community expectations for this information should be set accordingly. For example, a report for the first six months of a calendar year could not be provided until October of that year.

Compliance

The first sentence reads, “ICANN’s Contractual Compliance Department will monitor and annually audit Operators to ensure they implement the Policy in accordance with their Registry or Sponsor Agreement and that their monthly reports contain the required information about exemption requests.” If it is acceptable to modify the reporting requirements as suggested above to provide this information separately from the Monthly Per Registrar Transaction Reports, then the wording here will need to be modified accordingly.

The last sentence of this paragraph says, “Further, if ICANN has reason to believe an Operator is abusing the intent of the Policy (e.g., granting requests that occur repeatedly by the same registrar), the matter will be investigated and if required, appropriate action taken.” The term “appropriate action taken” should be more specific to describe what actions ICANN will take.

Measuring Success of the Policy

The third paragraph should be revised to read: “Following submission of the summary report to the GNSO and public posting of the document, ICANN will report upon the results and experiences gained during the implementation and monitoring stages and provide the GNSO with its evaluation of the effectiveness of the Policy.”

It does not seem appropriate or applicable to include the experience of Public Interest Registry or NeuStar as factors that may be considered in measuring the success of the Policy. It is recommended that fourth paragraph and corresponding bullets be deleted.