

Request for Information on Domain Tasting
to Uniform Domain Name Dispute Resolution Policy Providers

In view of the increase in domain tasting (as defined below),¹ the GNSO Council recently considered an [Issues Report on Domain Tasting](#) and resolved to form an ad hoc group for further fact-finding regarding the effects of this practice. The ad hoc group has assembled the following questions to Uniform Domain Name Dispute Resolution Policy providers to assist it in gathering facts and opinions, while inviting both qualitative and quantitative input. Statistical and other empirical evidence to support your responses is especially welcome. The ad hoc group thanks you in advance for your participation.

1. What is the average length of time between your receipt of a UDRP Complaint and your forwarding of it to the Respondent under Paragraph 2(a) of the Rules for Uniform Domain Name Dispute Resolution Policy?

The average length of time is about Five (5) days. In exceptional circumstances, such as invalid postal address, it may take us a bit longer in serving the Complaint to the Respondent. However, in accordance with the ADNDRC Supplemental Rules (Article 4(3)), any communication by post shall be deemed to be received in four (4) calendar days after posting in the case of local mail or in seven (7) calendar days in respect of overseas mail.

2. Do you require the Complainant to provide the creation date of the domain name(s) that is/are the subject of the complaint? If you do not require it, do you review it if the Complainant provides it?

Yes, we do require the Complainant to provide us with the Whois information of the disputed domain name(s), by which we can confirm the creation date of the domain name(s).

¹ **Definitions**

Domain Tasting – Domain tasting is a monetization practice employed by registrants to use the Add Grace Period to register domain names in order to test their profitability. During this period, registrants conduct a cost-benefit analysis to determine if the tested domain names return enough traffic to offset the registration fee paid to the registry over the course of the registration period (e.g., currently \$6 US/year for a .NAME domain name) and the annual transaction fee paid to ICANN (currently 0.20 USD).

Add Grace Period – Add Grace Period, or AGP, refers to a specified number of calendar days following a Registry operation in which a domain action may be reversed and a credit may be issued by the Registry to a registrar. AGP is typically the five-day period following the initial registration of a domain name. AGP appears as a contractual term in some, but not all, gTLD registry agreements. AGP allows, among other things, for the correction of typos and other errors by registrants. Once a domain name is deleted by the registry at this stage, it is immediately available for registration by any registrant through any registrar. When a domain name is registered through an ICANN-accredited registrar, that registrar may cancel the domain name at any time during the first five calendar days of the registration and receive a full credit for the registration fee from the registry and also avoid the ICANN transaction fee.

3. Do you review the creation date as set forth in the registrar's Whois database for the domain name(s) at issue as part of your compliance review?

Yes, upon receipt of a Complaint, we shall double check the Whois record with the concerned Registrar as part of our compliance review. (It is our standard procedure).

4. Do you review the identity of the registered name holder(s) as set forth in the registrar's Whois database for the domain name(s) at issue as part of your compliance review?

Yes, we do.

5. Have you notified Complainants of administrative deficiencies with their Complaints where the deficiency is that: (Please answer all)

- a) Deficiency A: The creation date(s) in the registrar's Whois database is the same as the creation date identified by the Complainant in its filed complaint, but the registered name holder in the Whois database is different from the registered name holder identified by the Complainant in its filed complaint;

No, as this kind of situation has so far not occurred during our administrative process.

- b) Deficiency B: The creation date(s) in the registrar's Whois database is different from the creation date identified by the Complainant in its filed complaint, but the registered name holder in the Whois database is the same as that identified by the Complainant in its filed complaint;

No, as this kind of situation has so far not occurred during our administrative process.

- c) Deficiency C: The creation date(s) and the registered name holder identified in the registrar's Whois database are both different from the creation date(s) and registered name holder identified by the Complainant in its filed complaint;

No, as this kind of situation has so far not occurred during our administrative process.

- d) Deficiency D: The registered name holder identified in the registrar's Whois database is different from the registered name holder identified by the Complainant in its filed complaint;

No, as this kind of situation has so far not occurred during our administrative process.

- e) Deficiency E: The domain name that is the subject of the Complaint is no longer registered, and the creation date was within five days of the complaint filing date.

No, as this kind of situation has so far not occurred during our administrative process.

5. If your answered "yes" to any subpart of question #4, please provide the information requested below. (Specific data is more helpful than general approximations, but we welcome whatever insight you can provide.)

- In how many proceedings have you notified the Complainant of each type of deficiency?
- What action do you require the Complainant to take to remedy this type of deficiency?
- How many domain names overall have been the subject of proceedings in which you have issued a notice for this type of deficiency?
- How many different Respondents have these proceedings involved?
- How many different registrars have these proceedings involved?
- If you retain this data and prefer not to disclose it specifically, would you be willing to provide it in aggregate form (e.g., In 2007, we issued notifications of administrative deficiencies in v [number of] proceedings that appeared to involve domain tasting and that totaled w [number of] different Complainants, x [number of] different Respondents, y [number of] domain names, and z [number of] different registrars.)?
- If you do not retain such specific data and/or would not be willing to provide any such data in aggregate form, have you discerned any patterns or trends among such proceedings and, if so, what are they?