*Proposed “Change of Control” Process for gTLDs*

Having concluded that there could be benefits in developing a standalone process for a “change of control” or “change of registrant”, the WG proceeded by developing a list of requirements that such a process should meet. These include:

* Both the losing registrant as well as the gaining registrant need to authorize the change
* A change of registrant cannot take place simultaneously with a change of registrar. If both changes need to be made, a change of registrar (IRTP) needs to be completed prior to initiating the change of registrant
* Following a change of registrant, the domain name cannot be transferred to another registrar for 60 days to avoid registrar hopping in case of a domain name hijacking
* The WG also noted that any such process should not create an unfair advantage/disadvantage for any of the segments active in the domain name industry and noted that it should neither prevent innovation and differentiation amongst registrars.

As a result of these deliberations, the WG has developed the following proposed process for a change of registrant (see also the flow chart in Annex [X].

STEP 0: If the Gaining and Losing Registrants are transferring the domain to a new registrar in conjunction with this Change of Registrant process, they must complete the Inter-Registrar Transfer prior to initiating the Change of Registrant process.

STEP 1: Both Registrants authorize the change

* The Losing Registrant produces and transmits Change of Registrant Credentials to the Gaining Registrant
* The Gaining Registrant acknowledges the receipt of credentials and accepts the transfer

STEP 2: Registrar determines that both Losing and Gaining Registrant have authorized the Change of Registrant and that the domain is eligible for Change of Registrant (i.e. there are no locks or other restrictions on the domain)

STEP 3: Registrar changes registrant

STEP 4: Registrar notifies Losing and Gaining Registrant of the change that has taken place

STEP 5: Registrar places a lock on the domain to prevent Inter-Registrar transfers of the domain for 60 days

**NOTES**:

Note: Change of Registrant is defined as an update to any of the following:

* Primary Contact Method [make email required, per Rob Golding email]?
* Name
* Organization

Note: The IRTP WG has not yet completed the definition of what constitutes eligibility for Change of Registrant (in STEP 2). A preliminary list of criteria includes:

* Not subject to UDRP
* Not locked by the Registrar (with a clear mechanism for clearing the lock)
* Not expired

Note: Change of Registrant Credentials could be a PIN, password, string or code, including AuthCodes. However Registrars should note that AuthCodes are also generated and used in the Inter-Registrar Transfer process. A registrar can use the same AuthCode for the Change of Registrant process, but there may be operational and security issues that they should address if they choose to do this without resetting and reissuing the AuthCode first.

Note: The Inter-Registrar Transfer Process and this Change of Registrant Process are separate and distinct – however they can be made to appear the same to Registrants if that is desirable. The key distinction between these two processes is that the first (IRTP) happens between Registrars, while this Change of Registrant (COR) process happens within a Registrar.

Note: This process is also used in cases where the Gaining and Losing Registrants are the same – e.g. the case where a Registrant is updating information in response to a WDRP reminder.

Note: The 60-day lock is used to “contain” the changes of Registrants within a single Registrar in order to facilitate recovery of domains that have been hijacked.

*Change of Registrant – a separate policy or part of the IRTP?*

The WG discussed whether a change of registrant policy as outlined above should become part of the existing IRTP or should be established as a separate consensus policy. Below are the three different scenarios that have been explored. At this stage, the WG has not taken a final decision on which approach to recommend, although a majority of WG members appears to favour the [to be determined] approach. As part of the public comment forum on the Initial Report, the WG would welcome community input on this question.

Separate Policy

The WG has found that the Change of Control / Change of Registrant (CoR) Function is sufficiently different than that of the existing Inter-Registrar Transfer Policy (IRTP). Therefore, the WG considered that the CoR could be defined as a separate, stand-alone Consensus Policy. This would allow the CoR Function to develop in a "clean slate" environment, without the restrictions & definitions currently contained within the IRTP. Some on the WG expressed concern that this is beyond the scope of an IRTP PDP, and the WG must therefore consult the GNSO Council with this proposal and receive their approval to create a separate, but related, Consensus Policy.

Combined Policy

The WG found that while Change of Control / Change of Registrant (CoR) Function is significantly different than the existing Inter-Registrar Transfer Policy (IRTP), the two have been combined for technical, economic and historical reasons. Therefore, the WG considered that the CoR Function could also become a part of the existing IRTP. This would also allow the CoR Function to make use of existing safeguards and definitions currently contained within the IRTP.

Hybrid Policy

The WG has found that while Change of Control / Change of Registrant (CoR) Function is significantly different than the existing Inter-Registrar Transfer Policy (IRTP), the two have been combined for technical, economic and historical reasons.  But inserting the CoR Function in to the existing IRTP could be problematic.  Therefore, the WG considered that the existing IRTP be expanded to become a "Transfer and Change of Registrant" Policy, with the existing IRTP becoming "Annex A" of this new policy, and the CoR Function becoming "Annex B", or equivalent.

**Proposed Recommendation in Relation to Charter Question A**

Recommendation #1 – The IRTP Part C WG recommends the adoption of change of registrant consensus policy, which outlines the rules and requirements for a change of registrant of a domain name registration. At this point in time, the WG is of the view that such a policy should follow the five steps as outlined in the section ‘proposed change of control process for gTLDs’, but recognizes that there are additional details and/or steps that may need to be added and therefore requests community input on the proposed process and related notes.

Level of consensus for this recommendation: [TO BE COMPLETED]

**Expected impact of the proposed recommendation**:

* The WG expects that adopting the proposed process for a change of registrant as outlined in the section ‘proposed change of control process for gTLDs’ will usefully clarify and standardize how a change of registrant can be conducted and as a result help reduce issues encountered when the IRTP is used to enact a change of registrant as well as reduce registrant confusion over how to complete a change of registrant.
* The WG expects that enhanced user education and information will be required in order to make all stakeholders familiar with this process, including some of the restrictions that are proposed (e.g. following a change of registrant, a change of registrar will not be possible for 60-days, hence if both changes are desired, a change of registrar should be conducted prior to a change of registrant)
* The WG would welcome any additional input as part of the public comment forum on the expected impact of the proposed recommendation that should be considered as part of the WG deliberations going forward.