

PEDNR WG – Proposed Recommendations

Level of consensus refers only to those on the specific teleconference.

#	Recommendation	Notes / Rationale	Type	Proposed by	Supported By	Designation ⁱ
Charter Question 1 - Whether adequate opportunity exists for registrants to redeem their expired domain names						
1.	Guaranteed five-day registrar grace period (what to call it will need to be determined so as to avoid confusion with similarly named periods) following expiration. Only the RAE can recover/renew name during this period. While the name will not go to auction during this period, it could be explicitly deleted by the Registrar, which commences the RGP.	<u>16/11/10: Consensus on concept. No discussion on number of days. Important that auctions not be irreversible while name is still guaranteed as recoverable, but perhaps not that a (reversible) auction is started.</u> <u>Discussion of number of days deferred.</u>	Consensus Policy	James Bladel	RrSG (?)	
2.	Idem as 1. but with [X] day guaranteed registrar grace period (TBC)	<u>16/11/10: Discussed in 1.</u>	Consensus Policy	RySG (TBC)		
3.	Adopt RGP as a consensus policy, but allowing for exceptions (TBC)	<u>16/11/10: Discussion deferred until item 6.</u>	Consensus Policy	RySG (TBC)		
4.	Registrar must allow recovery of domain name by the registrant of record prior to expiration (RAE).	<u>16/11/10: Consensus. Wording of guaranteed recovery period should include this caveat.</u>	Consensus Policy	Alan Greenberg		
5.	Recovery as noted in recommendation 4 should be allowed for at least a period of thirty (30) days after expiration or until the name is deleted, whichever comes first.	<u>16/11/10: Discussion on number of days deferred.</u>	Consensus Policy	Alan Greenberg		
6.	All Registrars must offer the RGP for gTLDs where the Registry offers it.	"Offering the RGP" would be applicable only for those domains that the registrar, for whatever reason, DOES delete.	Consensus Policy	Alan Greenberg		

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		<p><u>16/11/10: Consensus. Item 4 (that changing WHOIS is not sufficient to disallow/deny recovery) must apply for RGP as well.</u></p>				
7.	<p>All unsponsored gTLD Registries shall offer the RGP. For currently existing gTLDs that do not currently offer the RGP, a transition period shall be allowed. All new gTLDs must offer the RGP. There could be an automatic exemption for TLDs that do not sell domains at all (what has been referred to in the VI group as SRSU).</p>	<p><u>16/11/10: Consensus pending confirmation from registries of the need for any other specific exemptions.</u></p>	Consensus Policy	Alan Greenberg		
8.	<p>All RAA provisions applicable to Registrars dealing with registrar-registrant interactions must be carried out by either the registrar or, at their option, by a reseller. In the latter case, Registrars are still responsible for any breaches.</p>	<p>The intent is that a registrar cannot relieve themselves of an RAA responsibility simply because it is delegated to a reseller (and possibly to multiple nested resellers). It is likely a fact of business law regardless of whether it is in the RAA, but it is important that it is explicit. The current RAA makes it clear for a specific list of Registrar responsibilities, but not for all that could be delegated.</p>	Consensus Policy	Alan Greenberg		

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		16/11/10: Consensus. Language would certainly need to be tightened.				
Charter Question 2 - Whether expiration-related provisions in typical registration agreements are clear and conspicuous enough						
9.	<p>Registrars: Best practice recommendation: A registrar will design and host a neutral-content site with important information about how to properly steward a domain name and prevent unintended loss. Registrar should provide on its web site, and send to registrant in separate e-mail to registrant immediately following initial registration, a set of instructions for keeping domain name records current and for lessening the chance of mistakenly allowing the name to expire.</p> <p>ALAC: Budget time/money/resources to public education campaign to encourage renewals and prevent unwanted loss of a name.</p>	<p>16/11/10: Discussion deferred.</p> <p>23/11/10: Consensus regarding registrar proposal</p> <p>ALAC commitment</p>	Best Practice	James Bladel	RrSG (?)	
10.	The registration agreement and registrar web site (if one is used) must clearly indicate what methods will be used to deliver pre- and post-expiration notifications .	<p>The policy/RAA would not prescribe specific notification methods, but the agreement must alert the registrant to what methods will be used (as a minimum).</p> <p>16/11/10: Consensus.</p>	Consensus Policy	Alan Greenberg		

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		<p><u>Discussion of how to effective this will be and also how a registrant can ensure that registrar messages are not treated as spam.</u></p>				
11.	<p>The price charged for post-expiration recovery must be explicitly stated in the registration agreement or on the Registrar's web site (if any). This price must also be provided to the RAE at registration time and when pre-and post-expiration renewal notices are provided.</p>	<p>The intent here is that the price displayed is the then-current price. Although any registrar is welcome to guarantee that this price will be honored when the domain expired in 10 years, that was not the intent of this requirement.</p> <p>For the RGP price in the current RAA, it says: "3.7.5.6 If Registrar operates a website for domain registration or renewal, it should state, both at the time of registration and in a clear place on its website, any fee charged for the recovery of a domain name during the Redemption Grace Period." I have not heard about any confusion regarding this, so presume similar wording can be used for the pre-delete recovery price with registrars using whatever words they feel</p>	Consensus Policy	Alan Greenberg		

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		are necessary to that they are not unreasonably setting registrant expectations. <u>16/11/10: Consensus</u>				
12.	In the event that ICANN gives reasonable notice to Registrar that ICANN has published web content providing educational materials with respect to registrant responsibilities and the gTLD domain life-cycle, and such content is developed in consultation with Registrars, Registrars who have a web presence must point to it.	<u>16/11/10: Consensus</u>	Consensus Policy	Alan Greenberg		
Charter Question 3 - Whether adequate notice exists to alert registrants of upcoming expirations						
13.	Requirement to send (by a method at each registrar's discretion) a minimum of one renewal notice to registrant no later than 10 days prior to expiry, and a second notice the day prior to the expiry date notifying the RAE that the 5-day registrar grace period will begin the following day.	<u>16/11/10: Discussed with 14.</u>	Consensus Policy	James Bladel	RrSG (?)	
14.	Registrar must send at least two renewal notifications alerting the registrant to the upcoming expiration. [Exceptions allowed – see below] ¹ If only two renewal notifications	<u>16/11/10: Consensus on principle. Clearly timing needs to be further discussed. Among other issues, the suggested</u>	Consensus Policy	Alan Greenberg		

¹ For all provisions where Exceptions are allowed, the Registrar may submit a request to ICANN to substitute some other mechanism instead of the one(s) specified, and must demonstrate how this alternative mechanism will provide at least the same protection while better fitting to the Registrar's business model or services. Such requests will be reviewed by an impartial panel (similar to that provided with the Registry RSTEP process, or perhaps even the same panel) and shall be acted upon in a timely manner by ICANN.

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	are sent, one must be sent one month prior to expiration (±4 days) and one must be sent one week prior to expiration (±3 days). If more than two alert notifications are sent, the timing of two of them must be comparable to the timings specified. [Exceptions allowed – see footnote 1]	<u>timing presumes an annual (or multiple annual) form of registration.</u> <u>23/11/10: Consensus but possible modification of exact timing.</u>				
15.	Modify WHOIS to clearly indicate whether a domain has been renewed from a registrant:registrar point of view. Specifically, it should clearly identify a domain in the Auto Renew Grace Period which has not been explicitly renewed by the registrant. This should apply both to registries as well as registrars.	<p>If adopted, it would require significant phase-in time which should not impact the schedule of the other items.</p> <p><u>16/11/10: General consensus that this is a good target. Possible that it should be deferred to some other WHOIS implementation or discussion. Deferred for the moment.</u></p> <p><u>23/11/10: Needs further discussion with Registries to assess difficulty.</u></p>	Consensus Policy	Alan Greenberg		
Charter Question 4 - Whether additional measures need to be implemented to indicate that once a domain name enters the Auto-Renew Grace Period, it has expired (e.g., hold status, a notice on the site with a link to information on how to renew, or other options to be determined);						
16.	At least one notification must be sent to the registrant after expiration. {The timing to be specified.} [Exceptions allowed] If notifications are normally sent to a point of	<u>16/11/10: Some consensus. Would only apply if the registration has not been deleted.</u>	Consensus Policy	Alan Greenberg		

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	contact using the domain in question, and delivery had been interrupted by post-expiration actions, post-expiration notifications must be sent to some other contact point associated with the registrant if one exists.	<p><u>Need to explore Michele's objection. Jeff needs to think about it.</u> <u>More discussion needed.</u></p> <p><u>23/11/10: Split into two proposals</u></p>				
	<u>At least one notification must be sent to the registrant after expiration. {The timing to be specified.} [Exceptions allowed]</u>	<u>30/11/10:</u>				
	<u>If post-expiration notifications are normally sent to a point of contact using the domain in question, and delivery had been interrupted by post-expiration actions, post-expiration notifications must be sent to some other contact point associated with the registrant if one exists.</u>	<u>30/11/10:</u>				
17.	Notifications must include "push" methods in addition to any "pull" methods - not solely be via methods that require logging into the registrar's system to retrieve them (ie the Registrar's Domain Management Panel).	<p>Although one could debate whether e-mail is truly "push" since typically you need to fetch your mail from a server, the intent here was to include e-mail as an acceptable push method.</p> <p><u>16/11/10: Consensus</u></p>	Consensus Policy	Alan Greenberg		
18.	Web site or sites reached via the domain name must not longer be reachable through	Note that this item alters the intent of the Autorenew Grace	Consensus Policy	Alan Greenberg		

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	the use of the domain name within 3-5 days after expiration. [Exceptions allowed – see footnote 1]	Period, but it is exactly what most Registrars do today, and there seems to be widespread belief that this is the only relatively fail-safe method of catching the RAE's attention. The exception process will allow Registrars with other business models and other notification methods to carry on their businesses without change. <u>16/11/10: Consensus</u>				
19.	All non-web services must cease to function within 3-5 days after expiration. [Exceptions allowed – see footnote 1]	<u>16/11/10: Consensus</u>	Consensus Policy	Alan Greenberg		
20.	If registrar allows any web access to the domain name after the "disable" date, the page shown must explicitly say that the domain has expired and give instructions to the RAE on how to recover the domain.	<u>16/11/10: Consensus. Language needs refinement, specifically regarding is this text, link, whatever. Many registrars already do this so there is a body of knowledge to draw upon.</u>				
Charter Question 5 - Whether to allow the transfer of a domain name during the RGP						
General / Other						
21.	a. The Registrar community can develop these Best Practices including some methodology which will give registrars an	<u>16/11/10: Discussion deferred</u> <u>23/11/10: Consensus – discard</u>	Best Practices	Alan Greenberg		

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	<p>incentive to implement them if applicable. or b. ICANN can develop these Best Practices and provide a financial incentive to registrars who follow them.</p> <p>These are not meant to be verbatim Best Practices but will serve as a basis for their full development.</p> <ul style="list-style-type: none"> = Issue a warning if contact addresses use the domain being registered / renewed / updated. = Expiration-related provisions of registration agreement clear and understandable by a non-lawyer, non-domain-professional. = Provide notification of impact of not having sufficient accurate contact information at time of registration, renewal, ICANN-mandated Whois update notice. Require positive acknowledgement if via web. = Request at least two different modes of contact information (example: e-mail and SMS) with explanation why two are needed. 	<p><u>option b.</u></p> <p>23/11/10: Some Registrar interest in option a.</p>				
22.	Renaming the Autorenew Grace Period to make it clear that it is not the Automatic Renewal option offered by some Registrars to registrants.	<p><u>16/11/10: Needs further discussion.</u></p> <p>23/11/10: General agreement</p>	Clarification	Alan Greenberg		

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		that it is a good idea, but first discuss with Registries.				

Exceptions: The exact mechanism to be discussed. Does request/approval need to be public? Further discussion clearly needed.

ⁱ From the PEDNR WG Charter:

In producing the WG report, the chair will be responsible for designating each position as having one of the following designations:

Unanimous consensus position

Rough consensus position - a position where a small minority disagrees but most agree

Strong support but significant opposition

Minority viewpoint(s)