GNSO gTLD Registries Stakeholder Group Comments

Issue: Preliminary Issue Report on the Inter-Registrar Transfer Policy (IRTP) Part C

Date: 24 August 2011

Issue Document URL: http://www.icann.org/en/announcements/announcement-25jul11-en.htm

This statement on the issue noted above is submitted on behalf of the gTLD Registries Stakeholder Group (RySG). The statement that follows represents a consensus position of the RySG as further detailed at the end of the document. The RySG statement was arrived at through a combination of RySG email list discussion and RySG teleconference meetings.

The RySG appreciates the opportunity to participate in this request for public comments regarding the Preliminary Issues Report on the Inter-Registrar Transfer Policy (IRTP) Part C. Our comments are organized according to the three issues that are being addressed in the preliminary report.

Issue a: "Change of Control" function, including an investigation of how this function is currently achieved, if there are any applicable models in the country-code name space that can be used as a best practice for the gTLD space, and any associated security concerns. It should also include a review of locking procedures, as described in Reasons for Denial #8 and #9, with an aim to balance legitimate transfer activity and security.

RySG Comments: The RySG supports the concept of the IRTP PDP C Working Group conducting a more detailed study of the best practices used by the various country-code TLD operators to facilitate the change of control of domain names, including those in place for .uk, .eu and .ie. Further, the RySG is also supportive of the Working Group recommending that appropriate best practices be implemented by gTLDs in this area. It is the opinion of the RySG that since registrars own the relationship with the registrant, and change of control is directly related to the registrant, that only the registrar be permitted to effect a change of control. Even in the case of a UDRP directive, the registrar of record should bear the responsibility for effecting changes of control as registrars are obligated to comply with the UDRP consensus policy.

With regard to Reasons for Denial #8, many registries have a systematic restriction on the transfer of domains within 60 days of the creation date. Therefore, for those registries that have this in place, any transfer requests within the first 60 days of the domain creation date will automatically be denied. Since this is the case, it is the view of the RySG that measures are in place to reduce fraud in the early days of a domain's existence and so further clarification is not needed.

Relating to Reasons for Denial #9, since some transfer disputes are raised as a result of a registrar's practice of locking down a domain when modifications are made to the registrant

details, the RySG recommends that additional clarification be added to specifically state that registrars are prohibited from restricting transfers for 60 days after changes to registrant details.

Issue b: Whether provisions on time-limiting Form Of Authorization (FOA)s should be implemented to avoid fraudulent transfers out. For example, if a Gaining Registrar sends and receives an FOA back from a transfer contact, but the name is locked, the registrar may hold the FOA pending adjustment to the domain name status, during which time the registrant or other registration information may have changed.

RySG Comments: The RySG agrees that there should be a time limit on the FOA but defers to the registrar community to determine what a reasonable time limit should be. Since it is the responsibility of the registrars to obtain and retain FOAs in conjunction with the transfer of a domain name, the RySG would look to the registrar community to provide input and data into this issue such as the number of days between the receipt of the FOA and the actual transfer in order to determine how big an issue this is and what a reasonable time limit should be.

Issue c: Whether the process could be streamlined by a requirement that registries use IANA IDs for registrars rather than proprietary IDs.

RySG Comments: It is generally agreed that registrar name changes often do make it difficult to ensure that the correct registrar is identified and use of the IANA ID may be helpful in confirming registrar identification. At this point in time, all registries that provide Monthly Registry Operator Reports to ICANN are required to provide both the registrar name and the IANA ID to identify registrar information in the Per Registrar Activity Report file so it is reasonable to think that all registries do maintain this information in their registration systems. The RySG reserves further comment until more information is available on specifically what aspects of the process could be streamlined by the requirement that registries use IANA IDs for registrars rather than proprietary IDs.

RySG Level of Support

1. **Level of Support of Active Members**: Supermajority

    1.1. # of Members in Favor: 10

    1.2. # of Members Opposed: 0

    1.3. # of Members that Abstained: 0s

    1.4. # of Members that did not vote: 4

2. **Minority Position**(s): N/A

General RySG Information

- Total # of Eligible RySG Members[1]: 15

- Total # of RySG Members: 14

- Total # of Active RySG Members[2]: 14

- Minimum Requirement for Supermajority of Active Members: 10

- Minimum Requirement for Majority of Active Members: 8

- # of Members that Participated in this Process: 14

- Names of Members that Participated in this Process:

  1. Afilias (.info & .mobi)
  2. DotAsia Organisation (.asia)
  3. DotCooperation (.coop)
  4. Employ Media (.jobs)
  5. Fundació puntCAT (.cat)
  6. ICM, Inc. (.xxx)
  7. Museum Domain Management Association – MuseDoma (.museum)
  8. NeuStar (.biz)
  9. Public Interest Registry - PIR (.org)
  10. RegistryPro (.pro)
  11. Societe Internationale de Telecommunication Aeronautiques – SITA (.aero)
  12. Telnic (.tel)
  13. Tralliance Registry Management Company (TRMC) (.travel)
  14. VeriSign (.com, .name, & .net)

- Names & Email Addresses for Points of Contact
  - Chair: David Maher, dmaher@pir.org
  - Vice Chair: Keith Drazek, kdrazek@verisign.com
  - Secretariat: Cherie Stubbs, Cherstubbs@aol.com
  - RySG representatives for this statement: Barbara Steele, bsteele@verisign.com and Roy Dykes, roy.dykes@neustar.biz

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[1] All top-level domain sponsors or registry operators that have agreements with ICANN to provide Registry Services in support of one or more gTLDs are eligible for membership upon the "effective date" set forth in the operator's or sponsor's agreement (RySG Charter, Article II, RySG Membership, Sec. A). The RySG Charter can be found at http://www.gtldregistries.org/sites/gtldregistries.org/files/Charter_for_RySG_6_July_2011_FINAL.pdf

[2] Per the RySG Charter, Article II, RySG Membership, Sec.D: Members shall be classified as "Active" or "Inactive". An active member must meet eligibility requirements, must be current on dues, and must be a regular participant in RySG activities. A member shall be classified as Active unless it is classified as Inactive pursuant to the provisions of this paragraph. Members become Inactive by failing to participate in three consecutively scheduled RySG meetings or voting processes or both. An Inactive member shall continue to have membership rights and duties except being counted as present or absent in the determination of a quorum. An Inactive member immediately resumes Active status at any time by participating in a RySG meeting or by voting.