

January 30, 2009

Registrar Constituency Position on Inter-Registrar Transfer Policy Initial Report

BACKGROUND

In January 2009, the Registrar Constituency (“RC”) was asked to provide feedback regarding the Inter-Registrar Transfer Policy (“IRTP”) Initial Report. This Position Paper captures the overall sentiment expressed by the RC Members who provided feedback about this matter. Due to time constraints, however, no formal vote regarding this Position Paper was taken.

RC POSITION

On October 3, 2008 the RC submitted its comments to ICANN regarding the three issues that comprise Part A of the IRTP Policy Development Process. After reviewing the IRTP Initial Report, the RC’s current views remain largely the same as they were in October regarding issue 1 and issue 2. Regarding issue 3, however, the RC has revised its view in light of the conclusions reached in the IRTP Initial Report.

1. Is there a way for registrars to make Registrant E-mail Address data available to one another?

No viable secure implementation of this proposal has been advanced that would enable a policy to require registrars to make Registrant E-mail Address data available to one another.

Additionally, the RC believes that regulatory intervention is not necessary to address this issue. This issue is more appropriate for market based solutions rather than regulatory intervention.

The RC wishes to acknowledge one comment regarding the relationship between the Registrant and Admin Contact. According to the IRTP Initial Report, one question that was brought up during discussion among the Working Group involves a Registrant’s authority to overrule the Admin Contact. The RC believes this related sub-issue deserves greater consideration, and the RC plans to examine it during subsequent phases of the IRTP Policy Development Process.

2. Whether there is need for other options for electronic authentication (e.g., security token in the Form of Authorization (FOA)) due to security concerns on use of email addresses (potential for hacking or spoofing).

The RC does not believe that a regulatory approach to authentication is necessary. The RC recommends that the questions of whether additional authentication technology is

needed, and if so which technology to implement, be decided based on market demands rather than regulation.

To that end, the RC cautions ICANN about the unintended consequences of technology directives. Specifically, any mandated technology is guaranteed to become the target of hackers who seek to circumvent its security. Having the option of a variety of technologies which may be developed and implemented based on market demands offers greater security in the long-run.

3. Whether the policy should incorporate provisions for handling “partial bulk transfers” between registrars – that is, transfers involving a number of names but not the entire group of names held by the losing registrar.

The RC agrees with the conclusions reached in the Working Group. There is no need to incorporate provisions for handling partial bulk transfers between registrars at this stage. The RC agrees with the Working Group that these scenarios can be addressed either through the existing Bulk Transfer services offered by some gTLD registries, or through existing market solutions.

CONCLUSION

The opinions expressed by the RC in this Position Paper should not be interpreted to reflect the individual opinion of any particular RC member.