

COALITION FOR ONLINE ACCOUNTABILITY

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COA Comments on Draft IANA Transition Proposal

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The Coalition for Online Accountability (COA)¹ offers these preliminary comments on the 2nd Draft Proposal of the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (see <https://www.icann.org/public-comments/cwg-stewardship-draft-proposal-2015-04-22-en>).

1. The issue of transition of IANA functions is sufficiently complex, and certainly sufficiently important, that there is no justification for a truncated public comment period, even though this truncation was approved by “two ICANN Global Leaders” (a title apparently bestowed upon certain ICANN senior staff members). Especially since it is indisputable at this point that IANA naming functions cannot possibly be transitioned as early as September 30, 2015, as may have originally been contemplated by some, 28 days (even with a few additional days allowed for late-received comments) is simply too short a deadline. Thus, COA reserves the right to supplement these comments at a later time.

2. Similarly, it should be now be so clear to all that the “stewardship” and “enhanced accountability” tracks are inextricably interdependent that their timing should be coordinated going forward. An extended public comment period both on this draft and on the corresponding draft from the CCWG-Accountability would be a good step in that direction. COA suggests that the CWG-Stewardship team follow the lead of and coordinate closely with the CCWG-Accountability team and plan to open a second comment period in July that will last at least 40 days.

3. COA’s main substantive comment at this point is that the draft falls well short with regard to transparency in the IANA naming functions. The transition from NTIA supervision is an opportunity to make the currently obscure process more transparent, and this opportunity must not be squandered. Specifically, the community is entitled to more (and more timely) information about proposed redelegations of TLDs or transfers to new registry operators. This

¹ COA consists of eight leading copyright industry companies, trade associations and member organizations of copyright owners. They are the American Society of Composers, Authors and Publishers (ASCAP); Broadcast Music, Inc. (BMI); the Entertainment Software Association (ESA); the Motion Picture Association of America (MPAA); the Recording Industry Association of America (RIAA); the Software and Information Industry Association (SIIA); Time Warner Inc.; and the Walt Disney Company. COA and its predecessor organization, the Copyright Coalition on Domain Names, have participated actively in ICANN since 1999, including through the Intellectual Property Constituency of the GNSO.

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reform should not be deferred to “a formal study undertaken post transition” on “robustness of operational arrangements,” as might be implied by section III.A.iii.a.1.c of the draft (page 28). While we welcome the general statement on page 29 that “the IFO [IANA Functions Operator] should operate in a transparent manner” and that “no external [to ICANN?] approval shall be needed” for policies “related to reports and communications,” it should be made explicit that basic information about such proposed major changes to the content of TLD root zone should be shared with the community before any final decisions are made. Community members may then contribute, in a timely fashion and through appropriate mechanisms, to due diligence efforts that might otherwise be overlooked.

COA looks forward to making additional contributions to the IANA transition proposal as it continues to evolve.

Respectfully submitted,

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