



## COMMENT

### Inter-Registrar Transfer Policy Part C

May 2015

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Donuts thanks ICANN for the opportunity to comment on the proposed implementation of the Inter-Registrar Transfer Policy (IRTP) Part C.

#### **Overall comment**

Donuts notes that ICANN staff has made its own contributions to the proposed transfer policy ("ICANN reviewed the IRTP and has proposed revisions..."). While this was done apparently in consultation with the implementation review team for IRTP-C, we urge all parties involved to give priority consideration to bottom-up, community-driven proposals as the appropriate representation of potential policy.

#### **Section I A 3.7**

In the proposed policy, reference is made "Registrar Lock Status". Donuts observes that "Registrar Lock" isn't a defined term in extensible provisioning protocol (EPP)—perhaps such a term is making reference to "clientTransferProhibited" status? Regardless, clarity on this point will help registries and registrars engineer with greater precision.

#### **Section I A 4.6**

The policy proposal relies here on utilization of the ICANN RADAR system to house a Transfer Emergency Action Contact (TEAC), with "communications to TEACs reserved for use by ICANN-Accredited Registrars, gTLD Registry Operators and ICANN Staff." Please note, however, that registry operators do not have access to the RADAR system, thus preventing communication with the TEAC.

Further in the proposed policy, we note that in the event of a transfer a gaining registrar TEAC doesn't respond within four hours of the initial request, the losing registrar must report this failure to ICANN and to the registry operator. However, it is not defined as to what the registry is expected to do in such a situation—registries are unlikely to want to take action that puts them in the role of making decisions that impact their customer channels, particularly as it relates to registrars gaining and losing registrations.

#### **Section I A 5.6**

To quote the proposal at this section: "The "AuthInfo" codes must be used solely to identify a Registered Name Holder, whereas the FOAs still need to be used for authorization or confirmation of a transfer request, as described in Section 2 and Section 4 of this policy."

This proposal doesn't reflect the working group's conclusion that a credential as a *de facto* mechanism for transfers makes Forms of Authorization (FOA) obsolete, as described in Recommendation Charter Question B, Recommendation #2, which states, "Finally, during the course of its deliberations on this topic, the WG notes that the use of EPP Authorization Info (AuthInfo) codes has

become the de facto mechanism for securing domain transfers and thereby replaced some of the reasons for the creation of the standard FOA. The WG recommends that the next IRTP PDP examines whether the universal adoption and implementation of EPP AuthInfo codes has eliminated the need for FOAs.”

### **Section I B 1.2**

The policy proposal calls for the arbitrary assignment of fees for transfers involving more than 50,000 names. Donuts does not believe fees should be a built-in part of a policy; it is more appropriate for each registry operator to negotiate a fee.

### **Section II.3.2(a)**

Staff proposes here provision of a “Change of Registrant Credential” to obtain confirmation of a transfer.

Not only would such a requirement require creation of a new field, it’s unclear:

- how a registrant would receive this authorization code
- why such a credential is any more secure (or immune to hijacking) than any other data field in a customer account
- how to avoid customer confusion
- if an additional credential has any discernable benefit

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### **Section II 3.2(b)**

The policy proposal calls for a transferred name to be held for 60 days. This is problematic for a customer who wishes to house the domain name with another registrar; the registrant of a name near expiry may also unnecessarily incur a renewal fee, as well as the automatic one-year renewal upon transfer, as a result.

Donuts observes an opt-out of the transfer lock provision is proposed, though in actuality, the registrant may or may not notice it and therefore make use. Should a previous registrant not opt out, there’s no mechanism for the new registrant to opt out as well.

### **Conclusion**

Thank you for the opportunity to comment on this proposal.