

# Report of Public Comments

<b>Title:</b>	Inter-Registrar Transfer Policy Part C Policy Development Process Initial Report		
<b>Publication Date:</b>	20 August 2012		
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<b>Section I: General Overview and Next Steps</b>			
<p>The aim of the Inter-Registrar Transfer Policy (IRTP) is to provide a straightforward procedure for domain name holders to transfer their names from one ICANN-accredited registrar to another. The GNSO Council is reviewing and considering revisions to this policy through a series of Working Groups it has established to conduct these efforts. The IRTP Part C PDP Working Group has been tasked to consider the following three questions:</p> <ol style="list-style-type: none"><li>1. "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.</li><li>2. 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.</li><li>3. Whether the process could be streamlined by a requirement that registries use IANA IDs for registrars rather than proprietary IDs.</li></ol> <p>The IRTP Part C Working Group published its Initial Report for public comment on 4 June 2012. In addition to background information, an overview of the WG's deliberations and community input received to date, the <a href="#">Initial Report</a> [PDF, 1.23 MB] contains the following four preliminary recommendations:</p> <ul style="list-style-type: none"><li>• Recommendation #1 (Charter Question A) – The IRTP Part C WG recommends the adoption of change of registrant consensus policy, which outlines the rules and requirements for a change of registrant of a domain name registration. At this point in time, the WG is of the view that such a policy should follow the five steps as outlined in the section 5 of the Initial Report under the heading 'proposed change of control process for gTLDs', but recognizes that there are additional details and/or steps that may need to be added and therefore requests community input on the proposed process and related notes.</li><li>• Recommendation #2 (Charter Question B): the WG recommends Section 2 of the IRTP be revised to insert the following section: 2.1.4 Once obtained, an FOA is valid for (45 or 60<sup>1</sup>) calendar days, or until the domain name expires, or until there is a Change of Registrant, whichever occurs first. The WG</li></ul>			

recorded rough consensus for the above recommendation, but some noted that support was conditional on a second recommendation related to this charter question being considered by the WG, which recommends that:

- Recommendation #3 (Charter Question B): the Standard FOA is enhanced to support FOAs that have been pre-authorized or auto-renewed by a Prior Registrant who has chosen to opt out of this time-limiting requirement after having received a standard notice as to the associated risks. This enhancement would introduce a modified FOA, which would serve exclusively as a notification to the Prior Registrant that their pre-authorized domain transfer had occurred. The implementation of this recommendation should be accompanied by the appropriate security measures to protect Registrants from hijacking attempts using pre-approval as the attack vector. The WG is planning to discuss the details of such security measures in further detail in the next phase of its work.
- Recommendation #4 (Charter Question C): The WG recommends that all gTLD Registry Operators be required to publish the Registrar of Record's IANA ID in the TLD's thick WHOIS. Existing gTLD Registry operators that currently use proprietary IDs can continue to do so, but they must also publish the Registrar of Record's IANA ID. This recommendation should not prevent the use of proprietary IDs by gTLD Registry Operators for other purposes, as long as the Registrar of Record's IANA ID is also published in the TLD's thick Whois.

In addition to input on these preliminary recommendations, the WG specifically requested feedback on a number of open items such as, amongst others: whether the proposed change of registrant policy should be accompanied by a restriction that would prevent a change of registrar immediately following a change of registrant for 60 days; whether this change of registrant policy should be incorporated as a stand-alone policy or as part of the existing IRTP; which changes to registrant information should qualify as a 'change of registrant', and; whether there are any other expected impacts of the proposed recommendations in addition to those already anticipated by the WG.

## Section II: Contributors

*At the time this report was prepared, a total of three (3) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

### Organizations and Groups:

Name	Submitted by	Initials
gTLD Registries Stakeholder Group	Chuck Gomes	RySG
At-Large Advisory Committee	Alan Greenberg	ALAC

### Individuals:

Name	Affiliation (if provided)	Initials
Michael Shohat	Cronon AG	MS

## Section III: Summary of Comments

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments*

Submitted).

### **General Comments**

MS notes the importance of keeping any new policies and/or procedures 'as simple as possible' and highlights the challenges registrants might face in understanding the different parties involved in domain name registration policies as well as the differences between ccTLDs and gTLDs. The ALAC supports the WG's efforts and any future recommendations that will reduce the possibility of domain name hijacking while preserving that ability of registrants to change registrars. The ALAC also supports the development of a more clear overview of the change of registrar versus the change of registrant processes.

### **Recommendation #1**

MS and the RySG express their support for this recommendation. MS notes that he would like to see this recommendation implemented with as few restrictions as possible (i.e. no additional locks). The RySG supports the possibility for the registrant to opt out of the 60-day lock as outlined in the report as option 3, which in their view should be confirmed by both the Prior and New Registrant, noting that in certain cases an authorized representative of the Prior Registrant may be allowed to do so in cases where the domain name is registered to a company or organization and the Prior Registrant is no longer employed by the company or organization. The RySG also supports that a change of registrant policy is separate from the IRTP, but if this is not possible without initiating a new PDP, it could also be the hybrid policy approach as outlined in the report. The ALAC supports efforts to formally define the processes for changing registrant of record, but has no strong view as to whether it should be a separate consensus policy or not.

### **Recommendation #2**

MS supports this recommendation but notes his preference for using a timeframe of a month or multiple months (i.e. 30 days, 60 days, 90 days) instead of using other timeframes (such as 45 days) as this will make it easier for registrants to understand and remember. The RySG would prefer a shorter time-limit such as 30 days.

### **Recommendation #3**

MS notes that his support for the recommendation will depend on the details, which still need to be worked out, but suggests that there should not be any exceptions. In the view of the RySG, this recommendation relates closely to charter question A (change of registrant) and suggests that it should be considered in that context.

### **Recommendation #4**

MS and the RySG support the WG recommendation, but the RySG recommends the removal of the designation of 'thick' Whois from the recommendation as 'the Registrar of Record information would be available in all versions of Whois'. Furthermore, the RySG proposes to extend this recommendation to include all gTLD Registry Operators and requests that sufficient time would be provided for Registries to implement this new requirement once adopted.

### **Other comments**

*What constitutes a change of registrant?*

In relation to the question on what constitutes a change of registrant in relation to recommendation #1, MS is of the view that 'only changing the name or organization (any change to any part of the name)' should be considered a change of registrant. The RySG, on the other hand, is of the view that an update to the Registrant and / or Administrative Contact email address should also qualify as a change of registrant as 'the registrant

and administrative contact email addresses are used as a method to validate the legitimacy of a transfer request’.

*Credentials to validate a request for change of registrant*

The RySG ‘supports and strongly recommends the use of the AuthInfo cose as the Change of Registrant Credential to validate the authorization of the Registrant to effect the change’, noting that this would take additional development by registries and registrars.

**Section IV: Analysis of Comments**

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

The IRTP Part C Working Group is responsible for analyzing and evaluating the comments received. Its review of the comments should be available in due time on the Working Group’s workspace (see <https://community.icann.org/display/gnsoirtpdpwg/Home>).