

# REPORT-Post-Expiration Domain Name Recovery Recommendations for ICANN Board Consideration

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## Report of Public Comments

### COMMENT PERIOD

<b>Open Date:</b>	15 August 2011
<b>Close Date:</b>	15 September 2011
<b>Close Time:</b>	23:59

### GENERAL INFORMATION & LINKS

<b>Publication Date:</b>	23 September 2011
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<b>Announcement &amp; Comments:</b>	<a href="http://www.icann.org/en/announcements/announcement-15aug11-en.htm">http://www.icann.org/en/announcements/announcement-15aug11-en.htm</a>

### SECTION I: GENERAL OVERVIEW & NEXT STEPS

The PEDNR WG delivered its [Final Report](#) to the GNSO Council on 14 June 2011. The GNSO Council adopted the Final Report and its recommendations at its meeting on 21 July 2011 (<http://gns0.icann.org/resolutions/#201106>). As required by the ICANN Bylaws, public notice was provided of the policies that are considered for adoption as well as an opportunity to comment on the adoption of the proposed policies, prior to consideration by the ICANN Board of these recommendations. The ICANN Board will now consider the recommendations as well as the comments received.

### SECTION II: CONTRIBUTORS

*At the time this report was prepared, the following community submissions had been posted to the Forum. The contributors, both organizations/groups and individuals, 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.*

#### Organization & Groups:

No.	Name	Submitted By	Posting Date	Initials
1	Registries Stakeholder Group	David Maher	06 September 2011	RySG
2	Business Constituency	Steve DelBianco	14 September 2011	BC
3	At-Large Advisory Committee	Alan Greenberg	14 September 2011	ALAC
4	Intellectual Property Constituency	J. Scott Evans	14 September 2011	IPC

#### Individuals:

No.	Name	Affiliation (if provided)	Posting Date	Initials
1	Serj	Sagan Web Design and Internet Marketing	17 August 2011	SS

2	Vijaya Sree Nidadhavolu	Individual	14 September 2011	VN
3	Alan Greenberg	Individual	20 September 2011	AG

### SECTION III: SUMMARY OF COMMENTS

*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).*

SS comment relates to a specific practice from SS's host/registrar, which is called 'extended expiration' during which the expired domain name registration is available for renewal for an additional 2-3 months at an additional cost. In SS's view, there should be 'a ban of this practice altogether or perhaps a cap on the amount one may charge'.

The RySG expresses its support for the recommendations and supports their consideration by the ICANN Board. The BC also expresses its support for the proposed recommendations and has provided its rationale for supporting the recommendations in its submission. Only with regard to recommendation #2, which recommends that at a minimum 8 consecutive days need to be provided during which the DNS resolution path must be interrupted, the BC notes that it would support a 30 day, instead of 8 day period.

VN agrees that 'reasonable opportunity should be given for the owner of the domain to recover his domain name'. As such, VN suggests that the registrant should be notified on a different email address than the one that is associated with the registration; a free text message should be sent at least five days before expiration, and; once the registrant has indicated its intention to renew the registration, the domain name should remain in its original state.

The ALAC points out some of the challenges the PEDNR Working Group faced such as 'active and continued participation', but notes that despite that it is 'pleased that some progress was made in advancing gTLD registrant rights and that ICANN will be taking positive action to educate, inform and support gTLD registrants' and therefore encourages the ICANN Board to adopt the recommendations.

In its contribution, the IPC expresses its concern 'with the lack of feedback from the PEDNR Working Group on our comments of April 21, 2011 regarding the Proposed Final Report'. In addition, the IPC comment provides feedback on each of the recommendations proposed, most of which are supported, but reiterating its comments that were made on the proposed Final Report. In response to the submission by the IPC, AG provides a detailed analysis of how the comments of the IPC have been reviewed and addressed by the PEDNR WG, noting that 'the WG did carefully consider all of the comments and fully debated them'.

### SECTION IV: ANALYSIS OF COMMENTS

*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.*

SS's comment does not relate to any specific recommendation from the PEDNR Working Group, and although the proposed recommendations do not 'ban' or 'cap the amount one may charge', they are intended to provide additional guarantees to registrants and intended to improve registrant education and comprehension of post-expiration and renewal related practices.

With regard to the BC comment to provide a 30, instead of 8 day consecutive period during which the DNS resolution path must be interrupted following expiration, it should be noted that the recommended 8 days is a minimum not a maximum period. It should also be noted that the PEDNR Working Group discussed the proposed timeframe extensively and the 8 day period is the consensus position that was found between the different viewpoints in the Working Group.

In relation to the comments from the IPC, AG's analysis and response provides an accurate overview of how the PEDNR Working Group reviewed and addressed the comments made by the IPC. The PEDNR Working Group developed a [public comment review tool](#) in which it responded to the different comments received and provided details of how the comments would be addressed, if it was determined that a change to the report was warranted. A link to this public comment review tool was also provided in the Final Report. Following further discussions on the PEDNR mailing list, it is worth pointing out that the majority of active WG members felt that AG's response fairly represents the views of the WG.