Report of Public Comments

Title:	Preliminary Issue Report on the Inter-Registrar Transfer Policy (IRTP) Part C
Publication Date:	29 August 2011
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Comment Period:			Important Information Links	
Open Date:	25 July 2011		**Announcement**	
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Section I: General Overview and Next Steps

The Inter-Registrar Transfer Policy (IRTP) is an existing community consensus policy that was implemented in late 2004 and is now being reviewed by the GNSO. The IRTP aims to provide a straightforward procedure for domain name holders to transfer their names from one ICANN-accredited registrar to another should they wish to do so. The policy also provides standardized requirements for registrar handling of such transfer requests from domain name holders. The IRTP Part C is the third in a series of five Policy Development Processes (PDPs) that address areas for improvements in the existing Inter-Registrar Transfer Policy and considers three issues (see hereunder). The GNSO Council requested an Issue Report on IRTP Part C at its meeting on 22 June 2011 (see http://gnso.icann.org/resolutions/#201106). ICANN Staff published the IRTP Part C Preliminary Issue Report on 25 July for public comment. The report of public comments will be included as part of the Final Issue Report and the report will be updated as deemed appropriate. Based on the review of the Final Issue Report, the GNSO Council will decide whether or not to initiate a PDP on the IRTP Part C.

Section II: Contributors

At the time this report was prepared, a total of two 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	David Maher	RySG

Individuals:

Name	Affiliation (if provided)	Initials
Michele Neylon	Blacknight Solutions	MN

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

Issue A: "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.

In the opinion of Michele Neylon (MN), topic A related to "Change of Control" is the most important topic as 'there is a real risk of damage without it being defined'.

The RySG supports the proposal to conduct a 'more detailed study of the best practices used by the various country-code TLD operators to facilitate the change of control of domain names' as proposed by the IRTP Part B Working Group and included in the Preliminary Issue Report. The RySG is of the view that 'only the register [should be] permitted to effect a change of control'. In relation to IRTP Reason for Denial #8, the RySG notes that 'many registries have a systematic restriction on the transfer of domains within 60 days of the creation date', therefore, the RySG is of the opinion that 'further clarification is not needed'. In relation to IRTP Reason for Denial #9, the RySG is of the view that 'additional clarification be added to specifically state that registrars are prohibited from restricting transfers for 60 days after changes to registrant details.

Issue B: 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.

MN notes that it would be helpful if further data is obtained in relation to topic B related to provisions on time-limiting Form Of Authorization (FOA)s to determine the nature and scope of the issue.
The RySG is of the view that 'there should be a time limit on the FOA, but defers to the registrar community to determine what a reasonable time limit should be'.

Issue C: Whether the process could be streamlined by a requirement that registries use IANA IDs for registrars rather than proprietary IDs.

MN considers topic C related to IANA IDS for registrars the least important and 'possibly the easiest to actually implement'.

The RySG notes that 'registrar name changes often do make it difficult to ensure that the correct registrar is identified' and therefore agrees that 'use of the IANA ID may be helpful in confirming registrar identification'.

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.

Several of the comments submitted by the RySG provide an opinion on how the issue should be addressed instead of providing further insight or information on the issue itself, which is the focus of the Issue Report.

Those comments should therefore be considered by the IRTP Part C Working Group should the GNSO Council decide to initiate a PDP on this topic.