

**I C A N N**

**COMMUNITY FORUM**

**58**

**COPENHAGEN**

11-16 March 2017





# Registrar Outreach

Contractual Compliance | ICANN 58 | 12 March 2017

# Agenda

- ⦿ Brief Update Since ICANN 57
  - ⦿ RAA Lessons Learned Summary
- ⦿ Questions & Answers
- ⦿ Additional Slides Provided in Appendix for Reference:
  - ⦿ WHOIS ARS Compliance Effort Update
  - ⦿ Registrar Metrics Update
  - ⦿ Registrar Audit Activities Update

# RAA Lessons Learned Summary

1

## **Transfer Policy**

Transfer of registrations between Registrars and Registrants

2

## **Domain Renewal Reminders**

Sending timely reminders to registered name holder

3

## **Registrar Data Escrow Obligations**

Terms, Format and Schedule

4

## **Uniform Dispute Resolution Policy Requirements**

Lock and Verification requirements UDRP Rule 4(b)

# 1. Transfer Policy Requirements

Effective 1 December 2016

<https://www.icann.org/resources/pages/transfer-policy-2015-09-24-en>

- ⦿ Introduces a Change of Registrant (COR) procedure for Material Changes that requires registrars to:
  - ⦿ Obtain express consent from both Prior Registrant and New Registrant (or their Designated Agents) through secure mechanism
  - ⦿ Process COR within one day of receiving consent
  - ⦿ Notify both Registrants of COR per policy
  - ⦿ Impose 60-day inter-registrar transfer lock following COR
    - ⦿ Registrants may opt out of lock prior to any COR request, if offered
- ⦿ Material Change is a non-typographical correction

# 1. Transfer Policy Requirements (continued)

Effective 1 December 2016

- ⦿ Changes to inter-registrar transfer process:
  - ⦿ Registrars must deny a transfer request:
    - ⦿ Notification of pending UDRP, URS or TDRP proceedings
    - ⦿ Receipt of court order by court of competent jurisdiction
    - ⦿ Due to 60-day lock following a Change of Registrant (COR)
  - ⦿ FOA used by gaining registrars shall expire:
    - ⦿ After 60 days from FOA being issued (unless registrar provides automatic renewal and registrant expressly agrees)
    - ⦿ Domain expires before transfer is completed
    - ⦿ COR is completed
    - ⦿ Inter-registrar transfer is completed

# 1. Transfer Policy Requirements (continued)

## Inter-Registrant transfers/Change of Registrant (COR) Lessons Learned

- ⦿ Opt-out of 60-day inter-registrar lock following COR
  - ⦿ Not mandatory
  - ⦿ May be granted prior to COR completion
  - ⦿ May not be granted once COR is completed and lock implemented
- ⦿ Registrars may use additional contact information on file to obtain confirmation from the Prior Registrant and are not limited to public WHOIS data in cases, for example, where WHOIS email address is invalid
- ⦿ 60-day lock may be implemented via methods other than clientTransferProhibited EPP status code
- ⦿ Secure mechanism for COR is not defined; examples listed in Transfer Policy notes

# 1. Transfer Policy Requirements (continued)

## Inter-Registrant transfers/Change of Registrant (COR) Lessons Learned

- ⦿ Designated Agent must explicitly be authorized by Registrant to approve a COR on Registrant's behalf.
- ⦿ As instructed by ICANN's Board of Directors, ICANN is deferring enforcement of COR related to lifting of privacy/proxy services from WHOIS while discussions continue
  - ⦿ Some registrars are implementing COR processes when privacy/proxy services are lifted



# 2. Domain Renewal Requirements

## Sending timely reminders to registered name holder - ERRP

- Renewal reminders must be sent at required times to registered name holder (RNH)
  - Approximately 1 month (26-35 days) and 1 week (4-10 days) prior to expiration and within 5 days after expiration
  - Required even if registration is on auto-renew
  - Must be communicated at least in language of registration agreement, and in a way not requiring affirmative action to receive notice
  - Can be sent to other email addresses in addition to RNH email address
  - Can be sent at other intervals in addition to those prescribed by ERRP
- For at least last eight consecutive days after expiration that registration is renewable, DNS resolution path must be interrupted
  - If traffic is re-directed to parking page, it must say name expired and include renewal instructions
  - If RAE renews name, DNS resolution path must be restored as soon as commercially reasonable

## 2. Domain Renewal Requirements (continued)

### Common errors with renewals

- ⦿ Failure to send renewal reminders at required intervals
- ⦿ Failure to timely disrupt DNS
- ⦿ Reseller failing to send renewal reminders on behalf of registrars
- ⦿ Sending renewal reminders to incorrect contact
- ⦿ Registrar not specifying date/time zone notice was sent (time zone differential) when providing records to ICANN

# 3. Data Escrow Obligations

## Terms, Format and Schedule

- ⦿ Registrar Data Escrow Specification  
<https://www.icann.org/en/system/files/files/rde-specs-09nov07-en.pdf>
- ⦿ Data escrow format requirements are applicable to all registrars
  - ⦿ Match domain's public WHOIS - format and content
  - ⦿ Include privacy/proxy service customer information as required by 2013 RAA
- ⦿ Deposit schedule will vary depending on registrar's quarterly gTLD transaction volume as determined by ICANN (daily or weekly)
- ⦿ Registrars may elect to escrow data with ICANN's designated escrow agent (Iron Mountain) or an ICANN-approved Third Party Provider (TPP)
- ⦿ Seven registrar data escrow providers now approved:  
<https://www.icann.org/resources/pages/registrar-data-escrow-2015-12-01-en>

# 3. Data Escrow Obligations (continued)

## Common errors with data escrow deposits

- ⦿ Data in deposit does not match WHOIS lookup or port 43 WHOIS blocked
- ⦿ 2013 RAA: deposit must contain privacy/proxy and underlying customer data
- ⦿ Incomplete header row (missing ICANN required fields)
- ⦿ Deposit file is empty or only contains header row
- ⦿ Deposit file name is incorrect
- ⦿ Handle file (if required) is missing from deposit
- ⦿ Not comma de-limited
- ⦿ Full file and Handle file contains no header row

# 4. UDRP Rule Requirements

## Lock and Verification requirements UDRP Rule 4(b)

- ⦿ Within two business days of receiving Provider's verification request, registrar shall provide information requested and confirm domain Lock has been applied
- ⦿ Lock prevents any modification to registrant and registrar information by UDRP Respondent, but does not affect resolution or renewal of domain
- ⦿ Expedited processing of UDRP Lock complaints:
  - ⦿ Complaints are submitted by UDRP providers
  - ⦿ One calendar day notice deadline

# 4. UDRP Rule Requirements (continued)

## Common errors with UDRP Rules

- ⦿ Failure to timely respond to verification requests from UDRP Providers
- ⦿ Failure to lock domain subject to UDRP
- ⦿ Allowing domain to expire or be deleted during UDRP dispute without providing Complainant option to renew or restore under same commercial terms as Registrant
- ⦿ Failure to timely implement UDRP Decision
- ⦿ Failure to communicate UDRP Decision and implementation date to all parties (including ICANN)

# Questions & Answers



## Send compliance questions

To: [compliance@icann.org](mailto:compliance@icann.org)

Subject line: ICANN 58 Registrar Outreach Session

### The ICANN 58 presentations are available at:

- The ICANN Contractual Compliance outreach page at this link

<https://www.icann.org/resources/compliance/outreach>

- The ICANN 58 Schedule page at this link <https://icann582017.sched.org/>

# Appendix

- Whois ARS Compliance Effort Update
- Registrar Metrics
- Registrar Audit Activities Update
- Visit <https://www.icann.org/resources/pages/registrar-2012-02-25-en> for information about:
  - Process Guidelines
  - RAA Guidelines



A world map where the continents are defined by a complex network of white nodes and connecting lines, set against a teal background. The nodes vary in size and are densely packed in some areas, creating a digital or network-like appearance of the globe.

# **WHOIS ARS Compliance Effort Update**

# WHOIS ARS Compliance Update Since ICANN 57

- ⊙ WARS main page: <https://whois.icann.org/en/whoisars>
- ⊙ WHOIS inaccuracy complaints - tested operational accuracy of addresses, telephone numbers and email addresses of registrant, admin and tech contacts in WHOIS data
  - ⊙ Phase 2, Cycle 2
    - ⊙ 4,001 WHOIS inaccuracy tickets
    - ⊙ 1,521 forwarded to registrars
    - ⊙ All tickets closed
  - ⊙ Phase 2, Cycle 3
    - ⊙ 4,544 WHOIS inaccuracy tickets
    - ⊙ 1,891 forwarded to registrars
    - ⊙ 246 in process
    - ⊙ 4,308 tickets closed
- ⊙ WHOIS format complaints - Syntax failure
  - ⊙ Addressed along with WHOIS inaccuracy issues
  - ⊙ Phase 2, Cycle 4 data to be part of selection criteria for registrar audit

# WHOIS ARS Compliance Update (continued)

- ⦿ Sample of top closure reasons and volume for Phase 2, Cycle 2:
  - ⦿ WHOIS data at ticket creation different from sampled WHOIS data (1,501)
  - ⦿ Domain suspended or canceled (1,260)
  - ⦿ WHOIS data changed or updated (317)
  - ⦿ Domain not registered when ticket processed (317)
  - ⦿ WHOIS format issue identified for 2013 Grandfathered Domain (249)
- ⦿ Sample of top closure reasons and volume for Phase 2, Cycle 3
  - ⦿ WHOIS data at ticket creation different from sampled WHOIS data (1,616)
  - ⦿ Domain suspended or canceled (1,267)
  - ⦿ WHOIS format issue identified for 2013 Grandfathered Domain (381)
  - ⦿ WHOIS data changed or updated (367)
  - ⦿ Domain not registered when ticket processed (201)

Note: some complaints closed with multiple reasons

# WHOIS ARS Compliance Scope & Approach

- ⦿ Compliance coordinates with WHOIS ARS team to ensure testing aligns with RAA and provides processing feedback to improve WHOIS ARS
- ⦿ Complaints created from WHOIS ARS are processed as WHOIS inaccuracy or WHOIS format complaints, following published Contractual Compliance Approach and Process <https://www.icann.org/resources/pages/approach-processes-2012-02-25-en>
- ⦿ No notices of breach for WHOIS ARS Phase 2 Cycle 3
- ⦿ WHOIS ARS Phase 2 Cycle 3 processing began November 2016; expected to be completed in March 2017
- ⦿ WHOIS ARS Phase 2 Cycle 4 complaints expected around May 2017
- ⦿ Compliance and registrar feedback provided to WHOIS ARS team
- ⦿ ICANN will continue to give priority to complaints submitted by community

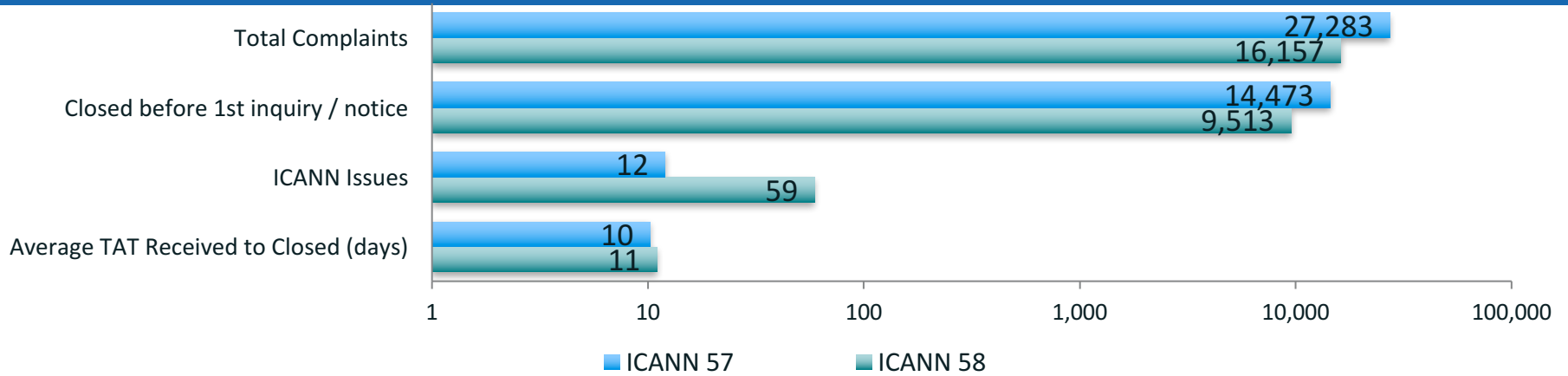
A world map where the continents are defined by a network of white dots and connecting lines, set against a teal background. The dots vary in size, and the lines are thin and white, creating a digital or network-like appearance of the globe.

# Registrar Metrics

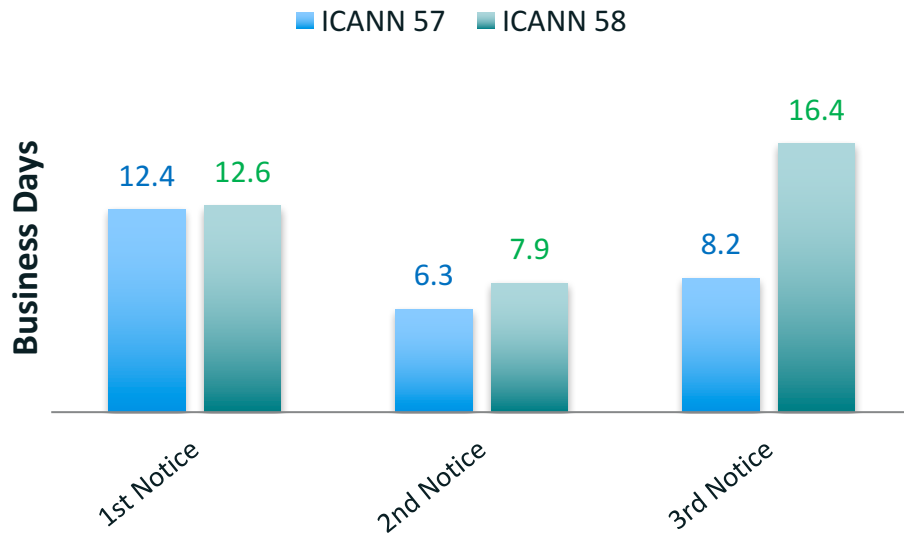
# Registrar Complaint Types in Detail

Registrar Complaints	Quantity		Closed before 1st inquiry / notice		ICANN Issue	
	ICANN 57	ICANN 58	ICANN 57	ICANN 58	ICANN 57	ICANN 58
WHOIS INACCURACY	19,686	12,754	9,232	7,146	2	7
QUALITY REVIEW	5	4	0	1	0	0
Bulk Submission	2,744	335	225	3	0	0
individual submission	13,932	6,862	7,542	3,781	1	3
WHOIS ARS	3,005	5,553	1,465	3,361	1	4
TRANSFER	3,825	1,494	2,813	1,155	0	1
WHOIS FORMAT	735	339	537	174	0	0
DOMAIN RENEWAL	603	287	390	213	0	0
WHOIS UNAVAILABLE	399	163	258	92	1	0
ABUSE	377	195	280	113	0	0
DOMAIN DELETION	370	262	380	247	0	0
DATA ESCROW	310	170	41	30	9	51
CEO CERTIFICATION	230	57	0	0	0	0
CUSTOMER SERVICE	173	76	142	71	0	0
UDRP	153	80	68	36	0	0
WHOIS SLA	126	143	103	137	0	0
REGISTRAR INFO SPEC	91	41	78	33	0	0
REGISTRAR CONTACT	78	30	62	29	0	0
PRIVACY/PROXY	44	28	32	22	0	0
REGISTRAR OTHER	36	15	19	2	0	0
FAILURE TO NOTIFY	28	8	25	8	0	0
DNSSEC, IDN, IPV6	17	7	13	5	0	0
RESELLER AGREEMENT	1	3	0	0	0	0
FEES	1	5	0	0	0	0
Total	27,283	16,157	14,473	9,513	12	59

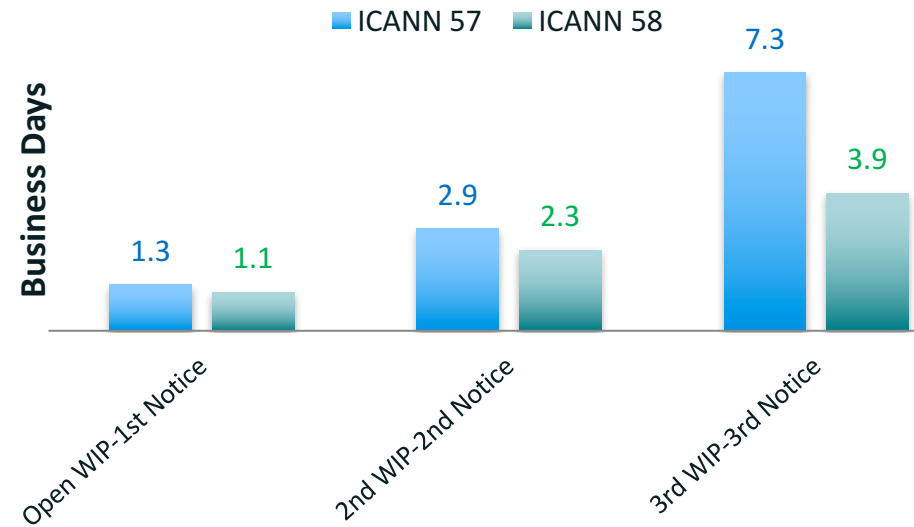
# Registrar Complaint Volume & Turnaround Time



## Registrar Average Turn Around Time (TAT)



## Staff Average Turn Around Time (TAT)



A world map where the continents are defined by a network of white dots of varying sizes connected by thin white lines. The background is a solid teal color. The text 'Registrar Audit' is overlaid on the left side of the map.

# Registrar Audit



# Registrar Audit Selection Criteria

- ⦿ Never audited or audited longest time ago compared to other registrars
- ⦿ Accreditation changed from 2009 RAA to 2013 RAA
- ⦿ Registrars with recurring issues that were previously remediated
- ⦿ Responsiveness to compliance requests (number of 2nd/3rd Notices sent per number of valid complaints received)
- ⦿ Received Notice of Breach in last 12 months
- ⦿ Failed to make valid data escrow deposit multiple times during prior month
- ⦿ Registrars subject of ICANN community concerns, as reflected in media reports, blogs or inquiry/reports from community members or other contracted parties

# 2013 Registrar Accreditation Agreement: Audit Timeline (current round)

## Audit Program Milestones

Pre-Audit Notification	Request for Information (RFI) Phase			Audit Phase		(Initial) Report Phase	Remediation	(Final) Report Issued
	1st Notice	2nd Notice	3rd Notice	Begin	End	Date Issued	Start/End	Tentative Issue Date
26 Sep 2016	4 Oct 2016	25 Oct 2016	1 Nov 2016	9 Nov 2016	13 Jan 2017	16 Jan 2017	Jan 2016/ Mar 2017	Apr 2017

# 2013 RAA: Audit Population

- ⊙ 55 Registrars received Request for Information (RFI) in October 2016
  - ⊙ 2 Registrars have been postponed to next audit round
  - ⊙ 1 Registrar has been terminated due to non-response to RFI
- ⊙ Selection criteria for selected Registrars:
  - ⊙ Received partially remediated report in previous audit round
  - ⊙ ICANN Community Concerns
  - ⊙ Not audited since 2012 audit round
- ⊙ Selected Registrars represented 24 countries: Australia, Austria, Brazil, Canada, China, Denmark, Germany, Hungary, India, Israel, Italy, Korea (South), Morocco, Netherlands, Norway, Panama, Russian Federation, Singapore, Spain, Sweden, Turkey, United Kingdom, United States and Vietnam
- ⊙ ICANN received and reviewed over 6,200 documents in 13 languages: Chinese, Danish, Dutch, English, French, German, Hungarian, Italian, Korean, Russian, Spanish, Turkish and Vietnamese
- ⊙ ICANN continues to work closely to determine sufficiency of information and/or documentation provided

# Top 5 Audit Deficiencies Highlights

Deficiency* Rank	2013 RAA provision(s)	2013 RAA Obligation
1	3.7.7.1 to 3.7.7.12	Registrar shall require all Registered Name Holders to enter into an electronic or paper <b>registration agreement</b> with Registrar including at least the provisions set forth in Subsections 3.7.7.1 through 3.7.7.12
2	3.18	Registrar shall maintain an <b>abuse contact</b> to receive reports of abuse involving Registered Names sponsored by Registrar, including reports of Illegal Activity. Registrar shall publish an email address to receive such reports on the home page of Registrar's website (or in another standardized place that may be designated by ICANN from time to time). Registrar shall take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse
3	3.3.1 to 3.3.5 / Registration Data Directory Service (Whois) Specification	Until ICANN requires a different protocol, Registrar will operate a <b>WHOIS</b> service available via port 43 in accordance with RFC 3912, and a web-based Directory Service providing free public query-based access to at least the <u>elements</u> set forth in Section 3.3.1.1 through 3.3.1.8 of the Registrar Accreditation Agreement in the <u>format</u> set forth in Section 1.4 of this Specification. ICANN reserves the right to specify alternative formats and protocols, and upon such specification, the Registrar will implement such alternative specification as soon as reasonably practicable.

\*A deficiency is defined as an initial finding noted in the audit report that is validated by auditee

# Top 5 Audit Deficiencies Highlights (continued)

Deficiency Rank	2013 RAA Provision(s)	2013 RAA Obligation
4	3.16	ICANN has published an educational webpage summarizing the terms of the Registrar Accreditation Agreement and related Consensus Policies (as of the date of this Agreement, located at: <a href="http://www.icann.org/en/registrars/registrant-rights-responsibilities-en.htm">http://www.icann.org/en/registrars/registrant-rights-responsibilities-en.htm</a> ). Registrar shall <b>provide a link</b> to such webpage on any website it may operate for domain name registration or renewal.
5	3.17 / Registrar Information Specification	Registrar shall provide to ICANN the information specified in the Registrar Information Specification (RIS), which shall be maintained in accordance with Section 3.17 of the Agreement. Including: <b>Updated Primary contact name: Title, Address, Phone number, Fax number, Email Address</b>

# Registrar Data Escrow Proactive Monitoring

- ⦿ Data Escrow Agent conducts manual review of deposits as requested by ICANN in cases where:
  - ⦿ Registrar receives 3rd or Escalated Notice (potential for breach/termination that requires bulk transfer of domains)
  - ⦿ Number of domains escrowed differs from number of domains under Registrar's management, as reported by Registry Operator
- ⦿ Since ICANN 57, approximately 80 data escrow manual reviews requested and performed by Iron Mountain
- ⦿ ICANN is in ongoing discussions with other data escrow agents approved by ICANN regarding ability to perform similar manual reviews; some confirmed ability and some performed one review for test purposes
- ⦿ Manual review based on ICANN Registrar Data Escrow Specification at <https://www.icann.org/en/system/files/files/rde-specs-09nov07-en.pdf>

# Registrar Data Escrow Proactive Monitoring

Iron Mountain informs ICANN when a review results in failure

- ⦿ Most frequent causes of failures are:
  - ⦿ Header formatted incorrectly: usually missing required elements or header names are not clear (Sections 4.1.2 and 4.1.13-4.1.14 of Specification)
    - ⦿ Correct headers: Rt-name, rt -address, rt-phone, tc-name, tc- name, tc-address
    - ⦿ Incorrect headers: rc\_city, rc\_province, rc\_country, rc\_postal, rc\_email,rc\_tel, rc\_fax
  - ⦿ File name formatted/named incorrectly: must be formatted according to naming conventions in Sections 4.1.21.1- 4.1.21.5 of Specification
    - ⦿ Correct file name: 1110\_RDE\_2016-10-22\_full\_0.csv.gz.gpg
    - ⦿ Incorrect file name: 1110\_RDE\_2016-10-22\_full\_0.gz.gpg

# Registrar Data Escrow Proactive Monitoring

- ⦿ Most frequent causes of failures are (continued):
  - ⦿ For Privacy/Proxy services - contact information for beneficial user is escrowed, but not public facing Privacy/Proxy provider information
  - ⦿ Registrant contact information is incomplete (missing values)
  - ⦿ Missing data for top-level domains
    - ⦿ Some Registrars did not escrow any data for new gTLD domains
  - ⦿ No domains appear in the deposit



# ICANN Audit Information Confidentiality & Security

The following measures are implemented to maintain the security of the audit site

- ✓ Unique user IDs and complex passwords
- ✓ User access provisioning and de-provisioning
- ✓ Antivirus measures
- ✓ Firewalls, intrusion detection sensors and event monitoring
- ✓ Demilitarized zone for Internet facing applications
- ✓ Physical and environmental controls
- ✓ Encryption for communication across public networks and Internet using the MoveIT tool

- ⊙ Documentation is reviewed by the audit team
- ⊙ Audit site security rating is an “A” based on <https://www.ssllabs.com/test>
- ⊙ KPMG's contractual agreement with ICANN includes confidentiality obligations requiring KPMG to protect data

