

Post-Expiration Domain Name Recovery – Public Comments Review Tool
26 August 2010

	Comment	Who / Where	WG Response	Recommended Action
General Comments				
1.	The unintentional loss of a domain name is not a common occurrence and there is no data suggestion registrants experience such problems.	RrSG		
2.	The WG should balance the expected benefits from potential recommendations with the RrSG's position that there is no quantifiable harm at issue and that risks of unintended consequences arise from any policy change.	RrSG		
3.	As the Initial Report does not provide any recommendations at this stage, it would welcome that once these are agreed upon by the WG and included in the report, an updated version is posted for public comment.	RySG		
Charter Question 1				
4.	There is adequate opportunity for registrants to redeem their expired domain names.	Blacknight, RrSG		
Charter Question 2				
5.	The question should be reformulated to ask whether registrants are aware of what can and will happen to their domain(s) if they don't renew them.	Blacknight		

	This is a matter of education.			
6.	As part of the requirements under the EDDP, terms and conditions are maintained on registrar web sites and these are clear and conspicuous enough.	RrSG		
Charter Question 3				
7.	There is adequate notice as multiple notifications are sent by most registrars.	Blacknight, RrSG		
Charter Question 4				
8.	Some clear indication in WHOIS of a domain's current status would help avoid confusion, but the exact form and method for implementing this is probably beyond the WG's remit.	Blacknight		
9.	If a holding page is used following expiration, it should contain a notice that the registration has expired and information on how the registration can be renewed.	Blacknight		
10.	A clarification of WHOIS output might be helpful, but in addition: 1) because this issue applies to both thick and thin gTLDs, the WG may want to consider not restricting its focus in this regard to only thick registries; 2) a technical point to keep in mind is that 'Auto renewed and in grace period' is not an EPP status so if it is reported in Whois output it should not be shown as a status; 3) if this is recommended, it may be	RySG		

	worthwhile to consider recommending that the same be done for other similar periods; 4) if it is recommended that registries do this, it should also be recommended that registrars do so as well'.			
11.	No additional measures are needed as sufficient notice is already provided.	RrSG		
12.	There is a potential for confusion caused by WHOIS output in relation to renewal and the RrSG intends to work with the RySG to further examine this potential problem and propose potential solutions.	RrSG		
Charter Question 5				
13.	No transfer should be allowed during RGP	Blacknight		
14.	Currently there is 'no guarantee that the Registrant of record during the RGP process is indeed the initiating (original) Registrant of the domain registration' which raises a number of questions such as: 'who has the right to redeem the registration during RGP (current registrant on record or originating registrant or some interim holder of the registrant record), who has the right to initiate the transfer, how can a registry identify the initiating/original Registrant if they are not the current registrant of record and which Registrant (the one on	RySG		

	record or initiating) would a transfer be reversed to following the restoration of a name in RGP if the transfer was successfully contended?'. As a result, the RySG would support to keep the RGP and transfer 'separated and serial in execution'.			
15.	This is a complex issue and may be more appropriate for examination by a future Working Group assembled to address this specific issue.	RrSG		
Desired Outcomes				
16.	A level of predictability and security must be provided to gTLD registrants.	ALAC		
17.	The following outcomes would be supported: 1. Consensus policy requiring that all registrars must allow renewal of domain names for a reasonable amount of time after expiration. 2. Consensus policy explicitly stating the minimum requirements for pre-expiration notices. 3. Consensus policy requiring clarity of how messages will be sent. 4. Consensus policy requiring that WHOIS contents to make it clear that a domain name has expired and has not yet been renewed by the registrant. 5. Consensus policy requiring that notice(s) be sent after expiration.	ALAC		

	<p>6. Consensus policy requiring that web sites (port 80) no longer can resolve to the original web site after expiration</p> <p>7. Consensus policy requiring that other uses of the domain name (e-mail, FTP, etc.) no longer function after expiration.</p> <p>8. Consensus policy requiring clarity in the expiration terms and fees offered by registrars.</p> <p>9. Consensus policy requiring that the Redemption Grace Period be offered by all registries (including future gTLDs) and by all registrars.</p>			
18.	There might be a need for some limited exceptions to the outcomes identified in the comment above. ALAC also recognizes the role best practices may play above the minimum set of requirements as identified above.	ALAC		
19.	The obvious solution to avoiding post-expiration issues is to avoid expiration by paying the renewal fee in time.	Jothan Frakes		
20.	An outcome of some best practices and/or consensus policies that would reflect some minimum responsible baseline of conduct surrounding expiration of a domain name, from which a consistent baseline structure of expectation can be formed and then socialized to the community would be welcomed.	Jothan Frakes		

21.	Consistency and transparency are important, noting that the general idea of Registrars displaying explicit information around their domain expiration processes is helpful for registrants.	RySG		
22.	The drop recovery policy is unfair and would prefer a system whereby expired domain name registrations are allotted on a random basis.	IR		
23.	Consensus policy changes are required to correct issues within the domain expiration process in order to achieve the openness, transparency, and predictability as current inconsistencies lead to market confusion and in some cases create unfair market conditions.	CBUC		
Education / Information				
24.	Education is important as there is a lot of misunderstanding among registrants when it comes to the life cycle of a domain name registration and suggests that, once the WG has finalized its recommendations, a diagram and narrative 'making clear the expectations and process surrounding the expiry of a domain name' would be developed.	Jothan Frakes		
25.	Reduction in inconsistency will also help reduce trouble areas or perceptions' (e.g by standardizing timing of notices, how these are sent, what happens if a	Jothan Frakes		

	domain name expires). JF points out that the comment submitted by AA is an example of one of the misunderstandings that seems to exist 'that a trademark is somehow an exemption from renewal fees or the consequences of not renewing a domain name within an agreed period of time'.			
26.	Many problems could be avoided if time and energy were focused on encouraging registrants to do more active housekeeping on their domains prior to expiry.	Blacknight		
27.	Proposal for the creation of consumer education, perhaps sponsored by ICANN, around the expiration of domain names.	CBUC		
Auto-Renew Grace Period				
28.	The Initial Report seems to assume that registry Autorenew practices are the same for all registries which is not the case, as for example, there are known differences when Auto-Renews are charged.			
Redemption Grace Period				
29.	A number of assumptions that accompanied the implementation of the RGP with the objective to provide a last opportunity to registrants to recover a domain name registration following	RySG		

	<p>expiration are no longer valid. These assumptions include the assumption that 'the originating Registrant of the domain would be the current Registrant of record upon a domain being deleted and entering the Redemption Grace Period' and 'the effective use case for the Autorenew Grace Period was to garner additional time for Registrars to attempt to have originating Registrants renew their domains'. As a result, the RySG notes that 'the intended goal of RGP cannot be guaranteed by the behavior of Registries alone'.</p>			
30.	<p>In order to fulfill the original intentions of the RGP, provided these are still valid, the 'RGP needs to be applied consistently by all parties involved' and the RySG would therefore would be willing to 'explore RGP as a consensus policy'.</p>	RySG		
Other Issues				
31.	<p>Some registrars appear to invoice for the renewal of a domain name registration that has already been transferred out before expiration. As part of a responsible renewal notice process, a registrar should be required to check with the registry that they are in fact still the registrar of record for the name, before sending any billing related</p>	Jothan Frakes		

	materials.			
32.	<p>The following issues should be explored in further detail:</p> <ul style="list-style-type: none"> ▪ Adequate documentation of the expiration process (current & proposed) models ▪ Change confusingly-similar terms like “automatic renewal” vs. “auto renew grace period”, as an example ▪ Provide consistent and informative domain-status flags across registries, registrars and TLDs ▪ Provide consistent “service disruption” across registrars on expiration (triggers active/technical response) ▪ Provide consistent notification/display of deletion, automatic-renewal, auto-renew grace-period and redemption grace-period policies on reseller/registrar web pages ▪ Provide consistent redemption grace-period intervals rather than leaving it up to provider discretion ▪ Provide consistent post-expiry implications when registrants elect not to automatically-renew domains and/or opt out of monetization of web addresses ▪ Shift all TLDs to thick-registry model to aid in normalizing WHOIS-based 	CBUC		

processes

- Evaluate any conflict of interest – registrar either generates revenue from renewal OR monetization/aftermarket auction/ drop-catching, not both