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# Draft Final Report on the Inter-Registrar Transfers Policy - Part A Policy Development Process

## STATUS OF THIS DOCUMENT

This is the Final Report on IRTP Part A PDP, prepared by ICANN staff for submission to the GNSO Council on XXX following public comments on the Initial Report of 9 January 2009.

## SUMMARY

This report is submitted to the GNSO Council following public comments to the Initial Report as a required step on GNSO Policy Development Process on Inter-Registrar Transfers Policy.

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## 43 1. Executive Summary

### 44 1.1 Background

- 45 ▪ The [Inter-Registrar Transfer Policy \(IRTP\)](#) aims to provide a straightforward
- 46 procedure for domain name holders to transfer their names from one ICANN-
- 47 accredited registrar to another should they wish to do so. The policy also provides
- 48 standardized requirements for registrar handling of such transfer requests from
- 49 domain name holders. The policy is an existing community consensus policy that
- 50 was implemented in late 2004 and is now being reviewed by the GNSO.
- 51 ▪ The IRTP Part A Policy Development Process (PDP) is the first in a series of five
- 52 PDPs that address areas for improvements in the existing transfer policy.
- 53 ▪ The IRTP Part A PDP concerns three “new” issues: (1) the potential exchange of
- 54 registrant email information between registrars, (2) the potential for including new
- 55 forms of electronic authentication to verify transfer requests and avoid “spoofing,”
- 56 and (3) to consider whether the IRTP should include provisions for “partial bulk
- 57 transfers” between registrars.
- 58 ▪ A Working Group was formed on 5 August 2008.

### 60 1.2 Deliberations of the Working Group

- 61 ▪ The Working Group worked on the three different issues in parallel to the preparation
- 62 of constituency statements and the public comment period on this topic.
- 63 ▪ In relation to Issue I - Is there a way for registrars to make Registrant E-mail Address
- 64 data available to one another? Currently there is no way of automating approval from
- 65 the Registrant, as the Registrant Email Address is not a required field in the registrar
- 66 Whois. This slows down and/or complicates the process for registrants, especially
- 67 since the Registrant can overrule the Admin Contact – the Working Group discussed
- 68 the following topics; the Extensible Provisioning Protocol (EPP), Internet Registry
- 69 Information Service (IRIS), Registrant vs. Admin contact approval, Thin vs. Thick
- 70 registries, Whois and the AuthInfo code.

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- 72 ▪ In relation to Issue II – Whether there is need for other options for electronic
- 73 authentication (e.g. security token in the Form of Authorization (FOA)) due to security
- 74 concerns on use of email addresses (potential for hacking or spoofing) – the Working
- 75 Group discussed the incidence of hijacking and the possibility of additional security
- 76 measures.
- 77 ▪ In relation to Issue III – Whether the policy should incorporate provisions for handling
- 78 partial bulk transfers between registrars – that is, transfers involving a number of
- 79 names but not the entire group of names held by the losing registrar – the Working
- 80 Group discussed whether partial bulk transfers concern transfers between registrars
- 81 or also include transfers between registrants and registrars, what would constitute a
- 82 partial bulk transfer and how the existing policy for a bulk transfer could potentially be
- 83 used for a partial bulk transfer,

### 84 1.3 Conclusions of the Working Group

- 85 ▪ Based on the discussions of the Working Group, having taking into account the
- 86 comments received during the public comment periods and constituency statements,
- 87 the Working Group has drawn the following conclusions.
- 88 ▪ Issue I - Is there a way for registrars to make Registrant E-mail Address data
- 89 available to one another?
- 90 The Working Group, recognizing that it is not specifically in the remit of this Working
- 91 Group to make any recommendations for Whois modification, does support further
- 92 assessment of whether IRIS would be a viable option for the exchange of registrant
- 93 email address data between registrars and recommends an analysis of IRIS' costs,
- 94 time of implementation and appropriateness for IRTP purposes.
- 95 The WG noted that, in the absence of a simple and secure solution for providing the
- 96 gaining registrar access to the registrant email address, future IRTP working groups
- 97 should consider the appropriateness of a policy change that would prevent a
- 98 registrant from reversing a transfer after it has been completed and authorized by the
- 99 admin contact. This option would not change the current situation whereby a losing
- 100 registrar can choose to notify the registrant and provide an opportunity to cancel a
- 101 transfer before the process is completed.

- 102     ▪ Issue II - Whether there is need for other options for electronic authentication?  
 103     Based on the discussion in the Working Group, there appears to be broad  
 104     agreement that there is a need for other options for electronic authentication.  
 105     However, opinions in the Working Group differ as to whether these options should be  
 106     developed by means of GNSO policymaking or should be left to market solutions.
- 107     ▪ Issue III - Whether the policy should incorporate provisions for handling partial bulk  
 108     transfers between registrars?  
 109     Based on the discussion in the Working Group, there appears to be broad  
 110     agreement that there is no need to incorporate provisions for handling partial bulk  
 111     transfers between registrars at this stage. The Working Group believes that these  
 112     scenarios can be addressed either through the existing Bulk Transfer provisions, or  
 113     through existing market solutions. The Working Group would recommend the GNSO  
 114     Council clarify that the current bulk transfer provisions also apply to a bulk transfer of  
 115     domain names in only one gTLD.

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#### 1.4 Constituency Statements & Public Comment Periods

- 117     ▪ The first public comment period ran from 5 September 2008 to 29 September 2008,  
 118     the second public comment period on the Initial report ran from 9 January to 30  
 119     January 2009. In the first comment public period, apart from the Constituency  
 120     statements, two other comments were received. However, these two comments were  
 121     deemed off-topic. In the second public comment period on the Initial report, three  
 122     comments were received, including one Constituency statement. A summary of  
 123     these comments has been included in section 6.4.
- 124     ▪ Constituencies were requested to use the Constituency Statement Template the  
 125     Working Group developed to provide their feedback. Input was received from the  
 126     Intellectual Property Interests Constituency, gTLD Registry Constituency, Registrars  
 127     Constituency and the Business and Commercial Users' Constituency. Constituency  
 128     statements received are reflected per issue in chapter 6 of this report, and are set  
 129     forth in their entirety in Annex B. The Registrar Constituency provided an update to  
 130     their position in the second public comment period which has been included in Annex  
 131     D.  
 132

- 133     ▪ It should be noted that the views of the Constituencies may differ from the views  
 134     expressed by the Working Group. The Constituency statements should therefore be  
 135     reviewed in their entirety.

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#### 1.5 Conclusions and Next Steps

- 137     ▪ Based on the discussion in the Working Group, having taking into account the  
 138     comments received during the public comment periods and constituency statements,  
 139     the Working Group concludes the following.  
 140
- 141     ▪ **Conclusion for Issue I - Is there a way for registrars to make Registrant E-mail  
 142     Address data available to one another? Currently there is no way of  
 143     automating approval from the Registrant, as the Registrant Email Address is  
 144     not a required field in the registrar Whois. This slows down and/or complicates  
 145     the process for registrants, especially since the Registrant can overrule the  
 146     Admin Contact.**  
 147     The Working Group, recognizing that it is not specifically in the remit of this Working  
 148     Group to make any recommendations for Whois modification, does support further  
 149     assessment of whether IRIS would be a viable option for the exchange of registrant  
 150     email address data between registrars and recommends an analysis of IRIS' costs,  
 151     time of implementation and appropriateness for IRTP purposes.  
 152     The WG noted that, in the absence of a simple and secure solution for providing the  
 153     gaining registrar access to the registrant email address, future IRTP working groups  
 154     should consider the appropriateness of a policy change that would prevent a  
 155     registrant from reversing a transfer after it has been completed and authorized by the  
 156     admin contact. This option would not change the current situation whereby a losing  
 157     registrar can choose to notify the registrant and provide an opportunity to cancel a  
 158     transfer before the process is completed.
- 159     ▪ **Conclusion for Issue II - Whether there is need for other options for electronic  
 160     authentication (e.g., security token in the Form of Authorization (FOA)) due to  
 161     security concerns on use of email addresses (potential for hacking or  
 162     spoofing).**  
 163     Based on the discussion in the Working Group, having taking into account the  
 164     comments received during the public comment periods and constituency statements,

165 there appears to be broad agreement that there is a need for other options for  
166 electronic authentication. However, opinions in the Working Group differ as to  
167 whether these options should be developed by means of GNSO policymaking or  
168 should be left to market solutions.

- 169 ▪ **Conclusion for Issue III - Whether the policy should incorporate provisions for**  
170 **handling partial bulk transfers between registrars - that is, transfers involving**  
171 **a number of names but not the entire group of names held by the losing**  
172 **registrar.**

173 Based on the discussion in the Working Group, having taking into account the  
174 comments received during the public comment periods and constituency statements,  
175 there appears to be broad agreement that there is no need to incorporate provisions  
176 for handling partial bulk transfers between registrars at this stage. The Working  
177 Group believes that these scenarios can be addressed either through the existing  
178 Bulk Transfer provisions, or through existing market solutions. The Working Group  
179 would recommend the GNSO Council to clarify that the current bulk transfer  
180 provisions also apply to a bulk transfer of domain names in only one gTLD.

- 181 ▪ The Final Report (along with the preceding Issues Report) will serve as a basis for  
182 subsequent deliberations and actions by the GNSO Council in formulating  
183 recommendations to the ICANN Board regarding changes, if any, that should be  
184 made to the inter-registrar transfer policy in relation to the issues covered by this  
185 PDP.

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## 186 2. Objective and Next Steps in the Policy Making 187 Process

188  
189 This Final Report on the Inter-Registrar Transfer Policy Part A PDP is prepared as required  
190 by the GNSO Policy Development Process as stated in the ICANN Bylaws, Annex A (see  
191 <http://www.icann.org/general/bylaws.htm#AnnexA>). It is based on the Initial Report of  
192 9 January 2009 and reflects the comments received on both documents. This report is  
193 submitted to the GNSO Council for the Council's consideration. The conclusions and  
194 recommendations for next steps on the three issues included in this PDP are outlined in  
195 Chapter 7.

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## 199 3. Background

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### 201 3.1 Process background

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203 ▪ Consistent with ICANN's obligation to promote and encourage robust competition in  
204 the domain name space, the Inter-Registrar Transfer Policy (IRTP) aims to provide a  
205 straightforward procedure for domain name holders to transfer their names from one  
206 ICANN-accredited registrar to another should they wish to do so. The policy also  
207 provides standardized requirements for registrar handling of such transfer requests  
208 from domain name holders. The policy is an existing community consensus policy  
209 that was implemented in late 2004 and is now being reviewed by the GNSO.

210 ▪ As part of that review, the GNSO Council formed a Transfers Working Group (TWG)  
211 to examine and recommend possible areas for improvements in the existing transfer  
212 policy. The TWG identified a broad list of over 20 potential areas for clarification and  
213 improvement (see <http://www.icann.org/en/gnsso/transfers-tf/report-12feb03.htm>).

214 ▪ The Council tasked a short term planning group to evaluate and prioritize the policy  
215 issues identified by the Transfers Working Group. In March 2008, the group  
216 delivered a report to the Council that suggested combining the consideration of  
217 related issues into five new PDPs (see [http://qnsso.icann.org/drafts/transfer-wg-  
218 recommendations-pdp-groupings-19mar08.pdf](http://qnsso.icann.org/drafts/transfer-wg-recommendations-pdp-groupings-19mar08.pdf)).

219 ▪ On 8 May 2008, the Council adopted the structuring of five additional inter-registrar  
220 transfers PDPs as suggested by the planning group (in addition to a recently  
221 concluded Transfer PDP 1 on four reasons for denying a transfer). It was decided  
222 that the five new PDPs would be addressed in a largely consecutive manner, with  
223 the possibility of overlap as resources would permit.

224 ▪ The Council requested an Issues Report from Staff on the first of the new PDP issue  
225 sets (Set A – New IRTP Issues) that was delivered to the Council on 23 May 2008  
226 (see <http://qnsso.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf>).

227 ▪ The three "new" issues in Set A address (1) the potential exchange of registrant  
228 email information between registrars, (2) the potential for including new forms of

229 electronic authentication to verify transfer requests and avoid "spoofing," and (3) to  
230 consider whether the IRTP should include provisions for "partial bulk transfers"  
231 between registrars.

232 ▪ The GNSO Council [resolved on 25 June 2008](#) to launch a PDP ("PDP June-08") on  
233 these three issues and adopted a charter for a Working Group on 17 July 2008.

234

### 235 3.2 Issue Background (excerpt from Issues Report)

236 ▪ Please note that the following text has been excerpted from the issues report and  
237 does not contain any new input from the Working Group.

#### 238 Issue I – Potential exchange of registrant e-mail information

239 ▪ Issue I – "Whether there could be a way for registrars to make Registrant Email  
240 Address data available to one another. Currently there is no way of automating  
241 approval from the Registrant, as the Registrant Email Address is not a required field  
242 in the registrar Whois. This slows down and/or complicates the process for  
243 registrants, especially since the Registrant can overrule the Admin Contact.

244 ▪ Section 1.1 of the Transfer Policy identifies the Registrant and the Administrative  
245 Contact as parties who can authorize a transfer, and notes that the Registrant's  
246 authority supersedes that of the Administrative Contact. Accordingly, an  
247 authorization from the Registrant provides a reliable ground for executing a transfer,  
248 while an authorization from the Administrative Contact can be contested by the  
249 Registrant, in spite of being recognized as a valid ground for a transfer. A convenient  
250 means to acquire Registrant authorization could thus enable a reduction of the  
251 number of contested transfers.

252 ▪ During its deliberations, the Transfers Working Group noted that the issue is related  
253 to the Whois provisions, since the email address of the Administrative Contact is a  
254 required field in Whois, in contrast to the Registrant email address. However, in the  
255 context of a PDP focused on the Transfer Policy, any proposed policy change  
256 affecting Whois policy (for example requiring registrant email information in the  
257 Whois) would be outside the scope of the PDP<sup>1</sup>. The issue to address is thus limited

<sup>1</sup> Based on the discussions of the Working Group it should be noted that these two sentences draw a conclusion that has not been made by the GNSO Council or the Working Group, but are carried over from an earlier Staff Issues Report. See Section 5 regarding Whois below.

258 to other means of keeping, maintaining and exchanging registrant email information  
 259 between the relevant Registrars. This invokes procedural, administrative and security  
 260 aspects."

261

## 262 **Issue II – Options for Electronic Authentication**

- 263 ■ Issue II – "Whether there is need for other options for electronic authentication (e.g.,  
 264 security token in FOA) due to security concerns on use of email addresses (potential  
 265 for hacking or spoofing).
- 266 ■ The original Transfers Task Force mentioned this issue as follows in its Final Report:  
 267 *19. In the event that the Gaining Registrar must rely on a physical process to obtain*  
 268 *this authorization, a paper copy of the Standardized Form of Authorization will suffice*  
 269 *insofar as it has been signed by the Registrant or Administrative Contact and is*  
 270 *accompanied by a physical copy of the Losing Registrar's Whois output for the*  
 271 *domain name in question.*  
 272 *a – b [...references to physical documents, of no relevance here. ]*  
 273 *c. The Task Force notes support for the concept that in the event of an electronic*  
 274 *authorization process, recommended forms of identity would include;*
- 275 • *electronic signature in conformance with national legislation, for instance, the*  
 276 *United States e-Sign Act*
  - 277 • *Email address matching Registrant or Administrative Contact email address found*  
 278 *in authoritative Whois database.*
- 279 In relation to the first bullet point above, it can be noted that the current extent of  
 280 Registrars' use of digital signature means for transfers is unknown. Such information  
 281 could be useful to collect as background for deliberations in a future PDP covering  
 282 this issue.
- 283 ■ The Transfers WG noted the issue in its report as follows:  
 284 *According to the policy, the Gaining Registrar is required to obtain the FOA from the*  
 285 *Registrar or Administrative Contact before initiating a transfer request. The*  
 286 *Registrar of Record also has the option to send an FOA to confirm the transfer*  
 287 *request. Policy issues relating to the FOA include:*

288 1. *Whether there is need for other options for electronic authentication (e.g., security*  
 289 *token in FOA) due to security concerns on use of email addresses (potential for*  
 290 *hacking or spoofing).*

291

- 292 ■ Regarding the risk of spoofing mentioned by the Transfers WG, useful background  
 293 information is provided in the SSAC report on domain name hijacking, available at  
 294 <http://www.icann.org/announcements/hijacking-report-12jul05.pdf>. Recommendation  
 295 10 of this report states: "ICANN should consider whether to strengthen the identity  
 296 verification requirements in electronic correspondence to be commensurate with the  
 297 verification used when the correspondence is by mail or in person."
- 298 ■ The SSAC report was produced in 2005 and it should be noted that, since then,  
 299 Extensible Provisioning Protocol (EPP) has been deployed by all gTLD registries that  
 300 have implemented the Transfer Policy. Since EPP requires an authorization  
 301 ("AuthInfo") code, EPP deployment may have had an impact from a security  
 302 standpoint and recent data in this respect could be useful as background for a future  
 303 PDP covering this issue.
- 304 ■ It can also be noted that some ccTLDs do use electronic authentication methods for  
 305 transfers, for example through digital signatures for authentication of e-mail requests.  
 306 The .UK registry operator Nominet uses PGP as described at  
 307 <http://www.nic.uk/registrars/systems/auto/pgp/>. Another example is the .SE registry  
 308 operator, IIS, featuring a certificate-based web interface ("Domänhanteraren" – in  
 309 English "The Domain Handler") for the registrant, where the registrant can effectuate  
 310 changes of domain information, including change of Registrar, see  
 311 <https://domanhanteraren.iis.se/start/welcome>. There may be other such examples of  
 312 interest as references for this issue.

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## 314 **Issue III - Provisions for partial bulk transfers between Registrars**

- 315 ■ Issue III – "Whether the policy should incorporate provisions for handling "partial bulk  
 316 transfers" between registrars – that is, transfers involving a number of names but not  
 317 the entire group of names held by the losing registrar.
- 318 ■ This aspect was not touched upon by the Transfers Task Force, but identified as a  
 potential issue (under "Other") by the Transfers WG in its report.

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- Part B of the Transfer Policy governs bulk transfers, meaning transfer of all domains sponsored by one Registrar to another Registrar, for example as a consequence of one Registrar acquiring another. According to the policy, bulk transfers can only take place under certain specific conditions, for further information see part B at <http://www.icann.org/transfers/policy-12jul04.htm>.
  - While different from bulk transfers in the "complete" sense, i.e. transfer of a Registrar's complete domain portfolio to another Registrar, the need for "partial" bulk transfers can arise due to, for example, company takeovers, where the acquiring company wishes to transfer some or all of the acquired company's domains to its own Registrar of Record. There is no prescribed way of doing so in the Inter Registrar Transfer Policy other than domain by domain, although Registrars are free to accept, for example, fax lists with numerous domains to transfer, while still having to follow the authentication/verification practices of the policy. The extent of such "voluntary provisions to facilitate partial bulk transfers" in practice is unknown.
  - NeuLevel, Inc., the registry operator of .BIZ, has proposed the launch of a partial bulk transfer service, which has been approved by ICANN through the Registry Services Technical Evaluation Panel (RSTEP) procedure. This service proposal was prompted by two Registrars' request for a partial bulk transfer between them. For further information, see [http://www.icann.org/registries/rsep/NeuLevel\\_request.pdf](http://www.icann.org/registries/rsep/NeuLevel_request.pdf).
  - For information, there are provisions in place for partial bulk transfers in some ccTLDs. The .UK registry, Nominet, has a procedure for "mass transfers", described at <http://www.nic.uk/registrants/maintain/transfer/mass/>, and also for PGP-signed "bulk" operations at the registrar level, described at <http://www.nic.uk/registrars/systems/auto/bulk/> (see especially Example 9 therein, of relevance for partial bulk transfers). There may be other such examples of interest as references for this issue."

## 345 4. Approach taken by the Working Group

346

347 The IRTP Part A Working Group started its deliberations on 5 August 2008 where it was  
348 decided to continue the work primarily through weekly conference calls and e-mail  
349 exchanges. The Working Group agreed to start working on the three different issues in  
350 parallel to the preparation of constituency statements and the public comment period on this  
351 topic. In order to facilitate the work of the constituencies, a template was developed for  
352 responses (see Annex A).

353

### 354 4.1 Members of the IRTP Part A Working Group

355

356 The members of the Working group are:

357

Name	Constituency / other	Affiliation
Paul Diaz (Chair of the Working Group)	Registrar	Network Solutions
James M. Bladel	Registrar	Go Daddy
Mike Rodenbaugh (Council liaison)	Business	Rodenbaugh Law
Barbara Steele	Registry	Verisign
Kevin R. Erdman	IPC	Baker & Daniels LLP
Sebastien Bachollet	ALAC	ISOC France
Mike O'Connor	Business	O'Connor Company
Marc Trachtenberg	IPC	Winston & Strawn LLP
Margie Milam	Registrar	Markmonitor
Mark Klein	Registrar	Sedo
Michael Collins	Business	Internet Commerce

		Association
Steven Vine	Registrar	Register.com
Adam Eisner	Registrar	Tucows
Avri Doria (GNSO Chair)	NCUC	Luleå Univ of Tech
Chuck Gomes (GNSO Vice Chair)	Registry	Verisign

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359 The statements of interest of the Working Group members can be found at

360 <http://gns0.icann.org/issues/transfers/soi-irtp-a-pdp-oct08.shtml>,

361

362 The email archives can be found at <http://forum.icann.org/lists/gns0-irtp-pdp-jun08/>.

363

364 The attendance sheet has been included in Annex C.

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366

## 366 5. Deliberations of the Working Group

367

368 This chapter provides an overview of the deliberations of the Working Group conducted both  
369 by conference call as well as e-mail threads. The points below are just considerations to be  
370 seen as background information and do not necessarily constitute any suggestions or  
371 recommendations by the Working Group.

372

373 **Issue I - Is there a way for registrars to make Registrant E-mail Address data available**  
374 **to one another? Currently there is no way of automating approval from the Registrant,**  
375 **as the Registrant Email Address is not a required field in the registrar Whois. This**  
376 **slows down and/or complicates the process for registrants, especially since the**  
377 **Registrant can overrule the Admin Contact.**

378

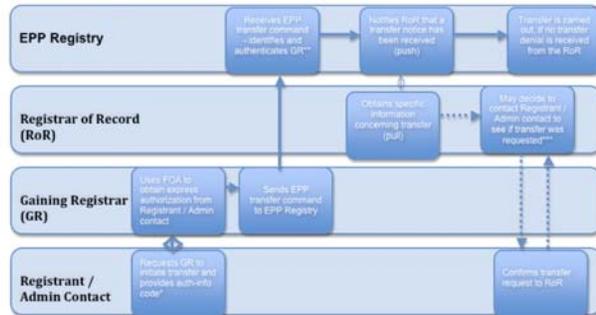
### 379 Extensible Provisioning Protocol (EPP)

- 380 ▪ One idea discussed in the context of issue I was to extend or modify the Poll Message  
381 facility of the Extensible Provisioning Protocol (EPP) for this function. EPP is currently  
382 used as an authenticated and secure channel of communication between the Registry  
383 and Registrar, which can also be used in the context of transfers (see figure 1).
- 384 ▪ The Poll Message system has the advantage of being both an authenticated and secure  
385 channel of communication between the Registry and Registrar, but it is currently mostly  
386 unidirectional (Registrar does not create messages for Registry) and there is no means  
387 for registrars to communicate with each other. The Working Group considered whether  
388 EPP could be extended to allow registrars to create Poll Messages for each other, for  
389 those situations which require the sharing of registrant information. Issues such as  
390 security, costs of implementation and feasibility would need to be addressed in order to  
391 determine whether this is a suitable option, but overall the Working Group considers this  
392 a possible avenue to be further explored.

393

394 Figure 1.

Transfer in an EPP Registry



395 Notes

396 \* Registrars must provide the Registered Name Holder with the unique "AuthInfo" code within five (5) calendar days of the  
397 Registered Name Holder's initial request if the Registrar does not provide facilities for the Registered Name Holder to  
398 generate and manage their own unique "AuthInfo" code.

399 \*\* EPP requires mutual authentication of clients/registrar and servers before a TLS connection can be made between the  
400 two parties. Digital certificates, digital signatures, and PKI services are used to authenticate both parties. Certificates must  
401 be signed by a CA that is recognized by the server operator. [RFC 4934, section 8]. Additionally, all EPP clients/registrar  
402 are required to identify and authenticate themselves using a server-assigned user ID and a shared secret (a password)  
403 that is sent to the server using a login command. The server must confirm the identity and shared secret before the client  
404 is given access to other protocol services. [RFC 4930, section 2.9.1.1] Some EPP commands, such as the domain  
405 transfer command, require additional authentication information that must be provided and confirmed before the  
406 requested action is completed. The default authentication information service uses a shared secret that is known to the  
407 registry, the registrar, and the registrant. Registrants are required to provide this secret to a second registrar when  
408 requesting the second registrar to initiate a domain transfer on the registrant's behalf. The authentication information data  
409 structure is extensible so that additional authentication mechanisms can be defined and implemented in the future. [RFC  
410 4931, sections 3.2.1 and 3.2.4].

411 \*\*\* The Registrar of Record has 5 calendar days to respond to transfer notice from Registry  
412

413 ■ It should be noted that the RFC3730 - Extensible Provisioning Protocol (EPP) did not  
414 foresee the potential use of poll messages in this way which may mean that a  
415 modification of the RFC would be required in order to consider this as an option.  
416 Such a modification could take a substantial amount of time. In addition, the  
417 implementation of a modified EPP would bring with it certain costs. Both elements  
418 would need to be considered prior to making a recommendation.  
419 ■ In relation to the security of EPP, it was noted that no security incidences with EPP  
420 have been reported to date (or at least not to the knowledge of the Working Group  
421 members).  
422

Internet Registry Information Service (IRIS)

423 ■ The Internet Registry Information Service (IRIS)<sup>2</sup> has been developed by the IETF  
424 Cross Registry Internet Service Protocol (CRISP) working group with the objective to  
425 replace Whois. IRIS offers the opportunity to set some enforceable standards around  
426 who has access to specific registrant data fields and a way to control such access.  
427 ■ Not taking into account or providing any opinion on whether IRIS should or should  
428 not be considered as a replacement for Whois, the Working Group discussed  
429 whether it would be an option to consider IRIS as a secure means of communication  
430 between registrars. In this circumstance, the only data that would be provided and  
431 shared between registrars would be registrant e-mail data. The Authinfo code could  
432 be used as a means of authentication to access IRIS.  
433 ■ IRIS was also raised as a possible solution for the secure transmission of data  
434 between registrars and/or registries in one of the comments submitted during the  
435 public comment period on the Initial Report (see section 6.4 for more details).  
436 ■ The Working Group, recognizing that it is not specifically in the remit of this Working  
437 Group to make any recommendations for Whois modification, does support further  
438 assessment of whether IRIS would be a viable option for the exchange of registrant  
439 email address data between registrars and recommends an analysis of IRIS' costs,  
440 time of implementation and appropriateness for IRTP purposes.  
441

<sup>2</sup> See RFC 3707 (<http://tools.ietf.org/html/rfc3707>) and RFCs 3981 – 3983  
(<http://tools.ietf.org/html/rfc3981>, <http://tools.ietf.org/html/rfc3982>, <http://tools.ietf.org/html/rfc3983>) for  
further information.

442 **Registrant vs. Admin contact approval**

- 443     ▪ While a registrant has the ultimate authority regarding an inter-registrar transfer, the  
444     admin contact can initiate and approve a transfer without a registrant's involvement.  
445     Most registrars, maybe all, will notify the registrant that a transfer has been initiated  
446     and that the registrant can cancel it and that the transfer will go through if the  
447     registrant does nothing. So, if a registrant finds that the admin contact has  
448     transferred a domain away without registrant approval this can lead to a transfer  
449     dispute.
- 450     ▪ Any policy that allows one person to authorize a transfer and another person to  
451     dispute the transfer after it is completed is a potential source of conflict.
- 452     ▪ Taking this into account, one could consider requiring registrant approval before a  
453     transfer occurs which would normally avoid most disputes.
- 454     ▪ Another option would be to give the admin contact the ultimate transfer authority.  
455     However, this might result in additional security / hijacking risks as the admin contact  
456     details are part of the public Whois.
- 457     ▪ Similarly, the registrant could be given the sole transfer authority. However, this  
458     brings us back to the issue at hand, how to make the registrant e-mail address  
459     available to the gaining registrar in order to confirm a transfer request.
- 460     ▪ Those registrars participating in the Working Group confirmed that normally the  
461     Gaining Registrar sends the confirmation of a transfer to the admin contact since that  
462     is the contact that they have on file. It could be considered to make it a requirement,  
463     instead of optional, that the Registrar of Record confirms the transfer with the  
464     Registrant (instead of the admin contact). This would add another approval into the  
465     process that could enable a losing registrar to delay or prevent a transfer. When  
466     combined with other transfer process items that a losing registrar controls and can  
467     use to cause difficulties and delay, registrar lock removal and auth code retrieval,  
468     adding a requirement for the losing registrar to confirm the transfer has the potential  
469     of causing insurmountable difficulty and delay for registrants especially when trying  
470     to transfer a large domain name portfolio. However it would resolve the problem of  
471     Registrant e-mail not being publically available and it would resolve the problem of  
472     domain transfers being authorized by the admin contact without the Registrant's  
473     consent.

474

475 **Thin vs. Thick Registries**

- 476     ▪ A "Thin" Registry is one for which the Registry database contains only domain name  
477     service (DNS) information:  
478     - Domain name  
479     - Name server names  
480     - Name server address  
481     - The name of the Registrar  
482     - Basic transaction data
- 483     ▪ It does not contain any Registrant or contact information. Registrant or contact  
484     information is maintained by the Registrar. Examples of Thin registries are .com, .net  
485     and .jobs (see table 1 for a complete overview).
- 486     ▪ A "Thick" Registry is one for which the Registry database contains:  
487     - Registrant and contact information  
488     - Domain name  
489     - Name server names  
490     - Name server address  
491     - The name of the Registrar  
492     - Basic transaction data
- 493     ▪ All authoritative information is kept within the Registry.
- 494     ▪ Registrant Email is collected and maintained by all registrars, and submitted to all  
495     "Thick" Registries. A check of gTLD WHOIS data shows that Registrant Email is  
496     also displayed for all Thick Registries.
- 497     ▪ "Thin" registries do not maintain any registrant information.
- 498     ▪ It should be noted that "Thick" registries are not obliged to include the registrant e-  
499     mail address in Whois data, so requiring all "Thin" registries to become "Thick"  
500     registries would not change anything for the particular issue at hand, unless the  
501     inclusion of the registrant e-mail address would be mandated.
- 502     ▪ If the registrant email address would be required for inclusion in Whois data, it should  
503     not even matter whether it is the registry or the registrar that is required to maintain  
504     Whois data.  
505

506 Table 1

gTLD	Thin	Thick
.ARPA		✓
.AERO		✓
.ASIA		✓
.BIZ		✓
.CAT		✓
.COM	✓	
.COOP		✓
.EDU		✓
.GOV		✓ <sup>3</sup>
.INFO		✓
.INT		✓
.JOBS	✓	
.MIL		✓ <sup>4</sup>
.MOBI		✓
.MUSEUM		✓
.NAME	✓	✓ <sup>5</sup>
.NET	✓	
.ORG		✓
.PRO		✓
.TEL		✓
.TRAVEL		✓

507 **Whois**

- 508     ▪ The WG agreed that even though Whois should not be the main topic of the  
509     discussion as it is not specifically in the remit of this Working Group to make any

<sup>3</sup> Presumed thick Whois – Whois data not publicly available

<sup>4</sup> Presumed thick Whois – Whois data not publicly available

<sup>5</sup> 'Thick' Whois information is available, but only after payment

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Author: Marika Konings

- 510     recommendations for Whois modification, it would not be off-limit to include in the  
511     discussion if deemed appropriate for providing an insight into issue I.
- 512     ▪ [The WG noted that WHOIS was not designed to support many of the ways in which it](#)  
513     [is currently used to facilitate transfers.](#)
- 514     ▪ Registrant email addresses are not a required WHOIS field. Registrars can publish it  
515     if they choose. Requiring that this address be made publicly available would solve  
516     the issue at hand, but at the same time it might raise privacy and security concerns -  
517     and is possibly beyond the mandate of this WG.
- 518     ▪ Members of the RyC who provided feedback also indicated that ICANN Registry  
519     Agreements require that the registrant e-mail address field be displayed in the  
520     WHOIS of most gTLDs and sTLDs and most of those registries make submission  
521     and display of registrant e-mail address mandatory. It should be noted that this only  
522     applies to 'thick' registries.

523 **AuthInfo Code**

- 524     ▪ The Working Group also discussed whether the AuthInfo code, which is currently  
525     being used to authenticate a transfer in EPP based registries, could be used as a  
526     means to authenticate the transfer instead of the registrant or admin contact e-mail  
527     address.
- 528     ▪ It was noted that this would not solve the issue at hand as the registrant could still  
529     challenge a transfer, even if the AuthInfo code would be provided by the admin  
530     contact, unless the submission of a valid AuthInfo code would be the only  
531     requirement to initiate a transfer. However, this was not deemed a secure and viable  
532     solution compared to the current system.
- 533     ▪ One suggestion made during the public comment period on the Initial Report was to  
534     consider using the AuthInfo code to retrieve information from the domain:info or  
535     contact:info operation in the EPP protocol, although this would only work for thick  
536     registries (see section 6.4 for more details).

537 **Conclusion for Issue I**

- 538     ▪ The Working Group, recognizing that it is not specifically in the remit of this Working  
539     Group to make any recommendations for Whois modification, does support further

542 assessment of whether IRIS would be a viable option for the exchange of registrant  
 543 email address data between registrars and recommends an analysis of IRIS' costs, time  
 544 of implementation and appropriateness for IRTP purposes.

545  
 546 The WG noted that, in the absence of a simple and secure solution for providing the  
 547 gaining registrar access to the registrant email address, future IRTP working groups  
 548 should consider the appropriateness of a policy change that would prevent a registrant  
 549 from reversing a transfer after it has been completed and authorized by the admin  
 550 contact. This option would not change the current situation whereby a losing registrar  
 551 can choose to notify the registrant and provide an opportunity to cancel a transfer before  
 552 the process is completed.

553  
 554 **Issue II - Whether there is need for other options for electronic authentication (e.g.,**  
 555 **security token in the Form of Authorization (FOA)) due to security concerns on use of**  
 556 **email addresses (potential for hacking or spoofing).**

- 557
- 558 ▪ The Working Group also noted that the loss of even a single domain name through  
 559 "hijacking" can be personally and financially disruptive to a registrant and could result in  
 560 significant exposure to liability for the involved registrar.
  - 561 ▪ One member of the Group shared information on the incidence of hacking and spoofing  
 562 and that the respective company has the equivalent of 1-2 full-time employees dedicated  
 563 to work on this specific issue. Since January 2008, this team has received over 1000  
 564 claims of domain name "hijacking," and has taken action to restore the original registrant  
 565 in 533 of these cases, and upheld the transfer in another 504. On average, the  
 566 investigation of each claim takes 5-10 business days. Some of these incidents are  
 567 internal (e.g. Change of Registrant) transfers, not transfers from other registrars. It  
 568 should be noted that AuthInfo keys are only involved in the latter case. The "vast  
 569 majority" of disputed transfers involved compromised email accounts. Typically, these  
 570 are free accounts (Gmail, Yahoo, Hotmail, etc.). These figures demonstrate that the  
 571 prevention and remediation of domain name "hijacking" is a significant operational  
 572 burden for registrars.

- 573 ▪ Additional security measures could be considered, but it should be noted that this would  
 574 result in additional costs. Furthermore, it is argued that any recommendation to this end  
 575 should not result in mandating certain technologies over others.
- 576 ▪ Some members of the Working Group considered that offering additional security  
 577 measures should be left as a service that a registrar can choose to provide as part of its  
 578 offering. Examples of existing market-based solutions include two-factor authentication,  
 579 identity verification and protection services, and opt-in programs to prevent unauthorized  
 580 transfers.

#### 581 **Conclusion for Issue II**

582 Based on the discussion in the Working Group, having taking into account the comments  
 583 received during the public comment periods and constituency statements, there appears to  
 584 be broad agreement that there is a need for other options for electronic authentication.  
 585 However, opinions in the Working Group differ as to whether these options should be  
 586 developed by means of GNSO policymaking or should be left to market solutions, such as  
 587 those described above.

588  
 589 **Issue III - Whether the policy should incorporate provisions for handling partial bulk**  
 590 **transfers between registrars - that is, transfers involving a number of names but not**  
 591 **the entire group of names held by the losing registrar.**

- 592
- 593
  - 594 ▪ Some members of the Working Group argue that this issue relates to potential partial  
 595 bulk transfers between registrars, and not registrant initiated partial bulk transfers which  
 596 are in practice already possible and offered as a service by a number of registrars.
  - 597 ▪ Several members of the Working Group noted that if there would be support for  
 598 incorporating provisions for handling partial bulk transfers, it is imperative to ensure that  
 599 these provisions do not blur the boundaries between Policy requirements and Product  
 600 development.
  - 601 ▪ In order to consider this issue in its full depth, it will be important to define what would  
 602 constitute a partial bulk transfer. What would be a minimum, would these transfers be  
 603 treated as renewals, is there a fee involved? Also, this definition process would need to

- 604 take into consideration that partial bulk transfers should not be abused by those trying to  
 605 avoid the charge that currently applies for bulk transfers over 50,000 domain names.
- 606 ■ There is a policy in place that defines how a bulk transfer process works (see ICANN  
 607 [Policy on Transfer of Registrations between Registrars](#), 12 July 2004, Section B. ICANN-  
 608 Approved Transfers). When a registry executes a bulk transfer under the existing policy,  
 609 the registries receive approval from ICANN to use the 'bulk transfer tool' to transfer all  
 610 domains under the management of one ICANN accredited registrar to another  
 611 designated ICANN accredited registrar. The registry then contacts both the gaining  
 612 registrar and the losing registrar to coordinate a time to complete the transfer. A script is  
 613 run that, in essence, only changes the registrar of record for the domain names - the  
 614 expiration date is not changed nor is a registration fee assessed.
  - 615 ■ It was suggested that a similar process could be considered for a 'voluntary partial bulk  
 616 transfer' request with the exception that the request would not be received from ICANN,  
 617 but instead, from one of the registrars. Therefore, the registries would receive the  
 618 request to initiate a voluntary partial bulk transfer from a registrar and, provided all  
 619 requirements are met, the registry would execute the command to move the designated  
 620 domain names from the losing registrar to the gaining registrar (without further  
 621 intervention by the registrars and without moving the expiration dates of the domain  
 622 names forward or assessing the standard registration fee to the gaining registrar). The  
 623 details surrounding the minimum requirements for submission of requests would need to  
 624 be addressed. Much work would need to be done by the WG to define the  
 625 requirements, fee structure, etc. The requirements should be limited to those relating to  
 626 registry and registrar responsibilities. How various registrars decide to develop products  
 627 (and establish their fee structure that they would charge for the service to their  
 628 registrants), as well as market the product to their registrants, should be left up to the  
 629 individual registrars.
  - 630 ■ It was noted that from a security perspective, provisions for a partial bulk transfer might  
 631 not be desirable as this would also allow miscreants to transfer a large number of  
 632 domain names at once.
  - 633 ■ Having taken into account the above considerations, the Working Group started  
 634 deliberations on the possible scenarios in which a partial bulk transfer might be  
 635 appropriate and found the following:

- 636 ○ Scenario I – Partial Bulk Transfer following ICANN accreditation of a reseller  
 637 A reseller becomes an ICANN accredited registrar and may decide to become the  
 638 registrar of record for those domain names for which it has been accredited.
- 639 ○ Scenario II – Partial Bulk Transfer between registrars  
 640 A registrar may decide to move a certain number of domain names to another  
 641 registrar, e.g. linked to one gTLD because there is agreement to no longer sell  
 642 domain names in the gTLD in question.
- 643 ○ Scenario III – Partial Bulk Transfer in case of a (partial) merger or acquisition  
 644 between registrars  
 645 As a result of a partial merger or acquisition between registrars, a number, but not  
 646 all, domain names are transferred to the new registrar.
- 647 ○ Scenario IV – Partial Bulk Transfer initiated by a registrant  
 648 A registrant decides to transfer all or a portion of his/her domain name portfolio to a  
 649 new registrar, e.g. as a consequence of a merger or acquisition.
- 650 ○ Scenario V – Partial Bulk Transfer following de-accreditation of a registrar  
 651 A registrar voluntarily abandons its accreditation, and instead becomes a reseller of  
 652 an accredited registrar transferring all domain names to that registrar.
- 653 ■ The existing bulk transfer provision reads as follow:  
 654 *"B. ICANN-Approved Transfers*  
 655 *Transfer of the sponsorship of all the registrations sponsored by one Registrar as the*  
 656 *result of (i) acquisition of that Registrar or its assets by another Registrar, or (ii) lack of*  
 657 *accreditation of that Registrar or lack of its authorization with the Registry Operator, may*  
 658 *be made according to the following procedure:*  
 659 *(a) The gaining Registrar must be accredited by ICANN for the Registry TLD and must*  
 660 *have in effect a Registry-Registrar Agreement with Registry Operator for the Registry*  
 661 *TLD.*  
 662 *(b) ICANN must certify in writing to Registry Operator that the transfer would promote*  
 663 *the community interest, such as the interest in stability that may be threatened by the*  
 664 *actual or imminent business failure of a Registrar.*  
 665 *Upon satisfaction of these two conditions, Registry Operator will make the necessary*  
 666 *one-time changes in the Registry database for no charge, for transfers involving 50,000*  
 667 *name registrations or fewer. If the transfer involves registrations of more than 50,000*

668 *names, Registry Operator will charge the gaining Registrar a one-time flat fee of US\$*  
 669 *50,000."*  
 670 Even though the current bulk transfer provisions were originally not intended to cater to  
 671 the bulk transfer of domain names in only one gTLD, the Working Group recognises that  
 672 the current language might provide for this option and a clarification to this end by the  
 673 GNSO Council may be a useful approach. Taking this into account, the Working Group  
 674 found, after in-depth discussion, that existing bulk transfer provisions and/or market  
 675 solutions currently cover all scenarios.  
 676 ■ As a result, the Working Group does not see a need to incorporate provisions for  
 677 handling partial bulk transfers between registrars at this stage.

#### 678 **Conclusion for Issue III**

679 ■ Based on the discussion in the Working Group, having taking into account the comments  
 680 received during the public comment periods and constituency statements, there appears  
 681 to be broad agreement that there is no need to incorporate provisions for handling partial  
 682 bulk transfers between registrars at this stage. The Working Group believes that these  
 683 scenarios can be addressed either through the existing Bulk Transfer provisions, or  
 684 through existing market solutions. The Working Group would recommend the GNSO  
 685 Council clarify that the current bulk transfer provisions also apply to a bulk transfer of  
 686 domain names in only one gTLD.  
 687  
 688  
 689

## 689 **6. Constituency Statements & Public Comment** 690 **Periods**

691  
 692 This section features issues and aspects of the IRTP Part A PDP reflected in the statements  
 693 from the GNSO constituencies and comments received during the public comment period.  
 694

### 695 **6.1 Initial Public Comment Period**

696  
 697 The public comment period ran from 5 September 2008 to 29 September 2008. Three  
 698 comments were received of which only one (from the IPC constituency) responded to the  
 699 questions outlined in the announcement. The other two responses (from Malc McGookin  
 700 and Jeffrey A. Williams) were off-topic; they expressed concerns relating to the loss of a  
 701 particular domain name, the redemption grace period and warehousing. In addition, two  
 702 other comments, the constituency statements of the Registrar and Registry constituency,  
 703 were received after the deadline of the public comment period. The public comments on this  
 704 forum are archived at <http://forum.icann.org/lists/new-irtp-issues/>. A summary of the  
 705 constituency statements can be found in the next section.  
 706

### 707 **6.2 Initial Constituency Statements**

708  
 709 The Constituency Statement Template was sent to all the constituencies. Feedback was  
 710 received from the Intellectual Property Interests Constituency, gTLD Registry Constituency,  
 711 Registrar Constituency and the Business and Commercial Users' Constituency. These  
 712 entities are abbreviated in the text as follows (in the order of submission of the constituency  
 713 statements):  
 714

715 IPC - Intellectual Property Interests Constituency

716 RyC - gTLD Registry Constituency

717 RrC – Registrar Constituency

718 BC – Business and Commercial Users' Constituency

719

720 **6.3 Constituency Views**

721

722 The four statements responding to the questions outlined in the template were submitted by  
 723 the Intellectual Property Constituency (IPC), the Registry Constituency (RyC) the Registrar  
 724 Constituency (RC) and the Business and Commercial Users' Constituency (BC). Annex A of  
 725 this report contains the full text of the constituency statements that have been submitted.

726 These should be read in their entirety. The following section attempts to summarize key  
 727 constituency views on the issues raised in the context of IRTP Part A PDP. This section  
 728 also summarizes further work recommended by the various constituencies, possible actions  
 729 recommended to address the three issues part of the IRTP Part A PDP, and the impact of  
 730 potential measures on the GNSO constituencies.

731

732 **Issue I - Is there a way for registrars to make Registrant E-mail Address data available**  
 733 **to one another? Currently there is no way of automating approval from the Registrant,**  
 734 **as the Registrant Email Address is not a required field in the registrar Whois. This**  
 735 **slows down and/or complicates the process for registrants, especially since the**  
 736 **Registrant can overrule the Admin Contact.**

737

738 The IPC believes that the lack of an e-mail address for the registrant does not necessarily  
 739 delay the transfer of a domain name. However, it does emphasise that if registrant e-mail  
 740 address data is to be made available to other registrars, it should happen in the context of  
 741 an overall technical modernization of the Whois protocol.

742

743 The RyC notes that the question might need to be restated to clarify the scope as registrant  
 744 contact information such as the e-mail address is mandated in the case of thick registries;  
 745 the registry operator is required to display the registrant e-mail address in the registry's  
 746 WHOIS. In the case of thin registries, the RyC considers it too costly and time consuming to  
 747 require thin registries to add contact information. The RyC advocates that any change to  
 748 the policy should be limited to addressing the issue of obtaining authoritative information  
 749 relating to the administrative contact e-mail address. In this context, a tiered access

750 approach to proving WHOIS information could be considered for implementation by  
 751 registrars.

752

753 The RC highlights that no viable secure implementation is available which would allow  
 754 registrars to make registrant e-mail address data available to one another. In addition, the  
 755 RC believes the issue is more appropriate for a market based solution than for prescriptive  
 756 measures.

757

758 The BC does believe a policy change is required as the current situation creates potential  
 759 confusion as 'the Admin Contact email address is purportedly authoritative, yet can be  
 760 overruled by a Registrant'. The BC suggests that a potential solution could be to make the  
 761 Admin Contact email address authoritative for a transfer and in addition employ  
 762 authentication technologies to authenticate transfer requests and acknowledgments.

763

764 **Issue II - Whether there is need for other options for electronic authentication (e.g.,**  
 765 **security token in the Form of Authorization (FOA)) due to security concerns on use**  
 766 **of email addresses (potential for hacking or spoofing).**

767

768 The IPC believes that there is a need for further options for electronic authentication in order  
 769 to set a reasonable secure and basic standard to be used by every registrar, and that such  
 770 options should be independent of any other services offered by the registrar. However,  
 771 such a system should improve security without making the transfer process too  
 772 cumbersome. Possible solutions could include the requirement for the registrant to submit  
 773 with its request to unlock the name the IANA ID of the Gaining Registrar or the use of digital  
 774 certificates. The IPC believes that an analysis of various ccTLD registry policies such as the  
 775 Swedish registry (.se), the Swiss registry (.ch) and CoCCA (.cx, .mu, .na, etc), would benefit  
 776 the policy development process. The IPC does recognize that unexpected and increased  
 777 costs for registrants or at the registry level could be an issue.

778

779 The RyC supports the principle that market forces should handle this issue; registrars are  
 780 best placed to measure demand and decide whether they would like to differentiate  
 781 themselves from their competitors by making additional security measures available for their

782 customers. The RyC has identified a number of registrars that provide such additional  
783 security methods to their customers such as Markmonitor, GoDaddy and Moniker. However,  
784 if a need would be identified for other options of electronic authentication, the RyC  
785 recommends that the EPP AuthInfo code be explored in further detail as this mechanism  
786 already provides an automated way to authenticate transfer requests and could take the  
787 place of both the Registrant and Admin contact e-mail addresses. The RyC notes that for  
788 the use of AuthInfo codes to be effective, compliance with the requirement that AuthInfo  
789 codes be unique by domain name must be enforced via the ICANN Registrar Compliance  
790 Program and not the registry operator.

791  
792 The RC also recommends that this issue be resolved based on market demand rather than  
793 prescriptive measures and cautions against unintended consequences of technology  
794 mandates.

795  
796 The BC does believe there is a need for other options for electronic authentication such as  
797 PGP or other authentication methods. In addition, it calls upon SSAC, GNSO and other  
798 ICANN bodies to continue working to investigate and mitigate the risk of domain name  
799 hijacking.

800

801 **Issue III - Whether the policy should incorporate provisions for handling partial bulk**  
802 **transfers between registrars - that is, transfers involving a number of names but not**  
803 **the entire group of names held by the losing registrar.**

804

805 The IPC believes that the transfer policy should incorporate provisions for handling partial  
806 bulk transfers. It considers it particularly helpful in the context of corporate asset sales and  
807 acquisitions in the context of a registrant or in case of the termination or non-renewal of a  
808 registrar's accreditation agreement.

809

810 The RyC supports the incorporation of provisions to handle partial bulk transfers as long as  
811 this would not require reengineering the existing bulk transfer functionality or new  
812 development. Specific details of the product offerings by registries and registrars should be  
813 left to the market.

814

815 The RC also believes that a partial bulk transfer option would be a useful tool for registrars,  
816 as long as it is properly defined. It does note that many details still need to be refined such  
817 as 'how many domain names constitute a bulk transfer' before a policy can be considered in  
818 this area. It emphasizes that such a policy should be limited to partial bulk transfers between  
819 registrars; partial bulk transfers for registrants should be left to market-driven innovation and  
820 competition.

821

822 The BC supports that there should be such a provision to allow large domain portfolio  
823 owners to transfer large chunks of domain names between registrars; provisions to facilitate  
824 partial bulk transfers should not be limited to registrars only.

825

#### 826 **6.4 Initial Report Public Comment Period**

827

828 The comment period ran from 9 January 2008 to 30 January 2009. Four comments were  
829 received of which three commented on the Initial Report (Patrick Mevzek, Barbara Steele on  
830 behalf of VeriSign and Clarke Walton on behalf of the Registrar Constituency). The other  
831 comment (from Thom Baird) related to a problem with the transfer of a particular domain  
832 name. The following section attempts to summarize the relevant comments received. Annex  
833 contains the full text of the relevant comments received.

834

#### 835 *Summary*

836

837 Patrick Mevzek submitted his comments as an individual generic Internet user, owner of  
838 some domain names for personal and business needs, a founder of a company working with  
839 ICANN registries, registrars, and domain name providers, a participant in IETF Working  
840 groups related to EPP & IRIS and creator of software implementing both EPP and IRIS.  
841 Mevzek provided comments on all three issues outlined in the Initial Report. As a general  
842 comment he noted that there is a 'need to find a middle ground between the ease of transfer  
843 to make sure no arbitrary registrar locking can take place on the one side and on the other  
844 side enough guarantees that only legitimate transfer requests happen and succeed. He  
845 questioned whether sufficient data currently exists to assess which, if any, problems exist

846 with the current transfer policy and noted that other data on transfers might be helpful 'so  
847 that policy procedures and energies can be properly spent depending on hard facts'.  
848 Nevertheless, he considers improvements welcome as long as the current situation is taken  
849 into account 'before providing too much new requirements in policies or new software  
850 developments'.

851  
852 In relation to issue I, the potential exchange of registrant e-mail information, Mevzek  
853 comments that he does not support the idea of the poll mechanism of EPP to be used to  
854 transfer messages between registrars. He noted that 'it was not intended this way in the  
855 protocol'. He also highlights that if the current EPP system would be used for this purpose a  
856 number of 'security and denial of services potential problems' might emerge, 'not even  
857 thinking about the new specifications that would needed to be written, [and] then the new  
858 software development at both registries and registrars!'. In Mevzek's view, IRIS would be  
859 the most appropriate solution for transmitting data between registrars and/or registries in a  
860 secure manner, including traceability and authentication. Mevzek does note that this would  
861 imply that every registrar would need an IRIS server, which might be an unrealistic goal.  
862 Instead, he notes that 'a shortcut could be achieved in thick registries, as only a registry  
863 IRIS server would be needed, available only to registrars'. He also notes that costs and time  
864 to implement a new technique should not act as a deterrent if no other means are available  
865 to address a problem. On the registrant vs. admin approval issue, Mevzek notes that in his  
866 view 'both parties should remain involved in the process, they should have the same rights  
867 regarding initiating, confirming or declining a transfer'. On the AuthInfo code, he does not  
868 think it would make sense to 'add this new requirement of authinfo code to the older one'. In  
869 addition to commenting on the different options discussed by the Working Group, Mevzek  
870 puts forward a number of ideas for consideration by the Working Group:

871  
872 - 'The EPP protocol has a domain:info operation which reveals all data related to the  
873 domain, including the contact IDs of the registrant. This operation accept[s] an authInfo  
874 code, the idea being that if the registrar doing it is not the current sponsoring registrar of  
875 the domain name, it might still get information on it if it has the proper authInfo code'. He  
876 does note that this would require a policy change as currently 'some registries allow  
877 domain:info done by all registrars and some do not'. He goes on noting that 'the

878 contact:info operation works basically the same way [...] with an optional AuthInfo', but a  
879 small issue might be that this is a different AuthInfo code than the one used in the  
880 domain:info operation. According to Mevzek, this issue could be resolved in a number of  
881 ways such as disclosure of the contact AuthInfo, change of contacts and changing the  
882 AuthInfo structure for the contact. He notes that this option would 'need only minor  
883 technical specification [...] and very little changes in current software both on registrar  
884 and registry sides'.  
885 - 'The transfer policy could be simplified a lot and at the same time this issue could be  
886 resolved if the policy is changed so that it requires **only** the AuthInfo code to start the  
887 transfer, removing the contacts email handling. The current sponsoring registrar would  
888 still be allowed to notify contacts and would be allowed to stop the transfer if one of the  
889 contacts says so'. Mevzek notes that he does not understand the concern raised by the  
890 Working Group in this regard as not being a 'secure and viable solution compared to the  
891 current system'.

892  
893 This last solution has Mevzek's preference. However, he indicates that if such a change in  
894 policy would not be possible, he would 'recommend working on making the registrant  
895 contact a same class citizen as the administrative one and maybe taking it out of the  
896 equation [...] and at the same time working either on IRIS and/or EPP [...] to see how  
897 exchanges of email addresses could be made simpler or exchanged for other  
898 authentication, based on the current authInfo'.

899  
900 On issue II, the potential need for other options for electronic authentication, Mevzek  
901 wonders why emails 'are still used as primarily token of authentication during domain  
902 transfers, in contrast of using the more secure AuthInfo one'. He highlights a number of  
903 ideas such as protection of email by openPGP and/or S/MIME and access to a website  
904 using SSL certification as options to could be explored. However, he does emphasize that  
905 he does not think that 'the GNSO/ICANN should start defining these mechanisms [...] that  
906 would apply uniformly to each registrar'. In his view, it should be up to registrars to decide 'if  
907 they want to use other methods of authentication, and which ones'. As a suggestion, he  
908 proposes that ICANN 'could monitor which mechanisms are used by registrars and verify  
909 they meet some requirements'.

910 On issue III, the potential need for provisions for handling partial bulk transfers between  
 911 registrars, Mevzek again notes that it would be helpful to have further data on this issue to  
 912 guide the discussion. After having reviewed the different scenarios outlined by the Working  
 913 Group, he agrees with its conclusion that 'there is no need to incorporate provisions for  
 914 handling partial bulk transfers between registrars at this stage'.

915  
 916 Barbara Steele submitted her comments on the three issues on behalf of VeriSign to the  
 917 public comment forum. On issue I, the potential need for exchange of registrant email  
 918 information between registrars, VeriSign notes that 'the majority of Registry Operators that  
 919 maintain thick Whois information are contractually required to make the registrant e-mail  
 920 address publicly available'. It recommends that 'further discussion should occur to determine  
 921 why this is a requirement for some thick Registry Operators but not all and it is not a  
 922 requirement for any Registrars'. VeriSign expresses concern in relation to the time and costs  
 923 of the different options discussed by the Working Group. VeriSign comments that it does not  
 924 consider any future discussion on a potential policy change which would prevent the  
 925 registrant from reversing a transfer appropriate as it 'could make it easier for a domain name  
 926 to be hi-jacked'.

927  
 928 On issue II, the potential need for other options for electronic authentication, VeriSign notes  
 929 that other options for electronic authentication 'may be helpful', but that it 'should be left up  
 930 to the registrar to choose whether or not to provide as a part of its offering'.

931  
 932 On issue III, the potential need for provisions for handling partial bulk transfers between  
 933 registrars, VeriSign 'agrees that market solutions should be the preferred method for  
 934 addressing this issue'.

935  
 936 Clarke Walton submitted the position of the Registrar Constituency (RC) to the public  
 937 comment forum. It should be noted that due to time constraints, no formal vote was taking  
 938 on this position paper by the RC. In comparison to the position submitted on 3 October  
 939 2008, which is also included in the Initial Report, the position paper notes that RC has only  
 940 revised its view on Issue III in response to the conclusions reached by the Working Group in  
 941 its Initial Report.

942 On issue I, the potential exchange of registrant email information between registrars, the RC  
 943 'believes that regulatory intervention is not necessary to address this issue' as it is 'more  
 944 appropriate for market based solutions'. The RC does recommend further consideration of  
 945 the issue of the Registrant's authority to overrule the Admin contact in future IRTP PDPs.

946  
 947 On issue II, the potential need for other options for electronic authentication, the RC  
 948 supports that this issue is left to market demands instead of regulation.

949  
 950 On issue III, the potential need for provisions for handling partial bulk transfers between  
 951 registrars, the RC supports the conclusions of the Working Group that at this stage there is  
 952 no need for specific provisions for handling partial bulk transfers.

953  
 954 *Conclusion*

955  
 956 In relation to issue I, the potential exchange of registrant email information between  
 957 registrars, one comment (the Registrar Constituency) does not see a need for policy  
 958 development in this area as it is of the opinion that this should be left to market based  
 959 solutions (RC). A second comment (VeriSign) does recommend further discussion on the  
 960 requirement for some thick registries to make registrant email information available, but  
 961 does express concern over the time and costs involved in the different options discussed by  
 962 the Working Group. The third comment (Peter Mevzek) does see possibilities to address this  
 963 issue via IRIS, the domain:info / contact:info operation or changes which would make the  
 964 AuthInfo code the only authorization for a transfer.

965  
 966 On issue II, the potential need for other options for electronic authentication, all comments  
 967 received agree that this should be left to market based solutions.

968  
 969 On issue III, the potential need for provisions for handling partial bulk transfers between  
 970 registrars, all comments received agree with the preliminary conclusions of the Working  
 971 Group that there is currently no need for specific provisions for handling partial bulk  
 972 transfers.

973

## 7. Conclusions and Next Steps

Based on the discussion in the Working Group, having taking into account the comments received during the public comment periods and constituency statements, the Working Group concludes the following.

**Conclusion for Issue I - Is there a way for registrars to make Registrant E-mail Address data available to one another? Currently there is no way of automating approval from the Registrant, as the Registrant Email Address is not a required field in the registrar Whois. This slows down and/or complicates the process for registrants, especially since the Registrant can overrule the Admin Contact.**

- The Working Group, recognizing that it is not specifically in the remit of this Working Group to make any recommendations for Whois modification, does support further assessment of whether IRIS would be a viable option for the exchange of registrant email address data between registrars and recommends an analysis of IRIS' costs, time of implementation and appropriateness for IRTP purposes. The WG noted that, in the absence of a simple and secure solution for providing the gaining registrar access to the registrant email address, future IRTP working groups should consider the appropriateness of a policy change that would prevent a registrant from reversing a transfer after it has been completed and authorized by the admin contact. This option would not change the current situation whereby a losing registrar can choose to notify the registrant and provide an opportunity to cancel a transfer before the process is completed.

**Conclusion for Issue II - Whether there is need for other options for electronic authentication (e.g., security token in the Form of Authorization (FOA)) due to security concerns on use of email addresses (potential for hacking or spoofing).**

- Based on the discussion in the Working Group, having taking into account the comments received during the public comment periods and constituency statements, there appears to be broad agreement that there is a need for other options for electronic authentication.

However, opinions in the Working Group differ as to whether these options should be developed by means of GNSO policymaking or should be left to market solutions.

**Conclusion for Issue III - Whether the policy should incorporate provisions for handling partial bulk transfers between registrars - that is, transfers involving a number of names but not the entire group of names held by the losing registrar.**

- Based on the discussion in the Working Group, having taking into account the comments received during the public comment periods and constituency statements, there appears to be broad agreement that there is no need to incorporate provisions for handling partial bulk transfers between registrars at this stage. The Working Group believes that these scenarios can be addressed either through the existing Bulk Transfer provisions, or through existing market solutions. The Working Group would recommend the GNSO Council to clarify that the current bulk transfer provisions also apply to a bulk transfer of domain names in only one gTLD.

The Final Report is a step in the GNSO Policy Development Process and a basis for further deliberations in a next step. The report is based on the Initial Report that has been posted for public comment for 20 days as prescribed by the ICANN bylaws (see <http://www.icann.org/general/bylaws.htm#AnnexA>). Public comments submitted have been incorporated by ICANN staff into this Final Report, which is submitted to the GNSO Council. The Final Report (along with the preceding Issues Report) will serve as a basis for subsequent deliberations and actions by the GNSO Council in formulating recommendations to the ICANN Board regarding changes, if any, that should be made to the inter-registrar transfer policy in relation to the issues covered by this PDP.

## 1027 **Annex A – Template for Constituency Statements**

### 1028 **Constituency Input Template Inter-Registrar Transfer Policy Set A**

1029  
1030 The GNSO Council has formed a Working Group of interested stakeholders and  
1031 Constituency representatives, to collaborate broadly with knowledgeable individuals and  
1032 organizations, in order to develop potential policy options to address three new issues  
1033 associated with the Inter-Registrar Transfer Policy.

1034  
1035 Part of the working group's effort will incorporate ideas and suggestions gathered from  
1036 Constituencies through this Constituency Statement.

1037  
1038 Inserting your Constituency's response in this form will make it much easier for the Working  
1039 Group to summarize the Constituency responses. This information is helpful to the  
1040 community in understanding the points of view of various stakeholders.

1041  
1042 For further background information on this issue, please review the [GNSO Issues Report on](#)  
1043 [Inter-Registrar Transfer Policy Set A - New IRTP Issues](#)

1044  
1045 **Process:**  
1046 • Please identify the members of your constituency who participated in developing the  
1047 perspective(s) set forth below.  
1048 • Please describe the process by which your constituency arrived at the perspective(s) set  
1049 forth below.

1050  
1051 **Issue I – Is there a way for registrars to make Registrant E-mail Address data**  
1052 **available to one another? Currently there is no way of automating approval from the**  
1053 **Registrar, as the Registrant Email Address is not a required field in the registrar**  
1054 **Whois. This slows down and/or complicates the process for registrants, especially**  
1055 **since the Registrar can overrule the Admin Contact.**

1056  
1057 - If you believe policy change is needed, what options could be explored for registrars

1058 to make Registrant E-mail address data available? For each option, please identify  
1059 how this would benefit automating approval, and, if any, what potential problems  
1060 might be associated with this option.  
1061 - Please identify examples or best practices of email address use to facilitate and/or  
1062 automate approval from a Registrant for a transfer.  
1063 - Although it is not the purpose of this Policy Development Process (PDP) to  
1064 recommend changes to WHOIS policy, it conceivably could be an option to require  
1065 registrant email addresses in WHOIS. The Working Group is interested in your views  
1066 on that potential option, without regard to the broader WHOIS issues of availability  
1067 and accuracy of WHOIS data. The Working Group is more particularly interested in  
1068 your views about any other options not involving WHOIS.  
1069

1070 **Issue II – Whether there is need for other options for electronic authentication (e.g.,**  
1071 **security token in the Form of Authorization (FOA)) due to security concerns on use of**  
1072 **email addresses (potential for hacking or spoofing).**

1073  
1074 - What security concerns can you identify related to current ways of authenticating  
1075 registrants. Note, the Security and Stability Advisory Committee (SSAC) has  
1076 identified a risk of email spoofing for purposes of domain name hijacking, see link.  
1077 We are interested in your views on this and any other concerns.  
1078 - Do you think there is a need for other options for electronic authentication? Please  
1079 state the reasons for your answer.  
1080 - Do you know of any Registrars using additional means for electronic authorization  
1081 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers  
1082 them?  
1083 - If a need would be identified for other options of electronic authentication, what other  
1084 options could be explored?  
1085 - Of those other options to be explored, please identify the potential benefits but also  
1086 any potential problems.  
1087 - Do you have or know of any data in relation to the impact of the Extensible  
1088 Provisioning Protocol (EPP) deployment on security in relation to authentication? If  
1089 so, please describe the source and type of data.

1090 - Do you know of any further examples, apart from those mentioned in the issues  
 1091 report (.uk registry and .se registry), of electronic authentication methods? If so, what  
 1092 are they and who offers them?

1093  
 1094 **Issue III – Whether the policy should incorporate provisions for handling “partial bulk**  
 1095 **transfers” between registrars – that is, transfers involving a number of names but not**  
 1096 **the entire group of names held by the losing registrar.**

- 1098 - Should the policy incorporate provisions for handling “partial bulk transfers” between  
 1099 registrars? Please state the reasons and use-cases for your answer.
- 1100 - Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,  
 1101 could you please provide further details on those provisions (apart from those  
 1102 already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).

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1103 **Annex B – Initial Constituency Statements**

1104 IPC Comments On Inter-Registrar Transfer Policy (IRTP) Issues  
 1105 Part A ‘New IRTP Issues’  
 1106 September 26, 2008

1107  
 1108 Issue I - Is there a way for registrars to make Registrant E-mail Address data available to  
 1109 one another? Currently there is no way of automating approval from the Registrar, as the  
 1110 Registrant Email Address is not a required field in the registrar Whois. This slows down  
 1111 and/or complicates the process for registrants, especially since the Registrant can overrule  
 1112 the Admin Contact.

1113  
 1114 COMMENTS

1115  
 1116 The lack of an e-mail address for the Registrant generally does not delay the transfer of  
 1117 domain registrations, for the simple reason that, to our knowledge, when the Admin Contact  
 1118 e-mail is functioning, no registrar even attempts to obtain approval by any other means. In  
 1119 most cases, furthermore, the Registrant or an authorized employee’s e-mail address is listed  
 1120 as the Admin Contact, so the Registrant in fact consents to the transfer. Nevertheless, the  
 1121 value judgment implicit in the Issue - that it would be preferable to be certain that the entity  
 1122 listed as the Registrant consents to the transfer - is sound. In cases where the Registrant  
 1123 and the Admin Contact are not the same, it seems plausible that confusion could result over  
 1124 whether the Registrant actually consented to a transfer, or whether a Registrant’s purported  
 1125 authorization (or rejection) of a transfer from an e-mail address not listed in the Whois was  
 1126 authentic.

1127  
 1128 However, if Registrant E-mail Address data is to be made available to other registrars, it  
 1129 should happen in the context of Whois. One purpose of the Port 43 protocol was to provide  
 1130 information necessary for inter-registrar transfers, so developing a separate protocol to  
 1131 provide certain pieces of information necessary to that process would be superfluous. If

1132 Registrant E-mail Address data is to be made available, it should be done as part of an  
1133 overall technical modernization of the Whois protocol.

1134  
1135 The need for inter-registrar communication of registrant information speaks to the legitimate  
1136 need for Port 43-like access to Whois data (in addition to the public's need and the need of  
1137 intellectual property owners for open access to Whois data, such as can be obtained  
1138 through web interfaces). Other parties with needs for Port 43-like automated access include  
1139 information providers, such as those who provide research services for non-marketing  
1140 purposes such as trademark availability clearance and searching, audits of domain  
1141 portfolios for corporate mergers and acquisitions, and investigations of intellectual property  
1142 infringement and fraud. The need for Registrant E-mail Address data in Whois is just one of  
1143 many reasons why ICANN should address, rather than avoid the need to modernize the  
1144 Whois protocol.

1145  
1146 Issue II - Whether there is need for other options for electronic authentication (e.g., security  
1147 token in the Form of Authorization (FOA)) due to security concerns on use of email  
1148 addresses (potential for hacking or spoofing).

1149

#### 1150 COMMENTS

1151

1152 Yes, we believe that there is a need for further options for electronic authentication in order  
1153 to set a reasonable secure and basic standard to be used by every registrar, and that such  
1154 options should be independent of any other services offered by the registrar. It is important  
1155 that ICANN sets out the requirements for this basic standard in its IRTP. The challenge is to  
1156 find a way to improve security without making the transfer system too cumbersome.

1157

1158 The weakness in almost every current system for electronic authentication is that too much  
1159 depends on information and confirmation via e-mail (of the registrant's and/or the Admin  
1160 Contact). Even with partial off-line authentications (e.g. in the form of a signed fax from the  
1161 Registrant) in combination with an e-mail confirmation, it is necessary to rely on the  
1162 presumption that the registrant's e-mail address is correct because any additional  
1163 documentation requiring signature is sent via that e-mail address.

1164 Email-based authentication does not appear to be sufficient to secure the identity of the  
1165 registrant.

1166

1167 A current risk point is that there is a period after a registrant has unlocked a domain name  
1168 during which malicious transfer requests might accidentally be accepted. One possible  
1169 solution could be to require the registrant to submit with its request to unlock the name the  
1170 IANA ID of the registrar to which the name is intended to be transferred. Transfer requests  
1171 coming from any other registrar would then be automatically rejected. Another solution is  
1172 the use of digital certificates.

1173

1174 However, we appreciate that certain registrants and certain areas of business - the financial  
1175 sector, for example - may require an even higher standard and level of security. We see  
1176 these classes of registrants and business sectors are best served by additional services that  
1177 are created and offered by the registrars without involvement of ICANN.

1178

1179 The IPC believes an analysis of various ccTLD registry policies would benefit the policy  
1180 development process. Examples include the Swedish registry system which uses an  
1181 application called Domain Manager ('DomÄnhanteraren'), and features a certificate-based  
1182 web interface to effectuate transfers. In the Swiss Registry (SWITCH), authentications are  
1183 performed either via e-mail or by signed fax only. CoCCA (a grouping of small ccTLD  
1184 registries) uses a password generated by electronic token for allowing access to the  
1185 registrar account, but does not authenticate a registrant's right to a transfer.

1186

1187 The benefits of improved electronic authentication are safer communications and transfers.  
1188 Potential problems could be unexpected and increased costs for Registrants - either by  
1189 demands for certain software or by increased costs at the Registry level (which will  
1190 ultimately raise the price for domain name administration), as well as a more time-  
1191 consuming process whenever a certification of the Registrant's ID is needed.

1192

1193 Issue III - Whether the policy should incorporate provisions for handling 'partial bulk  
1194 transfers' between registrars - that is, transfers involving a number of names but not the  
1195 entire group of names held by the losing registrar.

1196

1197 COMMENTS

1198

1199 Yes, the policy should incorporate provisions for handling partial bulk transfers. Any  
 1200 mechanism to facilitate the smooth transfer of a registrant's domain names is welcomed.  
 1201 Partial bulk transfers would be particularly helpful in connection with corporate asset sales  
 1202 and acquisitions. For example, a registrant may be selling only one of its business lines to a  
 1203 third party or an acquiring company may wish to have only some of the acquired company's  
 1204 domain names transferred to its own registrar. Furthermore, in the cases of termination or  
 1205 non-renewal of a registrar's Registrar Accreditation Agreement, a partial bulk transfer policy  
 1206 would enable the de-accredited registrar to transfer domains in bulk to numerous 'gaining'  
 1207 registrars, further protecting the rights of registrants.

1208

1209 Submitted by,

1210

1211 Claudio DiGangi, on behalf of IPC

1212

1212 **GNSO gTLD Registry Constituency Statement**1213 **Issue: Inter-Registrar Transfer Policy Set A Request for Constituency Statements**

1214 Date: 2 October 2008

1215 Issues Report URL: <http://qns0.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf>1216 [23may08.pdf](#)1217 [General RyC Information](#)

1218

1219 ▪ Total # of eligible RyC Members<sup>6</sup>: 15

1220 ▪ Total # of RyC Members: 15

1221 ▪ Total # of Active RyC Members<sup>7</sup>: 15

1222 ▪ Minimum requirement for supermajority of Active Members: 10

1223 ▪ Minimum requirement for majority of Active Members: 8

1224 ▪ # of Members that participated in this process: 12

1225 ▪ Names of Members that participated in this process:

1226 1. Afilias (.info)

1227 2. DotAsia Organisation (.asia)

1228 3. DotCooperation (.coop)

1229 4. Employ Media (.jobs)

1230 5. Fundació puntCAT (.cat)

1231 6. mTLD Top Level Domain (.mobi)

1232 7. Museum Domain Management Association – MuseDoma (.museum)

1233 8. NeuStar (.biz)

1234 9. Public Interest Registry - PIR (.org)

1235 10. RegistryPro (.pro)

1236 11. The Travel Partnership Corporation – TTPC (.travel)

1237 12. VeriSign (.com &amp; .net)

<sup>6</sup> All top-level domain sponsors or registry operators that have agreements with ICANN to provide Registry Services in support of one or more gTLDs are eligible for membership upon the "effective date" set forth in the operator's or sponsor's agreement (Article III, Membership, ¶ 1). The RyC Articles of Operations can be found at [http://www.gtldregistries.org/about\\_us/articles](http://www.gtldregistries.org/about_us/articles).

<sup>7</sup> Per the RyC Articles of Operations, Article III, Membership, ¶ 4: Members shall be classified as "Active" or "Inactive". A member shall be classified as "Active" unless it is classified as "Inactive" pursuant to the provisions of this paragraph. Members become Inactive by failing to participate in a Constituency meeting or voting process for a total of three consecutive meetings or voting processes or both, or by failing to participate in meetings or voting processes, or both, for six weeks, whichever is shorter. An Inactive member shall have all rights and duties of membership other than being counted as present or absent in the determination of a quorum. An Inactive member may resume Active status at any time by participating in a Constituency meeting or by voting.

1238

1239   ▪ Names & email addresses for points of contact

1240   o Chair: David Maher, [dmaher@pir.org](mailto:dmaher@pir.org)

1241   o Vice Chair: Jeff Neuman, [Jeff.Neuman@Neustar.us](mailto:Jeff.Neuman@Neustar.us)

1242   o Secretariat: Cherie Stubbs, [Cherstubbs@aol.com](mailto:Cherstubbs@aol.com)

1243   o RyC representative for this statement: Barbara Steele, [bsteele@verisign.com](mailto:bsteele@verisign.com)

1244   Regarding the issue noted above, the following positions represent the views of the ICANN

1245   GNSO gTLD Registry Constituency (RyC) as indicated. Unless stated otherwise, the RyC

1246   positions were arrived at through a combination of RyC email list discussion and RyC

1247   meetings (including teleconference meetings).

1248

1249   **1. Issue 1 - Is there a way for registrars to make Registrant E-mail Address data**

1250   **available to one another? Currently there is no way of automating approval from**

1251   **the Registrant, as the Registrant Email Address is not a required field in the**

1252   **registrar Whois. This slows down and/or complicates the process for registrants,**

1253   **especially since the Registrant can overrule the Admin Contact.**

1254

1255   2.1 If you believe policy change is needed, what options could be explored for registrars

1256   to make Registrant E-mail address data available? For each option, please

1257   identify how this would benefit automating approval, and, if any, what potential

1258   problems might be associated with this option.

1259

1260   **2.1.1.** The members of the Registries Constituency recommend that Issue 1 be

1261   edited to clarify the scope of the issue.

1262

1263   Specifically, it should be noted that registry WHOIS is authoritative which

1264   would include, in the case of thick registries, the registrant contact information

1265   such as e-mail address. Also, in the case of thick registries, the registry

1266   agreements mandate that the registry operator display the registrant e-mail

1267   address in the registry's WHOIS.

1268

1269   At least one thick registry which is subject to privacy laws has implemented a

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1270   tiered access approach to publishing WHOIS information.

1271

1272   Any changes to the policy and/or practice should be limited to addressing the

1273   issue of obtaining authoritative information relating to the administrative

1274   contact e-mail address in those instances where it is not available via the

1275   registry WHOIS. In the case of thin registries, the contact information for a

1276   domain name in the registrar WHOIS (including the registrant e-mail address)

1277   is authoritative. In this case, registrars could implement a tiered access

1278   approach to providing WHOIS information that would permit the private

1279   provision of Registrant e-mail address and thereby satisfying various privacy

1280   law requirements.

1281

1282   2.2 Please identify examples or best practices of email address use to facilitate and/or

1283   automate approval from a Registrant for a transfer.

1284

1285   **2.2.1.** The members of the Registries Constituency agree that authentication of the

1286   identity of the registrant, as stipulated by the IRTP, is the responsibility of the

1287   Gaining Registrar. Therefore, aside from EPP AuthInfo authentication which

1288   is systematically enforced when an EPP Registry processes a transfer

1289   command, Registrars are best able to address this item.

1290

1291   2.3 Although it is not the purpose of this Policy Development Process (PDP) to

1292   recommend changes to WHOIS policy, it conceivably could be an option to

1293   require registrant email addresses in WHOIS. The Working Group is interested in

1294   your views on that potential option, without regard to the broader WHOIS issues

1295   of availability and accuracy of WHOIS data. The Working Group is more

1296   particularly interested in your views about any other options not involving

1297   WHOIS.

1298

1299   **2.3.1.** As previously indicated, thick registries are already publishing registrant e-

1300   mail addresses in WHOIS. For thin registries to add contact information

1301   would be a major change resulting in significant cost and time to deploy.

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1302 Registrars are already dealing with this requirement and thus extending this  
1303 requirement to their local WHOIS operations for use with thin registries does  
1304 not seem to extend a further burden on registrars and their handling of  
1305 privacy issues than already exists.

1306  
1307 **1.4. Level of Support of Active Members:** Supermajority

1308  
1309 1.4.1. # of Members in Favor: 12

1310  
1311 1.4.2. # of Members Opposed: 0

1312  
1313 1.4.3. # of Members that Abstained: 0

1314  
1315 1.4.4. # of Members that did not vote: 3

1316  
1317 **1.5. Minority Position:** None

1318  
1319 **1.6. General impact on the RyC:** Minimal

1320  
1321 **1.7. Financial impact on the RyC:** Minimal

1322  
1323 **1.8. Analysis of the period of time that would likely be necessary to implement the**  
1324 **policy:** Not applicable as those registries that currently have registrant contact  
1325 information are already publishing the e-mail address. For thin registries to add  
1326 contact information would be a major change resulting in significant cost and time to  
1327 deploy.

1328  
1329 **2. Issue 2 - Whether there is need for other options for electronic authentication**  
1330 **(e.g., security token in the Form of Authorization (FOA)) due to security concerns**  
1331 **on use of email addresses (potential for hacking or spoofing).**

1332  
1333 2.1 What security concerns can you identify related to current ways of authenticating

1334 registrants. Note, the Security and Stability Advisory Committee (SSAC) has  
1335 identified a risk of email spoofing for purposes of domain name hijacking, see  
1336 link. We are interested in your views on this and any other concerns.

1337  
1338 **2.1.1.** The members of the Registries Constituency recognize that use of the  
1339 e-mail address has certain weaknesses, but the merits and costs of  
1340 implementing other methods should be judged in their own right and  
1341 not against any inadequacies and inefficiencies of email.

1342  
1343 **2.2** Do you think there is a need for other options for electronic authentication? Please  
1344 state the reasons for your answer.

1345  
1346 **2.3.1.** The members of the Registries Constituency support allowing market  
1347 forces to operate freely in this area. Registrars can measure demand  
1348 to determine if they want to implement additional security methods for  
1349 authenticating transfer requests. Registrars should be permitted to  
1350 differentiate themselves from their competitors by determining what  
1351 offerings they make available to registrants, including the level of  
1352 security they employ in protecting the contact information of the  
1353 Registrants of domain names.

1354  
1355 **2.3** Do you know of any Registrars using additional means for electronic authorization  
1356 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers  
1357 them?

1358  
1359 **2.3.1.** The Registries Constituency believes that some registrars have  
1360 implemented additional security methods to authenticate transfers of  
1361 domain names. Specifically, Markmonitor, GoDaddy and Moniker  
1362 have products available to provide additional security. More  
1363 information relating to these products can be found at the following  
1364 websites, respectively:  
1365 [http://www.markmonitor.com/products/domain\\_management.php](http://www.markmonitor.com/products/domain_management.php),

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1366 https://www.godaddy.com/gdshop/protect/landing.asp?isc\_prg001&ci  
1367 =9004 and http://www.domainmaxlock.com/. We also have  
1368 confirmation that CSC will issue some customers Secure ID tokens  
1369 (RSA) for additional validation.  
1370

1371 2.4 If a need would be identified for other options of electronic authentication, what other  
1372 options could be explored?  
1373

1374 2.4.1. The EPP AuthInfo code provides an automated mechanism to  
1375 authenticate transfer requests and could take the place of both the  
1376 Registrant and Admin Contact e-mail addresses.  
1377

1378 2.5 Of those other options to be explored, please identify the potential benefits but also  
1379 any potential problems.  
1380

1381 2.5.1. Use of the AuthInfo code to authenticate transfers is already in place  
1382 and required by all EPP registries or the transfer command will fail.  
1383 There is no additional cost or development required to implement this  
1384 method of authentication. The IRTP addresses the potential problems  
1385 associated with obtaining the AuthInfo code for a domain name in  
1386 Section 5.

1387 However, for the use of AuthInfo codes to be effective, the members  
1388 of the Registries Constituency agree that compliance with the  
1389 requirement that AuthInfo codes be unique by domain name must be  
1390 enforced via the ICANN Registrar Compliance Program. Enforcement  
1391 of unique AuthInfo codes by domain name should not be done by the  
1392 registry operator as such enforcement would create a negative  
1393 response for conflicting AuthInfo codes thus creating a mechanism to  
1394 test for in-use AuthInfo codes which could result in a security  
1395 exposure.  
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1398 While the use of security tokens by the Registrant to authenticate a  
1399 transfer would bring additional security to the transfer process, the  
1400 members of the Registries Constituency agree that market forces  
1401 should be allowed to work freely in this regard and demand should  
1402 dictate whether a Registrar elects to employ this method since the  
1403 expense and logistics of providing tokens to all Registrants may not  
1404 make this a feasible option for all registrars and registrants.  
1405

1406 2.6 Do you have or know of any data in relation to the impact of the Extensible  
1407 Provisioning Protocol (EPP) deployment on security in relation to authentication?  
1408 If so, please describe the source and type of data.  
1409

1410 2.6.1. No members of the Registries Constituency are aware of any security  
1411 issues relating to the deployment of EPP or AuthInfo codes. All  
1412 indications are that the RFC is stable and EPP and AuthInfo codes,  
1413 when properly implemented, are secure.  
1414

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1415 It should be noted that EPP requires mutual authentication of  
1416 clients/registrar and servers before a Transport Layer Security (or  
1417 TLS) connection can be made between the two parties. Digital  
1418 certificates, digital signatures, and PKI services are used to  
1419 authenticate both parties. Certificates must be signed by a CA that is  
1420 recognized by the server operator. [RFC 4934, section 8]  
1421

1422 Additionally, all EPP clients/registrar are required to identify and  
1423 authenticate themselves using a server-assigned user ID and a  
1424 shared secret (a password) that is sent to the server using a login  
1425 command. The server must confirm the identity and shared secret  
1426 before the client is given access to other protocol services. [RFC  
1427 4930, section 2.9.1.1]  
1428

1429 Some EPP commands, such as the domain transfer command,

1430 require additional authentication information that must be provided  
 1431 and confirmed before the requested action is completed. The default  
 1432 authentication information service uses a shared secret (or AuthInfo  
 1433 code) that is known to the registry, the registrar, and the registrant.  
 1434 Registrants are required to provide this secret to a second registrar  
 1435 when requesting the second registrar to initiate a domain transfer on  
 1436 the registrant's behalf. The authentication information data structure is  
 1437 extensible so that additional authentication mechanisms can be  
 1438 defined and implemented in the future. [RFC 4931, sections 3.2.1 and  
 1439 3.2.4]  
 1440

1441 2.7 Do you know of any further examples, apart from those mentioned in the issues  
 1442 report (.uk registry and .se registry), of electronic authentication methods? If so,  
 1443 what are they and who offers them?  
 1444

1445 2.7.1. The members of the Registries Constituency are unaware of any  
 1446 methods of electronic authentication currently in use other than those  
 1447 indicated in section 2.3.1 of this Issue #2.  
 1448

1449 **2.8. Level of Support of Active Members:** Supermajority

1450  
 1451 2.8.1. # of Members in Favor: 12

1452  
 1453 2.8.2. # of Members Opposed: 0

1454  
 1455 2.8.3. # of Members that Abstained: 0

1456  
 1457 2.8.4. # of Members that did not vote: 3

1458  
 1459 **2.9. Minority Position:** None

1460  
 1461 **2.10. General impact on the RyC:** To be determined.

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1462  
 1463 2.11. **Financial impact on the RyC:** To be determined.  
 1464

1465 2.12. **Analysis of the period of time that would likely be necessary to implement**  
 1466 **the policy:** The period of time to implement other security methods could range  
 1467 from no time required to many months depending on which methods implemented.  
 1468 More information is needed to determine this.  
 1469

1470 **3. Issue 3 - Whether the policy should incorporate provisions for handling "partial**  
 1471 **bulk transfers" between registrars – that is, transfers involving a number of**  
 1472 **names but not the entire group of names held by the losing registrar.**  
 1473

1474 3.1. Should the policy incorporate provisions for handling "partial bulk transfers"  
 1475 between registrars? Please state the reasons and use-cases for your answer.  
 1476

1477 3.1.1. The members of the Registries Constituency support the incorporation  
 1478 of provisions for handling partial bulk transfers between registrars  
 1479 provided that the provisions would not require reengineering of the  
 1480 existing bulk transfer functionality or new development. Specifically,  
 1481 the transfer of the specified domain names would not extend the term  
 1482 of the registration by an additional year and the registration fee would  
 1483 not be assessed. Specific details of the product offerings by registries  
 1484 and registrars should be left up to the individual registries and  
 1485 registrars and should be driven by market demand.  
 1486

1487 3.2. Are you aware of any voluntary provisions to facilitate partial bulk transfers? If  
 1488 so, could you please provide further details on those provisions (apart from  
 1489 those already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).  
 1490

1491 3.2.1. The only voluntary provisions to facilitate partial bulk transfers that the  
 1492 members of the Registries Constituency are aware of are those that  
 1493 have been identified (i.e., NeuStar and Nominet).

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**3.3. Level of Support of Active Members:** Supermajority

3.3.1. # of Members in Favor: 12

3.3.2. # of Members Opposed: 0

3.3.3. # of Members that Abstained: 0

3.3.4. # of Members that did not vote: 3

**3.4. Minority Position:** None

**3.5. General impact on the RyC:** Minimal

**3.6. Financial impact on the RyC:** Minimal

**3.7. Analysis of the period of time that would likely be necessary to implement the**

**policy:** If current technology is used, there would be no system / software development time required at the registries. However, implementation time to develop requirements / products involving submission by the registrar of partial bulk transfer requests could take 3 to 12 months.

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**October 3, 2008**

**Registrar Constituency Position on Inter-Registrar Transfer Policy Issues**

**BACKGROUND**

In September 2008, the Registrar Constituency ("RC") was asked to provide feedback regarding three Inter-Registrar Transfer Policy ("IRTP") issues. This Position Paper captures the overall sentiment expressed by the RC Members who provided feedback about this matter and seems to reflect the general sense of the RC. Due to time constraints, however, no formal vote regarding this Position Paper was taken.

**RC POSITION**

The RC's position regarding each of the three IRTP issues is as follows:

1. Is there a way for registrars to make Registrant E-mail Address data available to one another?

No viable secure implementation of this proposal has been advanced that would enable a policy to require registrars to make Registrant E-mail Address data available to one another. Additionally, the RC believes that regulatory intervention is not necessary to address this issue. This issue is more appropriate for market based solutions rather than regulatory intervention.

2. Whether there is need for other options for electronic authentication (e.g., security token in the Form of Authorization (FOA)) due to security concerns on use of email addresses (potential for hacking or spoofing).

The RC does not believe that a regulatory approach to authentication is necessary. The RC recommends that the questions of whether additional authentication technology is needed, and if so which technology to implement, be decided based on market demands rather than regulation.

1549 To that end, the RC cautions ICANN about the unintended consequences of technology  
 1550 directives. Specifically, any mandated technology is guaranteed to become the target of  
 1551 hackers who seek to circumvent its security. Having the option of a variety of technologies  
 1552 which may be developed and implemented based on market demands offers greater  
 1553 security in the long-run.

1554  
 1555 3. Whether the policy should incorporate provisions for handling "partial bulk transfers"  
 1556 between registrars – that is, transfers involving a number of names but not the entire group  
 1557 of names held by the losing registrar.

1558  
 1559 The RC believes that, properly defined, a "partial bulk transfer" option would be a useful tool  
 1560 for registrars.

1561  
 1562 There are at least three scenarios in which this option may be helpful to registrars, including:

- 1563 • A private business transaction between registrars, in which a subset of the domains /
- 1564 customers from one registrar are transferred to the other;
- 1565 • A registrar's reseller becomes an accredited registrar, and seeks to change the registrar of
- 1566 record at the registry; or
- 1567 • A registrar discontinues retail registrations in a given TLD, or is involuntarily deaccredited
- 1568 by ICANN.

1569  
 1570 However, many questions remain unanswered. For example, the RC questions how many  
 1571 domain names would constitute a "bulk" transfer. Also, does the term "partial" indicate that  
 1572 the losing registrar would maintain some remaining registrations in the TLD? Furthermore,  
 1573 what is the method for assessing fees? Should this be a flat fee, or sliding scale? Should an  
 1574 additional registration year be included or omitted from the transfer?

1575  
 1576 Also, the RC opposes any recommendations or language that extends this option to  
 1577 registrant-initiated transfers for large portfolio holders on the basis that this is better  
 1578 characterized as product development, not policy development. A consensus policy would  
 1579 not take into account the variety of registrar business models, and would impose the same  
 1580 terms, restrictions and limitations on all registrars regardless of its applicability to their

1581 customers. Additionally, there are several services available now that address this need.

1582

1583 The RC suggests that ICANN continue to let market-driven innovation and competition  
 1584 address the needs of registrants who manage large domain name portfolios, and limit the  
 1585 discussion of partial bulk transfers to situations arising "between registrars."

1586

1587 **CONCLUSION**

1588 The opinions expressed by the RC in this Position Paper should not be interpreted to reflect  
 1589 the individual opinion of any particular RC member.

1590

1590 **BC Constituency Statement**1591 **Constituency Input Template Inter-Registrar Transfer Policy Set A**

1592

1593 The GNSO Council has formed a Working Group of interested stakeholders and  
 1594 Constituency representatives, to collaborate broadly with knowledgeable individuals and  
 1595 organizations, in order to develop potential policy options to address three new issues  
 1596 associated with the Inter-Registrar Transfer Policy.

1597

1598 Part of the working group's effort will incorporate ideas and suggestions gathered from  
 1599 Constituencies through this Constituency Statement.

1600

1601 Inserting your Constituency's response in this form will make it much easier for the Working  
 1602 Group to summarize the Constituency responses. This information is helpful to the  
 1603 community in understanding the points of view of various stakeholders.

1604

1605 For further background information on this issue, please review the [GNSO Issues Report on  
 1606 Inter-Registrar Transfer Policy Set A - New IRTP Issues](#)

1607 **Process:**

1608 • Please identify the members of your constituency who participated in developing the  
 1609 perspective(s) set forth below.

1610 Mike Rodenbaugh, Rodenbaugh Law

1611 Michael Collins, Internet Commerce Association

1612 Mike O'Connor, The O'Connor Company

1613

1614 • Please describe the process by which your constituency arrived at the perspective(s) set  
 1615 forth below.

1616 This request for input was circulated for comment from BC Members on two occasions. A  
 1617 draft response was created by Mike Rodenbaugh and circulated for comment. This final  
 1618 draft was submitted.

1619

1620 **Issue I – Is there a way for registrars to make Registrant E-mail Address data**  
 1621 **available to one another? Currently there is no way of automating approval from the**

1622 **Registrant, as the Registrant Email Address is not a required field in the registrar**

1623 **Whois. This slows down and/or complicates the process for registrants, especially**  
 1624 **since the Registrant can overrule the Admin Contact.**

1625 • If you believe policy change is needed, what options could be explored for registrars  
 1626 to make Registrant E-mail address data available? For each option, please identify  
 1627 how this would benefit automating approval, and, if any, what potential problems  
 1628 might be associated with this option.

1629 **BC: We believe policy change is needed. The current system is inconsistent and insecure.**

1630 The Admin Contact email address is purportedly authoritative, yet can be overruled by a  
 1631 Registrant who need not even provide an email address. Buyers of domain names need  
 1632 better assurance that they are purchasing from an authorized seller, this has been an  
 1633 important function of the WHOIS database since the Admin Contact email address can be  
 1634 verified by a buyer. The buyer has no way of knowing, however, if there is a superior  
 1635 registrant who can disrupt the transaction.

1636 Yet today, this situation also seems to provide a security layer because registrars often have  
 1637 Registrant email addresss and other contact info that is not public in WHOIS, and they can  
 1638 use this information to confirm suspicious transfers. This may be a security benefit, but also  
 1639 causes confusion. We should find a way to increase security and decrease confusion.

1640 One answer may be to further clarify that the Admin Contact email address is authoritative,  
 1641 and consent from that address is assurance for a legitimate transfer that cannot be undone  
 1642 by the prior registrant. In that event, PGP or some other authentication method should be  
 1643 deployed to authenticate transfer requests and acknowledgments, because traditional email  
 1644 is blatantly insecure and easily spoofed.

1645 • Please identify examples or best practices of email address use to facilitate and/or  
 1646 automate approval from a Registrant for a transfer.

1647 • Although it is not the purpose of this Policy Development Process (PDP) to  
 1648 recommend changes to WHOIS policy, it conceivably could be an option to require

1649 registrant email addresses in WHOIS. The Working Group is interested in your views  
 1650 on that potential option, without regard to the broader WHOIS issues of availability  
 1651 and accuracy of WHOIS data. The Working Group is more particularly interested in  
 1652 your views about any other options not involving WHOIS.

1653 BC: We think the above solution, making the Admin Contact clearly authoritative, is a better  
 1654 solution than to add another piece of contact data to the WHOIS database. The Registrant  
 1655 email address could be different from the Admin Contact email and thereby create confusion  
 1656 as to which is authoritative.

1657 **Issue II – Whether there is need for other options for electronic authentication (e.g.,**  
 1658 **security token in the Form of Authorization (FOA) due to security concerns on use of**  
 1659 **email addresses (potential for hacking or spoofing).**

1660 • What security concerns can you identify related to current ways of authenticating  
 1661 registrants. Note, the Security and Stability Advisory Committee (SSAC) has  
 1662 identified a risk of email spoofing for purposes of domain name hijacking, see [link](#).  
 1663 We are interested in your views on this and any other concerns.

1664 BC: It is a frightening risk that important domain names can be hijacked via email spoofing,  
 1665 hacking and otherwise. There are countless ways in which businesses and their users can  
 1666 be harmed financially, reputationally and even physically when a critical domain is overtaken  
 1667 by hostile and/or criminal actors. We encourage SSAC, GNSO and other ICANN bodies to  
 1668 continue working to investigate and mitigate this risk.

1669 • Do you think there is a need for other options for electronic authentication? Please  
 1670 state the reasons for your answer.

1671 BC: Yes. Traditional email is inherently insecure. Some domain names are critical for  
 1672 business and government infrastructure, and it is proven that they can be hijacked. PGP or  
 1673 other authentication methods could be devised to impose minimal burden on registrants or  
 1674 registrars, yet ensure much more effective security than is standard today.

1675 • Do you know of any Registrars using additional means for electronic authorization  
 1676 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers  
 1677 them?

1678 • If a need would be identified for other options of electronic authentication, what other  
 1679 options could be explored?

1680 • Of those other options to be explored, please identify the potential benefits but also  
 1681 any potential problems.

1682 • Do you have or know of any data in relation to the impact of the Extensible  
 1683 Provisioning Protocol (EPP) deployment on security in relation to authentication? If  
 1684 so, please describe the source and type of data.

1685 • Do you know of any further examples, apart from those mentioned in the issues  
 1686 report (.uk registry and .se registry), of electronic authentication methods? If so, what  
 1687 are they and who offers them?

1688 **Issue III – Whether the policy should incorporate provisions for handling “partial bulk**  
 1689 **transfers” between registrars – that is, transfers involving a number of names but not**  
 1690 **the entire group of names held by the losing registrar.**

1691 • Should the policy incorporate provisions for handling “partial bulk transfers” between  
 1692 registrars? Please state the reasons and use-cases for your answer.

1693 BC: Yes. Large domain portfolio owners should have freedom and ability to move large  
 1694 blocks of domains freely among registrars. Today, some registrars make the transfer  
 1695 process difficult or impossible to do in bulk, and there is much inconsistency among the  
 1696 various registrars. There ought to be a standard mechanism for large portfolio owners to  
 1697 move large blocks of names among registrars. It would be particularly disturbing if the  
 1698 registrars were to have such a policy for partial bulk transfers among themselves, but did  
 1699 not offer that functionality to bulk registrants.

- 1700 • Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,
- 1701 could you please provide further details on those provisions (apart from those
- 1702 already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).

1703  
1704  
1705

### 1705 Annex C – Working Group Attendance Sheet

Total IRTP A PDP calls	Date	S. Bachellet	J. Biadel	M. Collins	P. Diaz	A. Eisner	K. Erdman	M. Klein	M. Millam	M.O'Connor	M. Rodenbaugh	B. Steele	M. Trachtenberg
1	5.08	0	1	0	1	1	1	0	0	0	1	1	
1	12.08	0	1	1	1	1	1	A	A	0	1	1	
1	19.08	1	1	1	1	1	1	0	0	0	1	1	
1	26.08	1	1	1	1	A	1	0	0	1	1	1	
1	2.09	A	1	1	1	A	1	0	0	1	1	A	
1	9.09	A	1	1	1	1	0	0	0	1	1	1	
1	11.09	1	1	1	A	1	0	0	0	1	0	A	
1	16.09	A	1	1	1	A	1	0	0	1	1	A	
1	23.09	1	A	1	1	0	A	0	0	1	1	1	
1	30.09	1	1	0	1	A	1	0	0	A	1	1	
1	7.11	1	1	A	1	0	0	0	0	A	1	1	
1	21.11	A	1	0	1	1	1	0	0	1	1	1	
1	28.11	A	A	A	1	A	0	0	0	0	1	1	
1	11.11	1	1	1	1	A	1	0	0	1	1	0	
1	18.11	1	1	0	1	0	1	0	0	1	0	A	
1	25.11	1	1	1	1	0	1	0	0	1	1	1	
1	2.12	1	1	1	1	0	1	0	0	1	1	1	
1	9.12	1	A	1	1	0	1	0	0	1	1	1	
1	16.12	1	1	1	1	0	A	0	0	1	1	1	
1	22.12	1	1	1	1	0	A	0	0	1	A	A	
	<b>2009</b>												
1	6.01	1	1	1	1	0	1	0	0	1	1	1	
1	3.02	1	1	1	1	0	A	0	0	A	1	1	
1	10.02	A	1	A	1	0	1	0	0	A	0	A	
1	17.02	1	1	0	1	0	A	0	0	1	0	1	
1	24.02	1	1	1	1	0	1	0	0	1	1	1	
1	10.03	hols	0	1	1	0	A	0	0	1	0	1	
1	17.03	0	1	1	1	0	1	0	0	1	0	1	

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	<i>Total</i>														
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27	<i>attended</i>	<i>17</i>	<i>23</i>	<i>18</i>	<i>26</i>	<i>5</i>	<i>17</i>	<i>0</i>	<i>0</i>	<i>19</i>	<i>19</i>	<i>21</i>	<i>14</i>	<i>2</i>	

*0=absent, no apologies, no attendance*  
*1=attendance*  
*A= absent apologies*

1706

1707

## 1707 Annex D – Initial Report Public Comments

1708

1709 \* To: irtp-initial-report@xxxxxxxx

1710 \* Subject: Comments on irtp-a-initial-report-08jan09.pdf

1711 \* From: Patrick Mevzek <contact@xxxxxxxxxxxx>

1712 \* Date: Thu, 29 Jan 2009 03:15:57 +0100

1713

1714 Please find below some of my comments on the document irtp-a-initial-report-08jan09.pdf

1715 I'm writing these comments as an individual generic Internet user, owner of some domain

1716 names for personal and business needs, a founder of a company working with ICANN

1717 registries, registrars, and domain names providers, a participant in IETF Working groups

1718 related to EPP & IRIS, and creator of software implementing both EPP and IRIS.

1719 Of course, I'm only speaking for myself.

1720

1721 =====

1722

1723 Executive summary of my comments below:

1724

1725 - Issue 1: IRIS is probably the best road ahead, but some work on EPP may help too (but

1726 probably not on poll messages as offered in the report), where a major change in policy

1727 (enforcing the authinfo as the true only primary token of authentication) would even have

1728 my preference over any technical change. I give some other specific ideas below.

1729 - Issue 2: I mostly agree with the report preliminary conclusion, but I would favor more

1730 market free innovation to define new ways of doing authentication, with some policy

1731 safeguards.

1732 - Issue 3: I absolutely agree with the report preliminary conclusion.

1733

1734 I praise the working group for having been able, specially for issue 1, to take into account so

1735 many different ways that may help to reach a solution, both on technical and policies

1736 grounds. This is a very good effort and work, that I applaud.

1737  
 1738 =====  
 1739  
 1740 Introduction to my comments on all 3 issues below.  
 1741  
 1742 Domain name transfers (like whois) have always been an outstanding issue, between  
 1743 technological changes (such as the introduction of EPP and its "authcode"), policy changes  
 1744 (like <http://www.icann.org/en/transfers/policy-12jul04.htm>), new attacks and "famous" thefts  
 1745 (true or alleged).  
 1746  
 1747 Policies and processes need to find a middle ground between the ease of transfer to make  
 1748 sure no arbitrary registrar locking can take place on one side and on the other side enough  
 1749 guarantees that only legitimate transfer requests happen and succeed.  
 1750  
 1751 Before starting to directly answer the 3 issues presented, I would like to say that based on  
 1752 the only public data I know (the ICANN registries monthly reports as PDF), there does not  
 1753 seem to be a lot of problems with transfers.  
 1754 I've used the monthly reports PDF to tabulate data in other ways and create graphs, and you  
 1755 can see them on my website at  
 1756 [http://www.testing.dotandco.net/ressources/icann\\_registries/index.en](http://www.testing.dotandco.net/ressources/icann_registries/index.en) and for example on  
 1757 .COM transfers:  
 1758 [http://www.testing.dotandco.net/ressources/icann\\_registries/verisign\\_com\\_net/transfers\\_CO](http://www.testing.dotandco.net/ressources/icann_registries/verisign_com_net/transfers_CO)  
 1759 M.en  
 1760  
 1761 If there is other data on transfers, it would be good to know them, so that policy procedures  
 1762 and energies can be properly spent depending on hard facts.  
 1763  
 1764 If you look at the above transfers numbers you come to the conclusion that failed transfers  
 1765 are low, often around or below 5% (with .COM being higher than that but this is pretty much  
 1766 to be expected, based on the number of .COM domain names and the image of .COM, a  
 1767 gTLD better known than any other one). This does not mean there are as much problems,  
 1768 as transfers can fail for a myriad of valid reason such as: error from the registrant (not

1769 transferring the correct domain names, or not at the appropriate time), from the current  
 1770 sponsoring registrar or the prospective one.  
 1771 Sadeley, there is no way, nor requirement, for the registry and the current sponsoring  
 1772 registrar to document why they reject a transfer (no provision for that in EPP), so there is no  
 1773 data that show which cases among the list of 9 points in §3 of  
 1774 <http://www.icann.org/en/transfers/policy-12jul04.htm> explains why transfers have been  
 1775 refused.  
 1776  
 1777 A number that may be even more revealing, is the one about transfer disputes, and its  
 1778 spread between disputes that has been solved (in favor of one of the two registrars  
 1779 involved) and disputes without decision (per the process specified at  
 1780 <http://www.icann.org/en/transfers/dispute-policy-12jul04.htm> ) This number is very low, often  
 1781 less than 10 disputes per month. This does not cover all kind of possible disputes, as  
 1782 disputes handled outside of the registry operator are probably not computed there, nor are  
 1783 all disputes handled by courts around the world, but I doubt that the numbers would change  
 1784 a lot if they would be all counted.  
 1785  
 1786 Which means to me that the current system do seem to work "good enough". It does not  
 1787 mean that effort should not be spent toward improving it even more, but the current situation  
 1788 should be taken into account before providing too much new requirements in policies or new  
 1789 software developments.  
 1790  
 1791 =====  
 1792  
 1793 Issue 1. Potential exchange of registrant e-mail information  
 1794  
 1795 I think part of the problem comes from the fact that the registrant "contact" is handled  
 1796 differently than other contacts (administrative, billing, technical), where today this difference  
 1797 makes no sense at all.  
 1798  
 1799 If, in the past (more than 10 years ago), people were owner of domain names without  
 1800 maybe even knowing anything about the internet (so not necessarily having an email

1801 address), and thus giving their authority to the admin contact that acted on their behalf, I  
 1802 doubt that this situation is prevalent today. So, in all policies documents and thus technical  
 1803 procedures, all 4 types of contacts should be handled exactly the same way, with the same  
 1804 requirements on what data needs to be provided, how it is used, and so on. The email  
 1805 address should be there for all contacts, and displayed/used the same way. See for  
 1806 example the Registrar Data Escrow Requirements, where emails of all contacts are to be  
 1807 dumped... except for the registrant ones! And for whois display. (I do observe however in  
 1808 some quick tests that registrant email address is displayed in whois for AERO ORG INFO  
 1809 BIZ MOBI CAT TRAVEL at least; since .COM/.NET are thin it depends on each registrar)  
 1810 But whois display cross the issues of personal information in whois, and this is another  
 1811 debate.

1812  
 1813 The registry implication do vary also because it depends on its status, as thin or thick  
 1814 registry. Any work today on these issues should take into account current TLDs but also  
 1815 forthcoming ones, and I have personally no idea/information if future registries will be thick  
 1816 or thin, even if all the latest additions were thick ones.

1817  
 1818 This issue 1. asks if there is a way for registrars to make registrant emails data available to  
 1819 one another. Before giving some ideas of my own, I would like to comment on points given  
 1820 in the report presented (pages 15 and following).

1821  
 1822 - EPP : I do not believe the poll mechanism should be used to transfer messages between  
 1823 registrars. It was not intended this way in the protocol (and specifically, some registries in  
 1824 the world based on EPP dislike the idea of poll messages, and started their business without  
 1825 it ; some have added poll messages some not ; it just shows that poll messages are an EPP  
 1826 feature on which there is no absolute consensus), as it is purely a channel for the registry to  
 1827 "asynchronously" inform the registrars on some information. Allowing registrars (client side  
 1828 of EPP) to create messages, and even allowing them to choose the destination (the other  
 1829 registrar, which would need to be identified) of messages seem to me very unnatural in the  
 1830 current EPP specifications, and an horror waiting to happen due to security and denial of  
 1831 services potential problems, not even thinking about the new specifications that would  
 1832 needed to be written, in then the new software development at both registries and

1833 registrars! This would be a huge amount of work to shoehorn something like that where  
 1834 there is another solution that fits more naturally, IRIS.

1835  
 1836 - IRIS : IRIS is the successor of whois... except the only fact that is not used anywhere today  
 1837 publicly (except for something closer to a domain availability check then a whois, in .DE) .  
 1838 It has however two major points that are a mess today in whois:  
 1839 \* a clear format (based on XML), where whois lacks any standardized format at all  
 1840 \* a core mechanism to handle authentication and authorization policies, where there is none  
 1841 in whois.

1842  
 1843 If any data should be transmitted between registrars and/or registries securely, with  
 1844 traceability and authentication, in my view, IRIS would be the solution.

1845  
 1846 However, it would mean having an IRIS server working at each registrar. This may seem  
 1847 unrealistic as they are already problems with registrars whois servers, at least some of  
 1848 them, from time to time. So making a new technical development mandatory to something  
 1849 like 1000 registrars is not a guarantee to achieve it in a reasonable time I'm afraid. A  
 1850 shortcut could be achieved in thick registries, as only a registry IRIS server would be  
 1851 needed, available only to registrars.

1852  
 1853 But I would like to pinpoint something: having the need to do some software development  
 1854 should not be taken as an argument against some solution. Innovative and new services  
 1855 pretty much always need new development to start with, and anyway, IRIS should be  
 1856 something pursued in the future in other cases, like the current complete mess with all whois  
 1857 issues (while at their core these issues are not technical and hence can not be solved only  
 1858 with technical changes, this does not mean that new technical solutions could not help,  
 1859 together with policies and procedures, to achieve a better state). So, if there are two  
 1860 solutions for a problem, and one requires new technical development while others do not,  
 1861 then we may say that the one without software development should be preferred. However if  
 1862 this solution does not exist, and the only one or the best one do require some technical  
 1863 development, then it should not be an argument against it. Of course the related costs and

1864 time to market should be taken into account, but by itself this should not eliminate the  
 1865 solution in question from being studied.  
 1866  
 1867 No solution should be based on working on the current whois system, and if that happens,  
 1868 this should be changed to work on IRIS solutions to replace/enhance the current whois.  
 1869  
 1870 - Registrant vs admin approval : I believe that if both parties should remain involved in the  
 1871 process, they should have the same rights regarding initiating, confirming or declining a  
 1872 transfer.  
 1873 If they do not have or can not have the same rights and tools to act upon transfers (or other  
 1874 areas for that matter), then only one party should remain, and the other should not intervene  
 1875 anymore in the process.  
 1876  
 1877 However, as outlined above, since these 2 entities are not handled the same way currently,  
 1878 it would be a problem to choose one over the other.  
 1879  
 1880 I also fear that choosing one over the other, makes the loosing one almost worthless, at  
 1881 least on the registry level (registrar are free to use their authorization system locally in any  
 1882 way they see fit based on contacts and their appropriate passwords; along the road, I would  
 1883 like to share my experience on that stating that not all EPP registries worldwide use the  
 1884 same set of contacts - some do not use the billing one, some do use other ones - and also  
 1885 that EPP allows on the protocol level to have multiple contacts of the same types for a  
 1886 domain name, like having 3 administrative contacts ; this last point - even if not really seen  
 1887 today - may create the exact same problem as this issue is trying to solve with more than  
 1888 one actor).  
 1889  
 1890 I would however slightly prefer, if this is the solution taken, to favor the administrative  
 1891 contact over the registrant because, first it is the current system and it solves the problem of  
 1892 having to get the registrant email which would not be needed in anyway as the registrant  
 1893 would not intervene at all, and second because I think we are in either of these two cases:  
 1894

1895 \* some entity, for various normal reasons, wishes to own domain names, but let some other  
 1896 company (one of its affiliates, its lawyers, its webhosting company or technical provider,  
 1897 etc.) manages them ; they thus would be registrant, but the other entity would be the admin  
 1898 contact (and probably also the technical/billing one in many cases). In this situation, all  
 1899 operations on the domain name are conducted by the admin contact, so the registrant  
 1900 should not be participating at all, as it clearly stated (by not being the admin contact itself)  
 1901 that some other entity has the right to act on its behalf for domain name management  
 1902  
 1903 \* or some entity wants to own domain names and manage them, maybe while leaving only  
 1904 technical stuff (like DNS management) to some outside company, which would be the  
 1905 technical contact only. In this case this entity would be at the same time the registrant and  
 1906 admin contact.  
 1907  
 1908 So if we take into account these two cases, dealing with the admin contact only should be  
 1909 enough and the proper way to manage a transfer.  
 1910  
 1911 As I'm sure to have forgotten some other cases, I'm not sure however that such a clear cut  
 1912 would be always possible and siding with the admin contact. If they are however no other  
 1913 cases, using only the admin contact should seem reasonable.  
 1914  
 1915 For uniformity, I would recommend in all cases, that if the registrant is taken out of the  
 1916 equation on the new registrar round of contact emailing to get transfer authorization, then it  
 1917 should also be taken out of the current sponsoring registrar round of (optional) contact  
 1918 emailing, in order to avoid very difficult cases to understand. So basically : the new registrar  
 1919 emails the admin contact (after having been given the authInfo code) and proceeds with the  
 1920 transfer if it gets express positive agreement from admin contact, the transfer is started, and  
 1921 if the current sponsoring registrar wishes to double confirm, it emails only the admin contact,  
 1922 and stop the transfer only with an express negative reply. At least, this would be my advise.  
 1923  
 1924 - AuthInfo code : this is an interesting point related to the way EPP was created.  
 1925 EPP was created after transfers started to happen in gTLDs. EPP was created with an idea  
 1926 of using authInfo to start a transfer, in such a way as the simple possession of the authInfo

1927 token means the acting party (the new registrar on behalf of "someone" that gave him the  
 1928 authInfo, and that someone must have been authorized in some way by the previous  
 1929 authInfo to get this code) has all necessary proof it is currently making a legit transfer  
 1930 request, and not a bogus one.

1931  
 1932 When EPP came in production, the current set of policies regarding transfers were modified  
 1933 to take into account this new token of authentication. By then transfer policies already had  
 1934 the mechanisms with emailing the contacts and waiting for their acknowledgment, albeit  
 1935 without any clear standardization of messages or procedure flow. But EPP AuthInfo was  
 1936 then added to the current policies, as an additionnal step, without reframing the policies  
 1937 themselves.

1938  
 1939 However in my mind as a software developer regarding EPP, its authInfo mechanism should  
 1940 then have been used instead of the current system with contact emails and  
 1941 acknowledgments. Of course care would need to be taken into account to ensure proper  
 1942 transition over to EPP, as oldest registries were still using RRP. Introduction of authInfo  
 1943 created many problems, because it was something new and not very well understood by a  
 1944 large proportion of registrars (which lead to various problems such as the same authInfo  
 1945 used for all domain names, refusal to give the authInfo and thus blocking outgoing transfers,  
 1946 and so on...) But, again, as an EPP technical specifications participant and later developer,  
 1947 it makes low sense to add this new requirement of authInfo code to the older one. It should  
 1948 be one or the other, not both. And since the authInfo one seem superior (for various reasons  
 1949 outlined below and with issue 2), it should supersede the other one.

1950  
 1951 Now here are some ideas/comments from myself that I'm giving for review by the working  
 1952 group:

1953  
 1954 - about EPP and getting/giving email addresses through poll messages. I think there is a  
 1955 better solution, which the protocol allows today and which is only a matter of policy. It will  
 1956 work only for thick registries, but anyway for thin registries, a solution among registrars will  
 1957 be needed (and I did not have enough time to think about good solutions for thin registries).

1958 So here is the idea: the EPP protocol has a domain:info operation which reveals all data  
 1959 related to the domain, including the contact IDs of the registrant. This operation accept an  
 1960 authInfo code, the idea being that if the registrar doing it is not the current sponsoring  
 1961 registrar of the domain name, it may still get information on it if it has the proper authInfo  
 1962 code (given to him by the admin/registrar which got it from the current sponsoring  
 1963 registrar). At least this is a policy decision, some registries allow domain:info done by all  
 1964 registrars and some do not. But doing so before a transfer, the prospective new registrar  
 1965 can gain information on the registrant (and admin for that matter) contact ID. Now, the  
 1966 contact:info operation works basically the same way (and would thus reveal the associated  
 1967 email address), with an optional authInfo. But small problem here it is not the same authInfo  
 1968 as previously, this later one is attached to the contact, it is like its password (which may or  
 1969 may not have any relation with the password used by clients to manage their domain names  
 1970 through the registrar website). Here comes a small problem, which could be solved in  
 1971 various ways:

1972 \* disclosure of the contact authInfo : this may be a problem for contacts handling multiple  
 1973 domain names and if this "password" is used in other areas.  
 1974 \* change of contacts : the domain currently sponsored by registrar A could use contacts  
 1975 created by registrar B, Technical procedures have nothing against that but registries policies  
 1976 may require registrars to only use their own contacts objects.  
 1977 \* changing the authInfo structure for the contact : authInfo is an extensible element, and has  
 1978 been extended already for domain:info (in short, you can give the authInfo related to the  
 1979 domain you query OR you give the authInfo of one of the contact of the domain you query  
 1980 and the ID of this contact, which is called the roid) I think it could be easily extended for  
 1981 contact:info such as you would pass, not the contact authInfo (which would thus remain  
 1982 secret to the future registrar, which is good), but the domain authInfo you wish to transfer  
 1983 and for which the current contact you query is the admin or registrant, and the ID of this  
 1984 contact (which is displayed in the domain:info).

1985  
 1986 I believe this would need only a minor technical specification (as it has been done for  
 1987 domain:info already), and very little changes in current software both on registrar and  
 1988 registry sides.  
 1989

1990 So this is only an idea, and maybe further work on it may find it useful or definitively useless.

1991 If needed, and useful, I'm available to help study and work around this idea or other ones

1992 like that, if my participation could be useful to the working group.

1993

1994

1995 - getting maybe a little too far, but based on the comments I gave previously on authInfo

1996 introduction in EPP, the transfer policy could be simplified a lot and at the same time this

1997 issue could be resolved if the policy is changed so that it requires \*only\* the authInfo code to

1998 start the transfer, removing the contacts email handling. The current sponsoring registrar

1999 would still be allowed to notify contacts and would be allowed to stop the transfer if one of

2000 the contacts say so.

2001

2002 The current registrar has all email addresses it needs, and can properly identify the

2003 associated contacts and inform them. No emails would need to be passed from registrars to

2004 registrars, no technical changes would be required. Things will not go slower than today (as

2005 the domain authInfo would still be needed, and so things can be "blocked" if the current

2006 sponsoring registrar refuse to give it), they will maybe go a little faster, but more important

2007 things will be simpler, without the need of 2 specific acknowledgments needed (authInfo +

2008 contacts answer). I do not believe that this simplification creates more risks or ways

2009 of disputes.

2010

2011 Even in the very improbable case that this would become the way forward, I would keep my

2012 recommendation above to make sure all contacts are handled the same way everywhere.

2013

2014 I specifically do not understand while the report says on page 21 about using only authInfo:

2015 "However, this was not deemed a secure and viable solution compared to the current

2016 system."

2017

2018 If the authInfo is not secure, why using it at all then ? Why not going back to the previous

2019 system, before EPP, with only contacts authorization? If the authInfo is secure, why could it

2020 not be secure by itself? In what way do emails, through clear channels (making snooping

2021 very easy) and from/to email addresses publicly known in whois (making

2022 spoofing/impersonification trivial), make it more secure ? It is not public information (where

2023 contacts names emails and so are in whois so open to many kind of attacks... which one

2024 specific example even given in the report page 22 about compromised email accounts !),

2025 and it is available only to registrars.

2026

2027 This also seem to be the position of the Registry Consistency as it can be read on page 30.

2028

2029 Again, see my previous discussion about authInfo introduction in EPP.

2030

2031 To summarize, my preferences would be, from most preferred to least:

2032

2033 - first to simplify the policy, to remove the new registrar requirement to send emails to the

2034 contacts, and make the transfers mandatory as soon as the authInfo is known, leaving the

2035 current sponsoring registrar the possibility to make contacts and refuse the transfer (only if

2036 some contacts do explicitly refuse it or for the reasons outlined in the current policy or its

2037 march 2009 revision); even if that case, streamlining of the difference between registrant

2038 and admin contact should be achieved, and maybe the registrant contact should be taken

2039 completely out of the procedure of domain name transfers management.

2040

2041 - if removing this part from the policy is not possible, then I would recommend working on

2042 making the registrant contact a same class citizen as the administrative one and maybe

2043 taking it out of the equation for the reasons outlined above, and at the same time working

2044 either on IRIS and/or EPP (see some ideas above) to see how exchanges of email addresses

2045 could be made simpler or exchanged for other authentication, based on the current authInfo.

2046

2047

2048 I'm clearly against any further work on whois as known today to try shoehorning something

2049 into it. This energy should be more properly spent on IRIS growth/adoption and/or EPP

2050 adjustments. I do note that progressively working on whois replacement in favor of IRIS will

2051 have good consequences for transfers (even if only the administrative contact remains

2052 concerned, the standardized format of IRIS would make it easier to get access to

2053 administrative email address, not even counting about the proper authorization framework

2054 around IRIS access) and other issues, such as display of personal information through  
2055 current publicly available whois (some issues as being worked on by other working group).

2056  
2057 =====

2058  
2059 Issue 2. About other type of electronic authentications

2060  
2061 Like the report says, emails are not always a very good type of authentication. They can be  
2062 spoofed, hijacked, and redirected (when someones waits for the domain name on which a  
2063 contact primarily email address is recorded, such as gmail.com in bob@xxxxxxxxx , to be  
2064 dropped because not renewed - and this has already happened in the past including for very  
2065 high profiles domain names - and then reregister it and have instant access to all emails  
2066 directed to it). Which makes me wonder even more about why they are still used as primarily  
2067 token of authentications during domain name transfers, in contrast of using the more secure  
2068 authInfo one.

2069  
2070 Emails could be protected further by the use of technologies such as OpenPGP and/or  
2071 S/MIME to ensure integrity, confidentiality and especially authentication (of registrar sending  
2072 the messages, to prevent phishing, and of the contact replying, to prevent bogus replies).  
2073 But as far as I know they are not widely used in this case.

2074  
2075 Also, access to a website (protected by a SSL certificate), with the browser (and hence the  
2076 user) authenticating itself with another SSL certificate may be seen as a better security  
2077 method than current emails.

2078  
2079 Many other schemes may be imagined.

2080  
2081 I do not think the GNSO/ICANN should start defining these mechanisms through beforehand  
2082 procedures that would apply uniformly to each registrar.

2083  
2084 Registrars should decide if they want to use other methods of authentication, and which  
2085 ones. It would be a clear and huge factor of differentiation between registrars. Before

2086 starting to use it, they could provide information about their procedure to the relevant  
2087 registry that would then be notified and could act if it thinks the new mechanism is not good  
2088 enough. Also (or replacing previous point), yearly ICANN could monitor which mechanisms  
2089 are used by registrars and verify they meet some requirements, or it can be done during  
2090 regular registrars auditing and/or when disputes arise for some transfers using some "new"  
2091 authentication method. Another idea would be to put in place a process similar to the  
2092 RSTEP one for new registry services.

2093  
2094 This would allow the market to invent other means without having to wait for very long  
2095 procedures beforehand. However some checks after problems or regularly make sure that  
2096 the whole system is not derailed by some ill attempts. So a correct mixture of free market  
2097 innovation with some ICANN/GNSO policies to put some boundaries would be my  
2098 recommendation.

2099  
2100 =====

2101  
2102 Issue 3. Handling partial bulk transfer between registrars

2103  
2104 I have no specific ideas on this issue, as it seems something not very frequent. Or at least  
2105 not very known/heard of.

2106  
2107 As I said in my introduction on top, it may help here to have some hard numbers and to  
2108 know:  
2109 - which registries have/had this issue,  
2110 - how many registrars does it involve,  
2111 - the reasons, if any, for the need of a partial bulk transfer, (specifically because the report  
2112 speaks about registrar-initiated transfers instead of registrant-initiated, which may mean  
2113 internal handling of domain names inside a group of registrars controlled by  
2114 one and the same entity) ;  
2115 - and how many domain names (and/or as percentage of the total portfolio considered for  
2116 partial bulk transfer)

2118 If these numbers happen to be very low, it may not be a good idea to focalize a lot of  
2119 resources inside ICANN and the GNSO to think about this issue. Especially because it rise a  
2120 lot of issues around security, fees, requirements, cases where it can apply or not, etc.

2121  
2122 The report gives 5 scenarios (cases) on pages 24 & 25 :

2123 - Partial Bulk Transfer following ICANN accreditation of a reseller I do not believe this  
2124 happens more than a few times per year. Are there data about that ?

2125 - Partial Bulk Transfer between registrars (end of agreement with one gTLD)

2126 I believe that the registrar concerned knows when it agreement will come to an end (except  
2127 for failures on this part, but then this is another problem), so it has plenty of time to do  
2128 transfers before that date.

2129 - Partial Bulk Transfer in case of a (partial) merger or acquisition between registrars

2130 Like first case, I'm not sure this happens a lot per year. Are there data about that ?

2131 - Partial Bulk Transfer initiated by a registrant The report itself previously asserts that this  
2132 case is already handled directly by registrars as a specific service. Hence no specific new  
2133 policy may be needed in that case.

2134 - Partial Bulk Transfer following de-accreditation of a registrar SAmE case as the first one,  
2135 and I think it may happen even less frequently. Any data ?

2136

2137

2138 In short I pretty much agree with the report preliminary conclusion, stating that

2139 "there is no need to incorporate provisions for handling partial bulk transfers between  
2140 registrars at this stage"

2141

2142 --

2143 Patrick Mevzek

2144 Dot and Co <<http://www.dotandco.com/>> <<http://www.dotandco.net/>>

2145

2146 =====

2147

2148 IRTP-PDP A - Comments from VeriSign

2149

2150 \* To: <irtp-initial-report@xxxxxxxx>

2151 \* Subject: IRTP-PDP A - Comments from VeriSign

2152 \* From: "Steele, Barbara" <BSteele@xxxxxxxx>

2153 \* Date: Thu, 29 Jan 2009 08:46:58 -0500

2154

2155 Attached, please find VeriSign's response to the request for comments on the Inter Registrar  
2156 Transfer Policy Part A Policy Development Process Initial Report. Thank you.

2157

2158 -----

2159 Barbara Steele

2160 Compliance Officer / Director of Policy

2161 VeriSign Naming Services

2162

2163 Attachment: 20090129-VeriSign Comments on Initial Report - IRTP PDP A.pdf

2164 Description: 20090129-VeriSign Comments on Initial Report - IRTP PDP A.pdf

2165

2166 VeriSign Comments on the Initial Report on the Inter-Registrar Transfers Policy - Part A  
2167 Policy Development Process

2168 29 January 2009

2169

2170 Issue 1. Potential need for exchange of registrant email information between registrars

2171 In a poll conducted of the gTLD Registry Operators, it should be noted that the majority of  
2172 Registry Operators that maintain thick Whois information are contractually required to make

2173 the registrant e-mail address available publicly. Further discussion should occur to

2174 determine why this is a requirement for some thick Registry Operators but not all and it is

2175 not a requirement for any Registrars. Several options for making this information available

2176 (ie. modifications to EPP or via IRIS) have been outlined in the report but all would require

2177 significant time and expense to implement.

2178

2179 It is our opinion that the suggestion that future IRTP working groups should consider the  
2180 appropriateness of a policy change that would prevent a registrant from reversing a transfer

2181 after it has been completed and authorized by the admin contact should not be put on the

2182 table for discussion as this could make it easier for a domain name to be hi-jacked. Of the  
 2183 transfer dispute cases that have been filed with VeriSign, the second most common ground  
 2184 on which a case is filed is the registrant did not authorize the transfer. (The most common  
 2185 ground is failure by the gaining registrar to provide the Form Of Authorization, or FOA, when  
 2186 requested). If the registrant no longer has the right to dispute a transfer initiated and  
 2187 authorized by the admin contact, it will make it much more difficult for the rightful holder of a  
 2188 domain name to recover a domain resulting in what could be lengthy and expensive court  
 2189 proceedings.

2190  
 2191 Issue 2. Potential need for including new forms of electronic authentication to verify transfer  
 2192 requests and avoid 'spoofing' VeriSign contends that the AuthInfo code used to further  
 2193 authenticate the transfer of a domain name from one registrar to another appears to have  
 2194 helped in reducing the reported instances of fraudulent inter-registrar transfers. We do not  
 2195 dispute that additional means of electronic authentication may be helpful in further reducing  
 2196 both inter-registrar transfers, as well as internal transfers (or change of registrant).

2197 However, VeriSign supports the position that offering such additional security measures  
 2198 should be left up to the registrar to choose whether or not to provide as a part of its offering.  
 2199

2200 Issue 3. Consider whether the IRTP should include provisions for 'partial bulk transfers'  
 2201 between registrars. At least one Registry Operator and several registrars have implemented  
 2202 solutions / products to address requests for partial bulk transfers between registrars.

2203 VeriSign agrees that market solutions should be the preferred method for addressing this  
 2204 issue. Requiring all Registry Operators and registrars to go to the expense to implement a  
 2205 means to effect partial bulk transfers when their customer base may not fit the profile that  
 2206 would benefit from such a solution is not justified when this issue can be adequately  
 2207 addressed via market solutions.

2208 =====

2209

2210 Registrar Constituency Position on Inter-Registrar Transfer Policy Initial Report

2211

2212 \* To: "irtp-initial-report@xxxxxxxx" <irtp-initial-report@xxxxxxxx>

2213 \* Subject: Registrar Constituency Position on Inter-Registrar Transfer Policy Initial Report

2214 \* From: "Clarke D. Walton" <clarke.walton@xxxxxxxxxxxxxx>

2215 \* Date: Fri, 30 Jan 2009 17:42:29 -0500

2216

2217 January 30, 2009

2218

2219 Registrar Constituency Position on Inter-Registrar Transfer Policy Initial Report

2220

2221 BACKGROUND

2222

2223 In January 2009, the Registrar Constituency ("RC") was asked to provide feedback  
 2224 regarding the Inter-Registrar Transfer Policy ("IRTP") Initial Report. This Position Paper  
 2225 captures the overall sentiment expressed by the RC Members who provided feedback about  
 2226 this matter. Due to time constraints, however, no formal vote regarding this Position Paper  
 2227 was taken.  
 2228

2229 RC POSITION

2230

2231 On October 3, 2008 the RC submitted its comments to ICANN regarding the three issues  
 2232 that comprise Part A of the IRTP Policy Development Process. After reviewing the IRTP  
 2233 Initial Report, the RC's current views remain largely the same as they were in October  
 2234 regarding issue 1 and issue 2. Regarding issue 3, however, the RC has revised its view in  
 2235 light of the conclusions reached in the IRTP Initial Report.

2236

2237 1. Is there a way for registrars to make Registrant E-mail Address data available to one  
 2238 another?

2239

2240 No viable secure implementation of this proposal has been advanced that would enable a  
 2241 policy to require registrars to make Registrant E-mail Address data available to one another.

2242

2243 Additionally, the RC believes that regulatory intervention is not necessary to address this  
 2244 issue. This issue is more appropriate for market based solutions rather than regulatory  
 2245 intervention.

2246  
 2247 The RC wishes to acknowledge one comment regarding the relationship between the  
 2248 Registrant and Admin Contact. According to the IRTP Initial Report, one question that was  
 2249 brought up during discussion among the Working Group involves a Registrant's authority to  
 2250 overrule the Admin Contact. The RC believes this related sub-issue deserves greater  
 2251 consideration, and the RC plans to examine it during subsequent phases of the IRTP Policy  
 2252 Development Process.

2253  
 2254 1. Whether there is need for other options for electronic authentication (e.g., security token  
 2255 in the Form of Authorization (FOA)) due to security concerns on use of email addresses  
 2256 (potential for hacking or spoofing).

2257  
 2258 The RC does not believe that a regulatory approach to authentication is necessary. The RC  
 2259 recommends that the questions of whether additional authentication technology is needed,  
 2260 and if so which technology to implement, be decided based on market demands rather than  
 2261 regulation.

2262  
 2263 To that end, the RC cautions ICANN about the unintended consequences of technology  
 2264 directives. Specifically, any mandated technology is guaranteed to become the target of  
 2265 hackers who seek to circumvent its security. Having the option of a variety of technologies  
 2266 which may be developed and implemented based on market demands offers greater  
 2267 security in the long-run.

2268  
 2269  
 2270 1. Whether the policy should incorporate provisions for handling "partial bulk transfers"  
 2271 between registrars - that is, transfers involving a number of names but not the entire group  
 2272 of names held by the losing registrar.

2273  
 2274 The RC agrees with the conclusions reached in the Working Group. There is no need to  
 2275 incorporate provisions for handling partial bulk transfers between registrars at this stage.  
 2276 The RC agrees with the Working Group that these scenarios can be addressed either

2277 through the existing Bulk Transfer services offered by some gTLD registries, or through  
 2278 existing market solutions.

2279  
 2280 CONCLUSION

2281  
 2282 The opinions expressed by the RC in this Position Paper should not be interpreted to reflect  
 2283 the individual opinion of any particular RC member.

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