1

2

3

4

Draft Initial Report on the

5

Inter-Registrar Transfers Policy - Part A

6

Policy Development Process

7

8

9

10

11

STATUS OF THIS DOCUMENT

12 This is the Initial Report on IRTP Part A PDP, prepared by ICANN staff for submission to the GNSO

13 Council on [TBC]. A Final Report will be prepared by ICANN staff following public comment.

14

15

16

17

18

19

20

SUMMARY

21 This report is submitted to the GNSO Council and posted for public comment as a required step in

22 this GNSO Policy Development Process on Inter-Registrar Transfers Policy.

23

24

25

TABLE OF CONTENTS

41

1. Executive Summary

1.1   Background

- The [Inter-Registrar Transfer Policy](#) (IRTP) aims to provide a straightforward procedure for domain name holders to transfer their names from one ICANN-accredited registrar to another should they wish to do so. The policy also provides standardized requirements for registrar handling of such transfer requests from domain name holders. The policy is an existing community consensus policy that was implemented in late 2004 and is now being reviewed by the GNSO.

- The IRTP Part A Policy Development Process (PDP) is the first in a series of five PDPs that address areas for improvements in the existing transfer policy.

- The IRTP Part A PDP concerns three "new" issues: (1) the potential exchange of registrant email information between registrars, (2) the potential for including new forms of electronic authentication to verify transfer requests and avoid "spoofing," and (3) to consider whether the IRTP should include provisions for "partial bulk transfers" between registrars.

- A Working Group was formed on 5 August 2008.

1.2   Deliberations of the Working Group

- The Working Group worked on the three different issues in parallel to the preparation of constituency statements and the public comment period on this topic.

- In relation to 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 discussed the following topics; the Extensible Provisioning Protocol (EPP), Internet Registry Information Service (IRIS), Registrant vs. Admin contact approval, Thin vs. Thick registries, Whois and the AuthInfo code.

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

83 **1.3   Preliminary Conclusions of the Working Group**
84 - For all issues, it should be noted that the Working Group will not make a final
85   decision on which solution(s), if any, to recommend to the GNSO Council before a
86   thorough review of the comments received during the public comment period and
87   final constituency statements has taken place.
88 - Issue I - Is there a way for registrars to make Registrant E-mail Address data
89   available to one another?
90   The WG noted that WHOIS was not designed to support many of the ways in which it
91   is currently used. Some members suggested that finding a way to make the
92   Registrant e-mail address more readily available could be addressed as part of an
93   overall technical modernization of the WHOIS protocol. This could be through
94   updates to the existing protocol, modification of the Extensible Provisioning Protocol
95   (EPP) or adoption of the Internet Registry Information Service (IRIS) protocol.
96   However, after review and discussion none of these options received broad
97   agreement.
98

99   The WG did note that, in the absence of a simple and secure solution for providing
100   the gaining registrar access to the registrant email address, future IRTP working
101   groups should consider the appropriateness of a policy change that would prevent a

102   registrant from reversing a transfer after it has been completed and authorized by the
103   admin contact. This option would not change the current situation whereby a losing
104   registrar can choose to notify the registrant and provide an opportunity to cancel a
105   transfer before the process is completed.
106 ▪ Issue II - Whether there is need for other options for electronic authentication?
107   Based on the discussion in the Working Group, there appears to be broad
108   agreement that there is a need for other options for electronic authentication.
109   However, opinions in the Working Group differ as to whether these options should be
110   developed by means of GNSO policymaking or should be left to market solutions.
111 ▪ Issue III - Whether the policy should incorporate provisions for handling partial bulk
112   transfers between registrars?
113   Based on the discussion in the Working Group, there appears to be broad
114   agreement that there is no need to incorporate provisions for handling partial bulk
115   transfers between registrars at this stage. The Working Group believes that these
116   scenarios can be addressed either through the existing Bulk Transfer provisions, or
117   through existing market solutions.
118
119 **1.4   Initial Constituency Statements & Initial Public Comment Period**
120 ▪ The public comment period ran from 5 September 2008 to 29 September 2008.
121   Apart from the Constituency statements, two other comments were received.
122   However, these two comments were deemed off-topic.
123 ▪ Constituencies were requested to use the Constituency Statement Template the
124   Working Group developed to provide their feedback. Input was received from the
125   Intellectual Property Interests Constituency, gTLD Registry Constituency, Registrars
126   Constituency and the Business and Commercial Users' Constituency. Constituency
127   statements received are reflected per issue in chapter 6 of this report, and are set
128   forth in their entirety in Annex B.
129 ▪ It should be noted that the views of the Constituencies may differ from the views
130   expressed by the Working Group. The Constituency statements should therefore be
131   reviewed in their entirety.
132

133 **1.5 Conclusions and Next Steps**

134 ▪ The Working Group aims to complete this section of the report in the second phase

135 of the PDP, following a second public comment period and the submission of the

136 final constituency statements.

137

2. Objective and Next Steps

This Initial Report on the Inter-Registrar Transfer Policy (IRTP) Part A PDP is prepared as required by the GNSO Policy Development Process as stated in the ICANN Bylaws, Annex A (see http://www.icann.org/general/bylaws.htm#AnnexA). The Initial Report will be posted for public comment for 20 days. The comments received will be analyzed and used for redrafting of the Initial Report into a Final Report to be considered by the GNSO Council for further action.

147 # 3.   Background

148

149 **3.1   Process background**

150

151   ▪ Consistent with ICANN's obligation to promote and encourage robust competition in
152   the domain name space, the Inter-Registrar Transfer Policy (IRTP) aims to provide a
153   straightforward procedure for domain name holders to transfer their names from one
154   ICANN-accredited registrar to another should they wish to do so. The policy also
155   provides standardized requirements for registrar handling of such transfer requests
156   from domain name holders. The policy is an existing community consensus policy
157   that was implemented in late 2004 and is now being reviewed by the GNSO.
158   ▪ As part of that review, the GNSO Council formed a Transfers Working Group (TWG)
159   to examine and recommend possible areas for improvements in the existing transfer
160   policy. The TWG identified a broad list of over 20 potential areas for clarification and
161   improvement (see http://www.icann.org/en/gnso/transfers-tf/report-12feb03.htm).
162   ▪ The Council tasked a short term planning group to evaluate and prioritize the policy
163   issues identified by the Transfers Working Group. In March 2008, the group
164   delivered a report to the Council that suggested combining the consideration of
165   related issues into five new PDPs (see http://gnso.icann.org/drafts/transfer-wg-
166   recommendations-pdp-groupings-19mar08.pdf).
167   ▪ On 8 May 2008, the Council adopted the structuring of five additional inter-registrar
168   transfers PDPs as suggested by the planning group (in addition to a recently
169   concluded Transfer PDP 1 on four reasons for denying a transfer). It was decided
170   that the five new PDPs would be addressed in a largely consecutive manner, with
171   the possibility of overlap as resources would permit.
172   ▪ The Council requested an Issues Report from Staff on the first of the new PDP issue
173   sets (Set A – New IRTP Issues) that was delivered to the Council on 23 May 2008
174   (see http://gnso.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf).
175   ▪ The three "new" issues in Set A address (1) the potential exchange of registrant
176   email information between registrars, (2) the potential for including new forms of

177 electronic authentication to verify transfer requests and avoid "spoofing," and (3) to

178 consider whether the IRTP should include provisions for "partial bulk transfers"

179 between registrars.

180 ▪ The GNSO Council resolved on 25 June 2008 to launch a PDP ("PDP June-08") on

181 these three issues and adopted a charter for a Working Group on 17 July 2008.

182

183 **3.2 Issue Background (excerpt from Issues Report)**

184 ▪ Please note that the following text has been excerpted from the issues report and

185 does not contain any new input from the Working Group.

186 **Issue I – Potential exchange of registrant e-mail information**

187 ▪ Issue I – "Whether there could be a way for registrars to make Registrant Email

188 Address data available to one another. Currently there is no way of automating

189 approval from the Registrant, as the Registrant Email Address is not a required field

190 in the registrar Whois. This slows down and/or complicates the process for

191 registrants, especially since the Registrant can overrule the Admin Contact.

192 ▪ Section 1.1 of the Transfer Policy identifies the Registrant and the Administrative

193 Contact as parties who can authorize a transfer, and notes that the Registrant's

194 authority supersedes that of the Administrative Contact. Accordingly, an

195 authorization from the Registrant provides a reliable ground for executing a transfer,

196 while an authorization from the Administrative Contact can be contested by the

197 Registrant, in spite of being recognized as a valid ground for a transfer. A convenient

198 means to acquire Registrant authorization could thus enable a reduction of the

199 number of contested transfers.

200 ▪ During its deliberations, the Transfers Working Group noted that the issue is related

201 to the Whois provisions, since the email address of the Administrative Contact is a

202 required field in Whois, in contrast to the Registrant email address. However, in the

203 context of a PDP focused on the Transfer Policy, any proposed policy change

204 affecting Whois policy (for example requiring registrant email information in the

205 Whois) would be outside the scope of the PDP[1]. The issue to address is thus limited

---

[1] 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.

206	to other means of keeping, maintaining and exchanging registrant email information
207	between the relevant Registrars. This invokes procedural, administrative and security
208	aspects."
209	
210	**Issue II – Options for Electronic Authentication**
211	▪ Issue II – "Whether there is need for other options for electronic authentication (e.g.,
212	security token in FOA) due to security concerns on use of email addresses (potential
213	for hacking or spoofing).
214	▪ The original Transfers Task Force mentioned this issue as follows in its Final Report:
215	*19. In the event that the Gaining Registrar must rely on a physical process to obtain*
216	*this authorization, a paper copy of the Standardized Form of Authorization will suffice*
217	*insofar as it has been signed by the Registrant or Administrative Contact and is*
218	*accompanied by a physical copy of the Losing Registrar's Whois output for the*
219	*domain name in question.*
220	*a – b […references to physical documents, of no relevance here.]*
221	*c. The Task Force notes support for the concept that in the event of an electronic*
222	*authorization process, recommended forms of identity would include;*
223	*• electronic signature in conformance with national legislation, for instance, the*
224	*United States e-Sign Act*
225	*• Email address matching Registrant or Administrative Contact email address found*
226	*in authoritative Whois database.*
227	In relation to the first bullet point above, it can be noted that the current extent of
228	Registrars' use of digital signature means for transfers is unknown. Such information
229	could be useful to collect as background for deliberations in a future PDP covering
230	this issue.
231	▪ The Transfers WG noted the issue in its report as follows:
232	*According to the policy, the Gaining Registrar is required to obtain the FOA from the*
233	*Registrant or Administrative Contact before initiating a transfer request. The*
234	*Registrar of Record also has the option to send an FOA to confirm the transfer*
235	*request. Policy issues relating to the FOA include:*

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

239   ▪ Regarding the risk of spoofing mentioned by the Transfers WG, useful background
240   information is provided in the SSAC report on domain name hijacking, available at
241   http://www.icann.org/announcements/hijacking-report-12jul05.pdf. Recommendation
242   10 of this report states: "ICANN should consider whether to strengthen the identity
243   verification requirements in electronic correspondence to be commensurate with the
244   verification used when the correspondence is by mail or in person."

245   ▪ The SSAC report was produced in 2005 and it should be noted that, since then,
246   Extensible Provisioning Protocol (EPP) has been deployed by all gTLD registries that
247   have implemented the Transfer Policy. Since EPP requires an authorization
248   ("AuthInfo") code, EPP deployment may have had an impact from a security
249   standpoint and recent data in this respect could be useful as background for a future
250   PDP covering this issue.

251   ▪ It can also be noted that some ccTLDs do use electronic authentication methods for
252   transfers, for example through digital signatures for authentication of e-mail requests.
253   The .UK registry operator Nominet uses PGP as described at
254   http://www.nic.uk/registrars/systems/auto/pgp/. Another example is the .SE registry
255   operator, IIS, featuring a certificate-based web interface ("Domänhanteraren" – in
256   English "The Domain Handler") for the registrant, where the registrant can effectuate
257   changes of domain information, including change of Registrar, see
258   https://domanhanteraren.iis.se/start/welcome. There may be other such examples of
259   interest as references for this issue."

260
261   **Issue III - Provisions for partial bulk transfers between Registrars**

262   ▪ Issue III – "Whether the policy should incorporate provisions for handling "partial bulk
263   transfers" between registrars – that is, transfers involving a number of names but not
264   the entire group of names held by the losing registrar.

265   ▪ This aspect was not touched upon by the Transfers Task Force, but identified as a
266   potential issue (under "Other") by the Transfers WG in its report.

267   ▪   Part B of the Transfer Policy governs bulk transfers, meaning transfer of all domains
268   sponsored by one Registrar to another Registrar, for example as a consequence of
269   one Registrar acquiring another. According to the policy, bulk transfers can only take
270   place under certain specific conditions, for further information see part B at
271   http://www.icann.org/transfers/policy-12jul04.htm.
272   ▪   While different from bulk transfers in the "complete" sense, i.e. transfer of a
273   Registrar's complete domain portfolio to another Registrar, the need for "partial" bulk
274   transfers can arise due to, for example, company takeovers, where the acquiring
275   company wishes to transfer some or all of the acquired company's domains to its
276   own Registrar of Record. There is no prescribed way of doing so in the Inter
277   Registrar Transfer Policy other than domain by domain, although Registrars are free
278   to accept, for example, fax lists with numerous domains to transfer, while still having
279   to follow the authentication/verification practices of the policy. The extent of such
280   "voluntary provisions to facilitate partial bulk transfers" in practice is unknown.
281   ▪   NeuLevel,Inc., the registry operator of .BIZ, has proposed the launch of a partial bulk
282   transfer service, which has been approved by ICANN through the Registry Services
283   Technical Evaluation Panel (RSTEP) procedure. This service proposal was
284   prompted by two Registrars' request for a partial bulk transfer between them. For
285   further information, see http://www.icann.org/registries/rsep/NeuLevel_request.pdf.
286   ▪   For information, there are provisions in place for partial bulk transfers in some
287   ccTLDs. The .UK registry, Nominet, has a procedure for "mass transfers", described
288   at http://www.nic.uk/registrants/maintain/transfer/mass/ and also for PGP-signed
289   "bulk" operations at the registrar level, described at
290   http://www.nic.uk/registrars/systems/auto/bulk/ (see especially Example 9 therein, of
291   relevance for partial bulk transfers). There may be other such examples of interest as
292   references for this issue."
293

4. Approach taken by the Working Group

293
294
295 The IRTP Part A Working Group started its deliberations on 5 August 2008 where it was

296 decided to continue the work primarily through weekly conference calls and e-mail

297 exchanges. The Working Group agreed to start working on the three different issues in

298 parallel to the preparation of constituency statements and the public comment period on this

299 topic. In order to facilitate the work of the constituencies, a template was developed for

300 responses (see Annex A).

301

302 **4.1 Members of the IRTP Part A Working Group**

303

304 The members of the Working group are:

305

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

306

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

308   http://gnso.icann.org/issues/transfers/soi-irtp-a-pdp-oct08.shtml.

309

310   The email archives can be found at http://forum.icann.org/lists/gnso-irtp-pdp-jun08/.

311

312

5. Deliberations of the Working Group

312

313

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

318

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

324

325 **Extensible Provisioning Protocol (EPP)**
326 ▪ One idea discussed in the context of issue I was to extend or modify the Poll Message
327   facility of the Extensible Provisioning Protocol (EPP) for this function (see Annex C for
328   further details on EPP). EPP is currently used as an authenticated and secure channel
329   of communication between the Registry and Registrar, which can also be used in the
330   context of transfers (see figure 1).
331 ▪ The Poll Message system has the advantage of being both an authenticated and secure
332   channel of communication between the Registry and Registrar, but it is currently mostly
333   unidirectional (Registrar does not create messages for Registry) and there is no means
334   for registrars to communicate with each other. The Working Group considered whether
335   EPP could be extended to allow registrars to create Poll Messages for each other, for
336   those situations which require the sharing of registrant information. Issues such as
337   security, costs of implementation and feasibility would need to be addressed in order to
338   determine whether this is a suitable option, but overall the Working Group considers this
339   a possible avenue to be further explored.

340

341 **Figure 1.**

Transfer in an EPP Registry
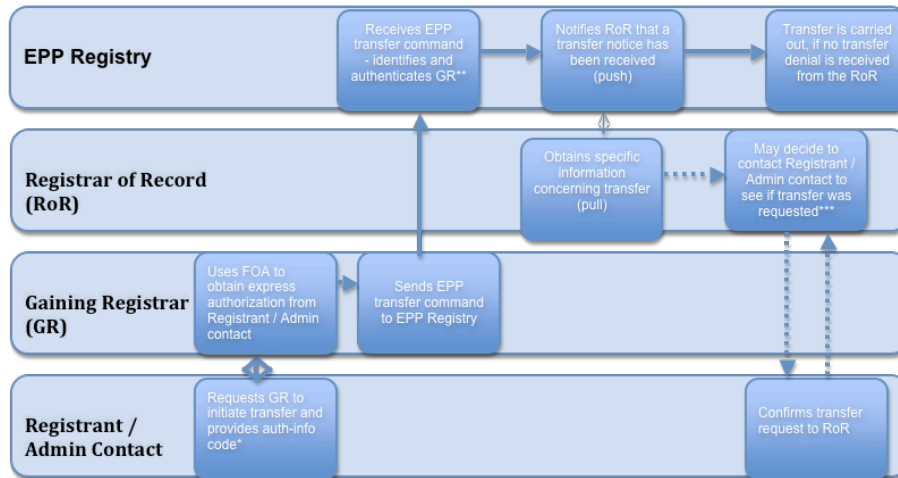
342 **Notes**

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

346 ** EPP requires mutual authentication of clients/registrars and servers before a TLS connection can be made between the
347 two parties. Digital certificates, digital signatures, and PKI services are used to authenticate both parties. Certificates must
348 be signed by a CA that is recognized by the server operator. [RFC 4934, section 8]. Additionally, all EPP clients/registrars
349 are required to identify and authenticate themselves using a server-assigned user ID and a shared secret (a password)
350 that is sent to the server using a login command. The server must confirm the identity and shared secret before the client
351 is given access to other protocol services. [RFC 4930, section 2.9.1.1] Some EPP commands, such as the domain
352 transfer command, require additional authentication information that must be provided and confirmed before the
353 requested action is completed. The default authentication information service uses a shared secret that is known to the
354 registry, the registrar, and the registrant. Registrants are required to provide this secret to a second registrar when
355 requesting the second registrar to initiate a domain transfer on the registrant's behalf. The authentication information data
356 structure is extensible so that additional authentication mechanisms can be defined and implemented in the future. [RFC
357 4931, sections 3.2.1 and 3.2.4].

358 *** The Registrar of Record has 5 calendar days to respond to transfer notice from Registry
359

360   ▪   It should be noted that the RFC3730 - Extensible Provisioning Protocol (EPP) did not
361   foresee the potential use of poll messages in this way which may mean that a
362   modification of the RFC would be required in order to consider this as an option. Such a
363   modification could take a substantial amount of time. In addition, the implementation of a
364   modified EPP would bring with it certain costs. Both elements would need to be
365   considered prior to making a recommendation.
366   ▪   In relation to the security of EPP, it was noted that no security incidences with EPP have
367   been reported to date (or at least not to the knowledge of the Working Group members).
368

369 **Internet Registry Information Service (IRIS)**
370   ▪   The Internet Registry Information Service (IRIS) has been developed by the IETF Cross
371   Registry Internet Service Protocol (CRISP) working group with the objective to replace
372   Whois. IRIS offers the opportunity to set some enforceable standards around who has
373   access to specific registrant data fields and a way to control such access.
374   ▪   Not taking into account or providing any opinion on whether IRIS should or should not be
375   considered as a replacement for Whois, the Working Group discussed whether it would
376   be an option to consider IRIS as a secure means of communication between registrars.
377   In this circumstance, the only data that would be provided and shared between registrars
378   would be registrant e-mail data. The Authinfo code could be used as a means of
379   authentication to access IRIS.
380   ▪   As with EPP, the costs and time of implementation would need to be assessed in order
381   to determine whether this would be a viable option.
382

383 **Registrant vs. Admin contact approval**
384   ▪   While a registrant has the ultimate authority regarding an inter-registrar transfer, the
385   admin contact can initiate and approve a transfer without a registrant's involvement.
386   Most registrars, maybe all, will notify the registrant that a transfer has been initiated and
387   that the registrant can cancel it and that the transfer will go through if the registrant does
388   nothing. So, if a registrant finds that the admin contact has transferred a domain away
389   without registrant approval this can lead to a transfer dispute.
390   ▪   Any policy that allows one person to authorize a transfer and another person to dispute
391   the transfer after it is completed is a potential source of conflict.

392 ▪ Taking this into account, one could consider requiring registrant approval before a
393   transfer occurs which would normally avoid most disputes.
394 ▪ Another option would be to give the admin contact the ultimate transfer authority.
395   However, this might result in additional security / hijacking risks as the admin contact
396   details are part of the public Whois.
397 ▪ Similarly, the registrant could be given the sole transfer authority. However, this brings
398   us back to the issue at hand, how to make the registrant e-mail address available to the
399   gaining registrar in order to confirm a transfer request.
400 ▪ Those registrars participating in the Working Group confirmed that normally the Gaining
401   Registrar sends the confirmation of a transfer to the admin contact since that is the
402   contact that they have on file. It could be considered to make it a requirement, instead of
403   optional, that the Registrar of Record confirms the transfer with the Registrant (instead of
404   the admin contact). This would add another approval into the process that could enable
405   a losing registrar to delay or prevent a transfer. When combined with other transfer
406   process items that a losing registrar controls and can use to cause difficulties and delay,
407   registrar lock removal and auth code retrieval, adding a requirement for the loosing
408   registrar to confirm the transfer has the potential of causing insurmountable difficulty and
409   delay for registrants especially when trying to transfer a large domain name portfolio.
410   However it would resolve the problem of Registrant e-mail not being publically available
411   and it would resolve the problem of domain transfers being authorized by the admin
412   contact without the Registrant's consent.
413
414 **Thin vs. Thick Registries**
415 ▪ A "Thin" Registry is one for which the Registry database contains only domain name
416   service (DNS) information:
417   - Domain name
418   - Name server names
419   - Name server address
420   - The name of the Registrar
421   - Basic transaction data

422 ▪ It does not contain any Registrant or contact information. Registrant or contact
423   information is maintained by the Registrar. Examples of Thin registries are .com, .net
424   and .jobs (see table 1 for a complete overview).
425 ▪ A "Thick" Registry is one for which the Registry database contains:
426   -   Registrant and contact information
427   -   Domain name
428   -   Name server names
429   -   Name server address
430   -   The name of the Registrar
431   -   Basic transaction data
432 ▪ All authoritative information is kept within the Registry.
433 ▪ Registrant Email is collected and maintained by all registrars, and submitted to all
434   "Thick" Registries. A check of gTLD WHOIS data shows that Registrant Email is also
435   displayed for all Thick Registries.
436 ▪ "Thin" registries do not maintain any registrant information.
437 ▪ It should be noted that "Thick" registries are not obliged to include the registrant e-mail
438   address in Whois data, so requiring all "Thin" registries to become "Thick" registries
439   would not change anything for the particular issue at hand, unless the inclusion of the
440   registrant e-mail address would be mandated.
441 ▪ If the registrant email address would be required for inclusion in Whois data, it should
442   not even matter whether it is the registry or the registrar that is required to maintain
443   Whois data.
444
445 Table 1

gTLD	Thin	Thick
.ARPA		✓
.AERO		✓
.ASIA		✓
.BIZ		✓
.CAT		✓
.COM	✓	

.COOP		✔
.EDU		✔
.GOV		✔[2]
.INFO		✔
.INT		✔
.JOBS	✔	
.MIL		✔[3]
.MOBI		✔
.MUSEUM		✔
.NAME	✔	✔[4]
.NET	✔	
.ORG		✔
.PRO		✔
.TEL		✔
.TRAVEL		✔

446 **Whois**

447 ▪ The WG agreed that even though Whois should not be the main topic of the discussion

448 as it is not specifically in the remit of this Working Group to make any recommendations

449 for Whois modification, it would not be off-limit to include in the discussion if deemed

450 appropriate for providing an insight into issue I.

451 ▪ Registrant email addresses are not a required WHOIS field. Registrars can publish it if

452 they choose. Requiring that this address be made publicly available would solve the

453 issue at hand, but at the same time it might raise privacy and security concerns - and is

454 possibly beyond the mandate of this WG.

455 ▪ Members of the RyC who provided feedback also indicated that ICANN Registry

456 Agreements require that the registrant e-mail address field be displayed in the WHOIS of

457 most gTLDs and sTLDs and most of those registries make submission and display of

---

[2] Presumed thick Whois – Whois data not publicly available
[3] Presumed thick Whois – Whois data not publicly available
[4] 'Thick' Whois information is available, but only after payment

458   registrant e-mail address mandatory. It should be noted that this only applies to 'thick'
459   registries.
460
461   **AuthInfo Code**
462   ▪ The Working Group also discussed whether the AuthInfo code, which is currently being
463   used to authenticate a transfer in EPP based registries, could be used as a means to
464   authenticate the transfer instead of the registrant or admin contact e-mail address.
465   ▪ It was noted that this would not solve the issue at hand as the registrant could still
466   challenge a transfer, even if the AuthInfo code would be provided by the admin contact,
467   unless the submission of a valid AuthInfo code would be the only requirement to initiate
468   a transfer. However, this was not deemed a secure and viable solution compared to the
469   current system.
470
471   **Preliminary Conclusion for Issue I**
472   ▪ The WG noted that WHOIS was not designed to support many of the ways in which it is
473   currently used. Some members suggested that finding a way to make the Registrant e-
474   mail address more readily available could be addressed as part of an overall technical
475   modernization of the WHOIS protocol. This could be through updates to the existing
476   protocol, modification of the Extensible Provisioning Protocol (EPP) or adoption of the
477   Internet Registry Information Service (IRIS) protocol. However, after review and
478   discussion none of these options received broad agreement.
479
480   The WG did note that, in the absence of a simple and secure solution for providing the
481   gaining registrar access to the registrant email address, future IRTP working groups
482   should consider the appropriateness of a policy change that would prevent a registrant
483   from reversing a transfer after it has been completed and authorized by the admin
484   contact. This option would not change the current situation whereby a losing registrar
485   can choose to notify the registrant and provide an opportunity to cancel a transfer before
486   the process is completed.
487
488   It should be noted that the Working Group will not make a final decision on which
489   solution(s), if any, to recommend to the GNSO Council before a thorough review of the

490   comments received during the public comment period and final constituency statements

491   has taken place.

492

493   **Issue II - Whether there is need for other options for electronic authentication (e.g.,**

494   **security token in the Form of Authorization (FOA)) due to security concerns on use of**

495   **email addresses (potential for hacking or spoofing).**

496

497   ▪ The Working Group also noted that the loss of even a single domain name through

498   "hijacking" can be personally and financially disruptive to a registrant and could result in

499   significant exposure to liability for the involved registrar.

500   ▪ One member of the Group shared information on the incidence of hacking and spoofing

501   and that the respective company has the equivalent of 1-2 full-time employees dedicated

502   to work on this specific issue. Since January 2008, this team has received over 1000

503   claims of domain name "hijacking," and has taken action to restore the original registrant

504   in 533 of these cases, and upheld the transfer in another 504. On average, the

505   investigation of each claim takes 5-10 business days. Some of these incidents are

506   internal (e.g. Change of Registrant) transfers, not transfers from other registrars. It

507   should be noted that AuthInfo keys are only involved in the latter case. The "vast

508   majority" of disputed transfers involved compromised email accounts. Typically, these

509   are free accounts (Gmail, Yahoo, Hotmail, etc.). These figures demonstrate that the

510   prevention and remediation of domain name "hijacking" is a significant operational

511   burden for registrars.

512   ▪ Additional security measures could be considered, but it should be noted that this would

513   result in additional costs. Furthermore, it is argued that any recommendation to this end

514   should not result in mandating certain technologies over others.

515   ▪ Some members of the Working Group considered that offering additional security

516   measures should be left as a service that a registrar can choose to provide as part of its

517   offering.

518

519   **Preliminary Conclusion for Issue II**

520   ▪ Based on the discussion in the Working Group, there appears to be broad agreement

521   that there is a need for other options for electronic authentication. However, opinions in

Marika Konings 12/23/08 9:50 PM
Deleted: apart from these figures,
Marika Konings 12/23/08 9:55 PM
Deleted: , and involve a conceivable liability potential for the involved registrar
Marika Konings 12/23/08 9:51 PM
Deleted: potential
Marika Konings 12/23/08 9:52 PM
Deleted: One of the issues raised by the Working Group was the actual incidence of hacking or spoofing.

522   the Working Group differ as to whether these options should be developed by means of

523   GNSO policymaking or should be left to market solutions. It should be noted that the

524   Working Group will not make a final decision on which solution(s), if any, to recommend

525   to the GNSO Council before a thorough review of the comments received during the

526   public comment period and final constituency statements has taken place.

527

528   **Issue III - Whether the policy should incorporate provisions for handling partial bulk**

529   **transfers between registrars - that is, transfers involving a number of names but not**

530   **the entire group of names held by the losing registrar.**

531

532   ▪ Some members of the Working Group argue that this issue relates to potential partial

533   bulk transfers between registrars, and not registrant initiated partial bulk transfers which

534   are in practice already possible and offered as a service by a number of registrars.

535   ▪ Several members of the Working Group noted that if there would be support for

536   incorporating provisions for handling partial bulk transfers, it is imperative to ensure that

537   these provisions do not blur the boundaries between Policy requirements and Product

538   development.

539   ▪ In order to consider this issue in its full depth, it will be important to define what would

540   constitute a partial bulk transfer. What would be a minimum, would these transfers be

541   treated as renewals, is there a fee involved? Also, this definition process would need to

542   take into consideration that partial bulk transfers should not be abused by those trying to

543   avoid the charge that currently applies for bulk transfers over 50,000 domain names.

544   ▪ There is a policy in place that defines how a bulk transfer process works (see ICANN

545   Policy on Transfer of Registrations between Registrars, 12 July 2004, Section B. ICANN-

546   Approved Transfers). When a registry executes a bulk transfer under the existing policy,

547   the registries receive approval from ICANN to use the 'bulk transfer tool' to transfer all

548   domains under the management of one ICANN accredited registrar to another

549   designated ICANN accredited registrar. The registry then contacts both the gaining

550   registrar and the losing registrar to coordinate a time to complete the transfer. A script is

551   run that, in essence, only changes the registrar of record for the domain names - the

552   expiration date is not changed nor is a registration fee assessed.

Comments (margin):

Marika Konings 10/23/08 11:20 AM
Deleted: The

Marika Konings 10/23/08 11:20 AM
Deleted: noted

553 ▪ It was suggested that a similar process could be considered for a 'voluntary partial bulk
554 transfer' request with the exception that the request would not be received from ICANN,
555 but instead, from one of the registrars. Therefore, the registries would receive the
556 request to initiate a voluntary partial bulk transfer from a registrar and, provided all
557 requirements are met, the registry would execute the command to move the designated
558 domain names from the losing registrar to the gaining registrar (without further
559 intervention by the registrars and without moving the expiration dates of the domain
560 names forward or assessing the standard registration fee to the gaining registrar). The
561 details surrounding the minimum requirements for submission of requests would need to
562 be addressed. Much work would need to be done by the WG to define the
563 requirements, fee structure, etc. The requirements should be limited to those relating to
564 registry and registrar responsibilities. How various registrars decide to develop products
565 (and establish their fee structure that they would charge for the service to their
566 registrants), as well as market the product to their registrants, should be left up to the
567 individual registrars.
568 ▪ It was noted that from a security perspective, provisions for a partial bulk transfer might
569 not be desirable as this would also allow miscreants to transfer a large number of
570 domain names at once.
571 ▪ Having taken into account the above considerations, the Working Group started
572 deliberations on the possible scenarios in which a partial bulk transfer might be
573 appropriate and found the following:
574 o Scenario I – Partial Bulk Transfer following ICANN accreditation of a reseller
575 A reseller becomes an ICANN accredited registrar and may decide to become the
576 registrar or record for those domain names for which it has been accredited.
577 o Scenario II – Partial Bulk Transfer between registrars
578 A registrar may decide to move a certain number of domain names to another
579 registrar, e.g. linked to one gTLD because there is agreement to no longer sell
580 domain names in the gTLD in question.
581 o Scenario III – Partial Bulk Transfer in case of a (partial) merger or acquisition
582 between registrars
583 As a result of a partial merger or acquisition between registrars, a number, but not
584 all, domain names are transferred to the new registrar.

585   o   Scenario IV – Partial Bulk Transfer initiated by a registrant

586   A registrant decides to his/her domain name portfolio to a new registrar, but not all,

587   e.g. as a consequence of a merger or acquisition.

588   o   Scenario V – Partial Bulk Transfer following de-accreditation of a registrar

589   A registrar voluntarily abandons its accreditation, and instead becomes a reseller of

590   an accredited registrar transferring all domain names to that registrar.

591 ▪ The existing bulk transfer provision reads as follow:

592 *"B. ICANN-Approved Transfers*

593 *Transfer of the sponsorship of all the registrations sponsored by one Registrar as the*

594 *result of (i) acquisition of that Registrar or its assets by another Registrar, or (ii) lack of*

595 *accreditation of that Registrar or lack of its authorization with the Registry Operator, may*

596 *be made according to the following procedure:*

597 *(a) The gaining Registrar must be accredited by ICANN for the Registry TLD and must*

598 *have in effect a Registry-Registrar Agreement with Registry Operator for the Registry*

599 *TLD.*

600 *(b) ICANN must certify in writing to Registry Operator that the transfer would promote*

601 *the community interest, such as the interest in stability that may be threatened by the*

602 *actual or imminent business failure of a Registrar.*

603 *Upon satisfaction of these two conditions, Registry Operator will make the necessary*

604 *one-time changes in the Registry database for no charge, for transfers involving 50,000*

605 *name registrations or fewer. If the transfer involves registrations of more than 50,000*

606 *names, Registry Operator will charge the gaining Registrar a one-time flat fee of US$*

607 *50,000."*

608 Even though the current bulk transfer provisions were originally not intended to cater to

609 the bulk transfer of domain names in only one gTLD, the Working Group recognises that

610 the current language might provide for this option and a clarification to this end by the

611 GNSO Council may be a useful approach. Taking this into account, the Working Group

612 found, after in-depth discussion, that existing bulk transfer provisions and/or market

613 solutions currently cover all scenarios.

614 ▪ As a result, the Working Group does not see a need to incorporate provisions for

615 handling partial bulk transfers between registrars at this stage.

616

617 | **Preliminary Conclusion for Issue III**

618 | ▪ Based on the discussion in the Working Group, there appears to be broad agreement
619 | that there is no need to incorporate provisions for handling partial bulk transfers between
620 | registrars at this stage. The Working Group believes that these scenarios can be
621 | addressed either through the existing Bulk Transfer provisions, or through existing
622 | market solutions. It should be noted that the Working Group will not make a final
623 | decision on which solution(s), if any, to recommend to the GNSO Council before a
624 | thorough review of the comments received during the public comment period and final
625 | constituency statements has taken place.

626 |

626

6. Initial Constituency Statements & Public Comment Period

629

630 This section features issues and aspects of the IRTP Part A PDP reflected in the statements

631 from the GNSO constituencies and comments received during the public comment period.

632

6.1 Initial Public Comment Period

634

635 The public comment period ran from 5 September 2008 to 29 September 2008. Three

636 comments were received of which only one (from the IPC constituency) responded to the

637 questions outlined in the announcement. The other two responses (from Malc McGookin

638 and Jeffrey A. Williams) were off-topic; they expressed concerns relating to the loss of a

639 particular domain name, the redemption grace period and warehousing. In addition, two

640 other comments, the constituency statements of the Registrar and Registry constituency,

641 were received after the deadline of the public comment period. The public comments on this

642 forum are archived at http://forum.icann.org/lists/new-irtp-issues/. A summary of the

643 constituency statements can be found in the next section.

644

6.2 Initial Constituency Statements

646

647 The Constituency Statement Template was sent to all the constituencies. Feedback was

648 received from the Intellectual Property Interests Constituency, gTLD Registry Constituency,

649 Registrar Constituency and the Business and Commercial Users' Constituency. These

650 entities are abbreviated in the text as follows (in the order of submission of the constituency

651 statements):

652

653 IPC - Intellectual Property Interests Constituency

654 RyC - gTLD Registry Constituency

655 RrC – Registrar Constituency

Marika Konings 10/28/08 3:45 PM
Deleted: 's

656   BC – Business and Commercial Users' Constituency

657

6.3   Constituency Views

659

660   The three comments responding to the questions outlined in the announcement were

661   submitted by the Intellectual Property Constituency (IPC), the Registry Constituency (RyC)

662   the Registrar Constituency (RC) and the Business and Commercial Users' Constituency

663   (BC) . Annex A of this report contains the full text of the constituency statements that have

664   been submitted. These should be read in their entirety. The following section attempts to

665   summarize key constituency views on the issues raised in the context of IRTP Part A PDP.

666   This section also summarizes further work recommended by the various constituencies,

667   possible actions recommended to address the three issues part of the IRTP Part A PDP,

668   and the impact of potential measures on the GNSO constituencies.

669

670   **Issue I - Is there a way for registrars to make Registrant E-mail Address data available**

671   **to one another? Currently there is no way of automating approval from the Registrant,**

672   **as the Registrant Email Address is not a required field in the registrar Whois. This**

673   **slows down and/or complicates the process for registrants, especially since the**

674   **Registrant can overrule the Admin Contact.**

675

676   The IPC believes that the lack of an e-mail address for the registrant does not necessarily

677   delay the transfer of a domain name. However, it does emphasise that if registrant e-mail

678   address data is to be made available to other registrars, it should happen in the context of

679   an overall technical modernization of the Whois protocol.

680

681   The RyC notes that the question might need to be restated to clarify the scope as registrant

682   contact information such as the e-mail address is mandated in the case of thick registries;

683   the registry operator is required to display the registrant e-mail address in the registry's

684   WHOIS. In the case of thin registries, the RyC considers it too costly and time consuming to

685   require thin registries to add contact information. The RyC advocates that any change to

686   the policy should be limited to addressing the issue of obtaining authoritative information

687   relating to the administrative contact e-mail address. In this context, a tiered access

688   approach to proving WHOIS information could be considered for implementation by

689   registrars.

690

691   The RC highlights that no viable secure implementation is available which would allow

692   registrars to make registrant e-mail address data available to one another. In addition, the

693   RC believes the issue is more appropriate for a market based solution than for prescriptive

694   measures.

695

696   The BC does believe a policy change is required as the current situation creates potential

697   confusion as 'the Admin Contact email address is purportedly authoritative, yet can be

698   overruled by a Registrant'. The BC suggests that a potential solution could be to make the

699   Admin Contact email address authoritative for a transfer and in addition employ

700   authentication technologies to authenticate transfer requests and acknowlegments.

701

702   **Issue II - Whether there is need for other options for electronic authentication (e.g.,**

703   **security token in the Form of Authorization (FOA)) due to security concerns on use**

704   **of email addresses (potential for hacking or spoofing).**

705

706   The IPC believes that there is a need for further options for electronic authentication in order

707   to set a reasonable secure and basic standard to be used by every registrar, and that such

708   options should be independent of any other services offered by the registrar. However,

709   such a system should improve security without making the transfer process too

710   cumbersome. Possible solutions could include the requirement for the registrant to submit

711   with its request to unlock the name the IANA ID of the Gaining Registrar or the use of digital

712   certificates. The IPC believes that an analysis of various ccTLD registry policies such as the

713   Swedish registry (.se), the Swiss registry (.ch) and CoCCA (.cx, .mu, .na, etc), would benefit

714   the policy development process. The IPC does recognize that unexpected and increased

715   costs for registrants or at the registry level could be an issue.

716

717   The RyC supports the principle that market forces should handle this issue; registrars are

718   best placed to measure demand and decide whether they would like to differentiate

719   themselves from their competitors by making additional security measures available for their

720 customers. The RyC has identified a number of registrars that provide such additional

721 security methods to their customers such as Markmonitor, GoDaddy and Moniker. However,

722 if a need would be identified for other options of electronic authentication, the RyC

723 recommends that the EPP AuthInfo code be explored in further detail as this mechanism

724 already provides an automated way to authenticate transfer requests and could take the

725 place of both the Registrant and Admin contact e-mail addresses. The RyC notes that for

726 the use of AuthInfo codes to be effective, compliance with the requirement that AuthInfo

727 codes be unique by domain name must be enforced via the ICANN Registrar Compliance

728 Program and not the registry operator.

729

730 The RC also recommends that this issue be resolved based on market demand rather than

731 prescriptive measures and cautions against unintended consequences of technology

732 mandates.

733

734 The BC does believe there is a need for other options for electronic authentication such as

735 PGP or other authentication methods. In addition, it calls upon SSAC, GNSO and other

736 ICANN bodies to continue working to investigate and mitigate the risk of domain name

737 hijacking.

738

739 **Issue III - Whether the policy should incorporate provisions for handling partial bulk**

740 **transfers between registrars - that is, transfers involving a number of names but not**

741 **the entire group of names held by the losing registrar.**

742

743 The IPC believes that the transfer policy should incorporate provisions for handling partial

744 bulk transfers. It considers it particularly helpful in the context of corporate asset sales and

745 acquisitions in the context of a registrant or in case of the termination or non-renewal of a

746 registrar's accreditation agreement.

747

748 The RyC supports the incorporation of provisions to handle partial bulk transfers as long as

749 this would not require reengineering the existing bulk transfer functionality or new

750 development. Specific details of the product offerings by registries and registrars should be

751 left to the market.

752

753   The RC also believes that a partial bulk transfer option would be a useful tool for registrars,

754   as long as it is properly defined. It does note that many details still need to be refined such

755   as 'how many domain names constitute a bulk transfer' before a policy can be considered in

756   this area. It emphasizes that such a policy should be limited to partial bulk transfers between

757   registrars; partial bulk transfers for registrants should be left to market-driven innovation and

758   competition.

759

760   The BC supports that there should be such a provision to allow large domain portfolio

761   owners to transfer large chunks of domain names between registrars; provisions to facilitate

762   partial bulk transfers should not be limited to registrars only.

763

764

764

7. Conclusions and Next Steps

765

766   The Working Group aims to complete this section of the report in the second phase of the
767   PDP, following a second public comment period and the submission of the final constituency
768   statements.

769

770

Marika Konings 10/27/08 11:26 AM
Deleted: TBC

770 # Annex A – Template for Constituency Statements

771 **Constituency Input Template Inter-Registrar Transfer Policy Set A**

772

773 The GNSO Council has formed a Working Group of interested stakeholders and

774 Constituency representatives, to collaborate broadly with knowledgeable individuals and

775 organizations, in order to develop potential policy options to address three new issues

776 associated with the Inter-Registrar Transfer Policy.

777

778 Part of the working group's effort will incorporate ideas and suggestions gathered from

779 Constituencies through this Constituency Statement.

780

781 Inserting your Constituency's response in this form will make it much easier for the Working

782 Group to summarize the Constituency responses. This information is helpful to the

783 community in understanding the points of view of various stakeholders.

784

785 For further background information on this issue, please review the GNSO Issues Report on

786 Inter-Registrar Transfer Policy Set A - New IRTP Issues

787

788 Process:

789 • Please identify the members of your constituency who participated in developing the

790 perspective(s) set forth below.

791 • Please describe the process by which your constituency arrived at the perspective(s) set

792 forth below.

793

794 **Issue I – Is there a way for registrars to make Registrant E-mail Address data**

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

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

797 **Whois. This slows down and/or complicates the process for registrants, especially**

798 **since the Registrant can overrule the Admin Contact**.

799

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

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

802   how this would benefit automating approval, and, if any, what potential problems

803   might be associated with this option.

804   - Please identify examples or best practices of email address use to facilitate and/or

805   automate approval from a Registrant for a transfer.

806   - Although it is not the purpose of this Policy Development Process (PDP) to

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

808   registrant email addresses in WHOIS. The Working Group is interested in your views

809   on that potential option, without regard to the broader WHOIS issues of availability

810   and accuracy of WHOIS data. The Working Group is more particularly interested in

811   your views about any other options not involving WHOIS.

812

813   **Issue II – Whether there is need for other options for electronic authentication (e.g.,**

814   **security token in the Form of Authorization (FOA)) due to security concerns on use of**

815   **email addresses (potential for hacking or spoofing)**.

816

817   - What security concerns can you identify related to current ways of authenticating

818   registrants. Note, the Security and Stability Advisory Committee (SSAC) has

819   identified a risk of email spoofing for purposes of domain name hijacking, see link.

820   We are interested in your views on this and any other concerns.

821   - Do you think there is a need for other options for electronic authentication? Please

822   state the reasons for your answer.

823   - Do you know of any Registrars using additional means for electronic authorization

824   (e.g. security token, digital signatures, etc.)? If so, what are they and who offers

825   them?

826   - If a need would be identified for other options of electronic authentication, what other

827   options could be explored?

828   - Of those other options to be explored, please identify the potential benefits but also

829   any potential problems.

830   - Do you have or know of any data in relation to the impact of the Extensible

831   Provisioning Protocol (EPP) deployment on security in relation to authentication? If

832   so, please describe the source and type of data.

833   - Do you know of any further examples, apart from those mentioned in the issues
834   report (.uk registry and .se registry), of electronic authentication methods? If so, what
835   are they and who offers them?
836

837 **Issue III – Whether the policy should incorporate provisions for handling "partial bulk**
838 **transfers" between registrars – that is, transfers involving a number of names but not**
839 **the entire group of names held by the losing registrar**.
840

841   - Should the policy incorporate provisions for handling "partial bulk transfers" between
842   registrars? Please state the reasons and use-cases for your answer.
843   - Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,
844   could you please provide further details on those provisions (apart from those
845   already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).
846

> **Marika Konings 10/21/08 4:18 PM**
> **Formatted:** Bullets and Numbering

Annex B - Constituency Statements

IPC Comments On Inter-Registrar Transfer Policy (IRTP) Issues

Part A 'New IRTP Issues'

September 26, 2008

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.

COMMENTS

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

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

875   Registrant E-mail Address data is to be made available, it should be done as part of an

876   overall technical modernization of the Whois protocol.

877

878   The need for inter-registrar communication of registrant information speaks to the legitimate

879   need for Port 43-like access to Whois data (in addition to the public's need and the need of

880   intellectual property owners for open access to Whois data, such as can be obtained

881   through web interfaces). Other parties with needs for Port 43-like automated access include

882   information providers, such as those who provide research services for non-marketing

883   purposes such as trademark availability clearance and searching, audits of domain

884   portfolios for corporate mergers and acquisitions, and investigations of intellectual property

885   infringement and fraud. The need for Registrant E-mail Address data in Whois is just one of

886   many reasons why ICANN should address, rather than avoid the need to modernize the

887   Whois protocol.

888

889   Issue II - Whether there is need for other options for electronic authentication (e.g., security

890   token in the Form of Authorization (FOA)) due to security concerns on use of email

891   addresses (potential for hacking or spoofing).

892

893   COMMENTS

894

895   Yes, we believe that there is a need for further options for electronic authentication in order

896   to set a reasonable secure and basic standard to be used by every registrar, and that such

897   options should be independent of any other services offered by the registrar. It is important

898   that ICANN sets out the requirements for this basic standard in its IRTP. The challenge is to

899   find a way to improve security without making the transfer system too cumbersome.

900

901   The weakness in almost every current system for electronic authentication is that too much

902   depends on information and confirmation via e-mail (of the registrant's and/or the Admin

903   Contact). Even with partial off-line authentications (e.g. in the form of a signed fax from the

904   Registrant) in combination with an e-mail confirmation, it is necessary to rely on the

905   presumption that the registrant's e-mail address is correct because any additional

906   documentation requiring signature is sent via that e-mail address.

907 Email-based authentication does not appear to be sufficient to secure the identity of the
908 registrant.
909
910 A current risk point is that there is a period after a registrant has unlocked a domain name
911 during which malicious transfer requests might accidentally be accepted. One possible
912 solution could be to require the registrant to submit with its request to unlock the name the
913 IANA ID of the registrar to which the name is intended to be transferred. Transfer requests
914 coming from any other registrar would then be automatically rejected.   Another solution is
915 the use of digital certificates.
916
917 However, we appreciate that certain registrants and certain areas of business - the financial
918 sector, for example - may require an even higher standard and level of security. We see
919 these classes of registrants and business sectors are best served by additional services that
920 are created and offered by the registrars without involvement of ICANN.
921
922 The IPC believes an analysis of various ccTLD registry policies would benefit the policy
923 development process. Examples include the Swedish registry system which uses an
924 application called Domain Manager ('DomÃnhanteraren'), and features a certificate-based
925 web interface to effectuate transfers. In the Swiss Registry (SWITCH), authentications are
926 performed either via e-mail or by signed fax only. CoCCA (a grouping of small ccTLD
927 registries) uses a password generated by electronic token for allowing access to the
928 registrar account, but does not authenticate a registrant's right to a transfer.
929
930 The benefits of improved electronic authentication are safer communications and transfers.
931 Potential problems could be unexpected and increased costs for Registrants - either by
932 demands for certain software or by increased costs at the Registry level (which will
933 ultimately raise the price for domain name administration), as well as a more time-
934 consuming process whenever a certification of the Registrant's ID is needed.
935
936 Issue III - Whether the policy should incorporate provisions for handling 'partial bulk
937 transfers' between registrars - that is, transfers involving a number of names but not the
938 entire group of names held by the losing registrar.

939
940   COMMENTS
941
942   Yes, the policy should incorporate provisions for handling partial bulk transfers. Any
943   mechanism to facilitate the smooth transfer of a registrant's domain names is welcomed.
944   Partial bulk transfers would be particularly helpful in connection with corporate asset sales
945   and acquisitions. For example, a registrant may be selling only one of its business lines to a
946   third party or an acquiring company may wish to have only some of the acquired company's
947   domain names transferred to its own registrar. Furthermore, in the cases of termination or
948   non-renewal of a registrar's Registrar Accreditation Agreement, a partial bulk transfer policy
949   would enable the de-accredited registrar to transfer domains in bulk to numerous 'gaining'
950   registrars, further protecting the rights of registrants.
951
952   Submitted by,
953
954   Claudio DiGangi, on behalf of IPC
955

955 **GNSO gTLD Registry Constituency Statement**

956 **Issue: Inter-Registrar Transfer Policy Set A Request for Constituency Statements**

957 Date: 2 October 2008

958 Issues Report URL: http://gnso.icann.org/issues/transfers/transfer-issues-report-set-a-

959 23may08.pdf

960 General RyC Information

961

962 ▪ Total # of eligible RyC Members[5]: 15

963 ▪ Total # of RyC Members: 15

964 ▪ Total # of Active RyC Members[6]: 15

965 ▪ Minimum requirement for supermajority of Active Members: 10

966 ▪ Minimum requirement for majority of Active Members: 8

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

968 ▪ Names of Members that participated in this process:

969   1. Afilias (.info)

970   2. DotAsia Organisation (.asia)

971   3. DotCooperation (.coop)

972   4. Employ Media (.jobs)

973   5. Fundació puntCAT (.cat)

974   6. mTLD Top Level Domain (.mobi)

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

976   8. NeuStar (.biz)

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

978   10. RegistryPro (.pro)

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

980   12. VeriSign (.com & .net)

---

[5] 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 .

[6] 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.

981

982 ▪ Names & email addresses for points of contact

983 o Chair: David Maher, dmaher@pir.org

984 o Vice Chair: Jeff Neuman, Jeff.Neuman@Neustar.us

985 o Secretariat: Cherie Stubbs, Cherstubbs@aol.com

986 o RyC representative for this statement: Barbara Steele, bsteele@verisign.com

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

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

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

990 meetings (including teleconference meetings).

991

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

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

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

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

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

997

998 2.1 If you believe policy change is needed, what options could be explored for registrars

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

1000   identify how this would benefit automating approval, and, if any, what potential

1001   problems might be associated with this option.

1002

1003 2.1. The members of the Registries Constituency recommend that Issue 1 be

1004   edited to clarify the scope of the issue.

1005

1006   Specifically, it should be noted that registry WHOIS is authoritative which

1007   would include, in the case of thick registries, the registrant contact information

1008   such as e-mail address. Also, in the case of thick registries, the registry

1009   agreements mandate that the registry operator display the registrant e-mail

1010   address in the registry's WHOIS.

1011

1012   At least one thick registry which is subject to privacy laws has implemented a

> Marika Konings 10/21/08 4:18 PM
> **Formatted:** Bullets and Numbering

1013   tiered access approach to publishing WHOIS information.

1014

1015   Any changes to the policy and/or practice should be limited to addressing the

1016   issue of obtaining authoritative information relating to the administrative

1017   contact e-mail address in those instances where it is not available via the

1018   registry WHOIS. In the case of thin registries, the contact information for a

1019   domain name in the registrar WHOIS (including the registrant e-mail address)

1020   is authoritative. In this case, registrars could implement a tiered access

1021   approach to providing WHOIS information that would permit the private

1022   provision of Registrant e-mail address and thereby satisfying various privacy

1023   law requirements.

1024

1025   2.1 Please identify examples or best practices of email address use to facilitate and/or

1026   automate approval from a Registrant for a transfer.

1027

1028   2.1.   The members of the Registries Constituency agree that authentication of the

1029   identity of the registrant, as stipulated by the IRTP, is the responsibility of the

1030   Gaining Registrar. Therefore, aside from EPP AuthInfo authentication which

1031   is systematically enforced when an EPP Registry processes a transfer

1032   command, Registrars are best able to address this item.

> Marika Konings 10/21/08 4:18 PM
> **Formatted:** Bullets and Numbering

1033

1034   2.1 Although it is not the purpose of this Policy Development Process (PDP) to

1035   recommend changes to WHOIS policy, it conceivably could be an option to

1036   require registrant email addresses in WHOIS. The Working Group is interested in

1037   your views on that potential option, without regard to the broader WHOIS issues

1038   of availability and accuracy of WHOIS data. The Working Group is more

1039   particularly interested in your views about any other options not involving

1040   WHOIS.

1041

1042   2.1.   As previously indicated, thick registries are already publishing registrant e-

1043   mail addresses in WHOIS. For thin registries to add contact information

1044   would be a major change resulting in significant cost and time to deploy.

> Marika Konings 10/21/08 4:18 PM
> **Formatted:** Bullets and Numbering

1045   Registrars are already dealing with this requirement and thus extending this

1046   requirement to their local WHOIS operations for use with thin registries does

1047   not seem to extend a further burden on registrars and their handling of

1048   privacy issues than already exists.

1049

1050   1.4. **Level of Support of Active Members**: Supermajority

1051

1052   1.4.1. # of Members in Favor: 12

1053

1054   1.4.2. # of Members Opposed: 0

1055

1056   1.4.3. # of Members that Abstained: 0

1057

1058   1.4.4. # of Members that did not vote: 3

1059

1060   1.5. **Minority Position**: None

1061

1062   1.6. **General impact on the RyC**: Minimal

1063

1064   1.7. **Financial impact on the RyC**: Minimal

1065

1066   1.8. **Analysis of the period of time that would likely be necessary to implement the**

1067   **policy**: Not applicable as those registries that currently have registrant contact

1068   information are already publishing the e-mail address. For thin registries to add

1069   contact information would be a major change resulting in significant cost and time to

1070   deploy.

1071

1072   2. **Issue 2 - Whether there is need for other options for electronic authentication**

1073   **(e.g., security token in the Form of Authorization (FOA)) due to security concerns**

1074   **on use of email addresses (potential for hacking or spoofing)**.

1075

1076   2.1 What security concerns can you identify related to current ways of authenticating

1077 registrants. Note, the Security and Stability Advisory Committee (SSAC) has

1078 identified a risk of email spoofing for purposes of domain name hijacking, see

1079 link. We are interested in your views on this and any other concerns.

1080

1081 2.1.1.   The members of the Registries Constituency recognize that use of the

1082   e-mail address has certain weaknesses, but the merits and costs of

1083   implementing other methods should be judged in their own right and

1084   not against any inadequacies and inefficiencies of email.

1085

1086 2.2.   Do you think there is a need for other options for electronic authentication?

1087   Please state the reasons for your answer.

1088

1089 2.2.1.   The members of the Registries Constituency support allowing market

1090   forces to operate freely in this area. Registrars can measure demand

1091   to determine if they want to implement additional security methods for

1092   authenticating transfer requests. Registrars should be permitted to

1093   differentiate themselves from their competitors by determining what

1094   offerings they make available to registrants, including the level of

1095   security they employ in protecting the contact information of the

1096   Registrants of domain names.

1097

1098 2.3.   Do you know of any Registrars using additional means for electronic

1099   authorization (e.g. security token, digital signatures, etc.)? If so, what are they

1100   and who offers them?

1101

1102 2.3.1.   The Registries Constituency believes that some registrars have

1103   implemented additional security methods to authenticate transfers of

1104   domain names. Specifically, Markmonitor, GoDaddy and Moniker

1105   have products available to provide additional security. More

1106   information relating to these products can be found at the following

1107   websites, respectively:

1108   http://www.markmonitor.com/products/domain_management.php,

| Marika Konings 10/21/08 4:18 PM |
| **Formatted:** Bullets and Numbering |

1109   https://www.godaddy.com/gdshop/protect/landing.asp?isc_prg001&ci
1110   =9004 and http://www.domainmaxlock.com/. We also have
1111   confirmation that CSC will issue some customers Secure ID tokens
1112   (RSA) for additional validation.
1113

1114   2.4.   If a need would be identified for other options of electronic authentication,
1115   what other options could be explored?
1116

1117   2.4.1.   The EPP AuthInfo code provides an automated mechanism to
1118   authenticate transfer requests and could take the place of both the
1119   Registrant and Admin Contact e-mail addresses.
1120

1121   2.5.   Of those other options to be explored, please identify the potential benefits
1122   but also any potential problems.
1123

1124   2.5.1.   Use of the AuthInfo code to authenticate transfers is already in place
1125   and required by all EPP registries or the transfer command will fail.
1126   There is no additional cost or development required to implement this
1127   method of authentication. The IRTP addresses the potential problems
1128   associated with obtaining the AuthInfo code for a domain name in
1129   Section 5.
1130

1131   However, for the use of AuthInfo codes to be effective, the members
1132   of the Registries Constituency agree that compliance with the
1133   requirement that AuthInfo codes be unique by domain name must be
1134   enforced via the ICANN Registrar Compliance Program. Enforcement
1135   of unique AuthInfo codes by domain name should not be done by the
1136   registry operator as such enforcement would create a negative
1137   response for conflicting AuthInfo codes thus creating a mechanism to
1138   test for in-use AuthInfo codes which could result in a security
1139   exposure.
1140

Marika Konings 10/21/08 4:18 PM
Formatted: Bullets and Numbering

Marika Konings 10/21/08 4:18 PM
Formatted: Bullets and Numbering

Marika Konings 10/21/08 4:18 PM
Formatted: Bullets and Numbering

Marika Konings 10/21/08 4:18 PM
Formatted: Bullets and Numbering

1141   While the use of security tokens by the Registrant to authenticate a
1142   transfer would bring additional security to the transfer process, the
1143   members of the Registries Constituency agree that market forces
1144   should be allowed to work freely in this regard and demand should
1145   dictate whether a Registrar elects to employ this method since the
1146   expense and logistics of providing tokens to all Registrants may not
1147   make this a feasible option for all registrars and registrants.

1148

1149 2.6.   Do you have or know of any data in relation to the impact of the Extensible
1150   Provisioning Protocol (EPP) deployment on security in relation to
1151   authentication? If so, please describe the source and type of data.

1152

1153 2.6.1.   No members of the Registries Constituency are aware of any security
1154   issues relating to the deployment of EPP or AuthInfo codes. All
1155   indications are that the RFC is stable and EPP and AuthInfo codes,
1156   when properly implemented, are secure.

1157

1158   It should be noted that EPP requires mutual authentication of
1159   clients/registrars and servers before a Transport Layer Security (or
1160   TLS) connection can be made between the two parties. Digital
1161   certificates, digital signatures, and PKI services are used to
1162   authenticate both parties. Certificates must be signed by a CA that is
1163   recognized by the server operator. [RFC 4934, section 8]

1164

1165   Additionally, all EPP clients/registrars are required to identify and
1166   authenticate themselves using a server-assigned user ID and a
1167   shared secret (a password) that is sent to the server using a login
1168   command. The server must confirm the identity and shared secret
1169   before the client is given access to other protocol services. [RFC
1170   4930, section 2.9.1.1]

1171

1172   Some EPP commands, such as the domain transfer command,

Marika Konings 10/21/08 4:18 PM
Formatted: Bullets and Numbering

Marika Konings 10/21/08 4:18 PM
Formatted: Bullets and Numbering

1173	require additional authentication information that must be provided
1174	and confirmed before the requested action is completed. The default
1175	authentication information service uses a shared secret (or AuthInfo
1176	code) that is known to the registry, the registrar, and the registrant.
1177	Registrants are required to provide this secret to a second registrar
1178	when requesting the second registrar to initiate a domain transfer on
1179	the registrant's behalf. The authentication information data structure is
1180	extensible so that additional authentication mechanisms can be
1181	defined and implemented in the future. [RFC 4931, sections 3.2.1 and
1182	3.2.4]
1183	
1184	2.7. Do you know of any further examples, apart from those mentioned in the
1185	issues report (.uk registry and .se registry), of electronic authentication
1186	methods? If so, what are they and who offers them?
1187	
1188	2.7.1. The members of the Registries Constituency are unaware of any
1189	methods of electronic authentication currently in use other than those
1190	indicated in section 2.3.1 of this Issue #2.
1191	
1192	2.8. **Level of Support of Active Members**: Supermajority
1193	
1194	2.8.1. # of Members in Favor: 12
1195	
1196	2.8.2. # of Members Opposed: 0
1197	
1198	2.8.3. # of Members that Abstained: 0
1199	
1200	2.8.4. # of Members that did not vote: 3
1201	
1202	2.9. **Minority Position**: None
1203	
1204	2.10. **General impact on the RyC**: To be determined.

Marika Konings 11/10/08 9:52 AM
Formatted: Bullets and Numbering

Marika Konings 11/10/08 9:52 AM
Formatted: Bullets and Numbering

1205

1206   2.11. **Financial impact on the RyC**: To be determined.

1207

1208   2.12. **Analysis of the period of time that would likely be necessary to implement**

1209   **the policy**: The period of time to implement other security methods could range

1210   from no time required to many months depending on which methods implemented.

1211   More information is needed to determine this.

1212

1213   3. **Issue 3 - Whether the policy should incorporate provisions for handling "partial**

1214   **bulk transfers" between registrars – that is, transfers involving a number of**

1215   **names but not the entire group of names held by the losing registrar.**

1216

1217   3.1.   Should the policy incorporate provisions for handling "partial bulk transfers"

1218   between registrars? Please state the reasons and use-cases for your answer.

	Marika Konings 10/21/08 4:18 PM
	Formatted: Bullets and Numbering

1219

1220   3.1.1.   The members of the Registries Constituency support the incorporation

1221   of provisions for handling partial bulk transfers between registrars

1222   provided that the provisions would not require reengineering of the

1223   existing bulk transfer functionality or new development. Specifically,

1224   the transfer of the specified domain names would not extend the term

1225   of the registration by an additional year and the registration fee would

1226   not be assessed. Specific details of the product offerings by registries

1227   and registrars should be left up to the individual registries and

1228   registrars and should be driven by market demand.

1229

1230   3.2.   Are you aware of any voluntary provisions to facilitate partial bulk transfers? If

1231   so, could you please provide further details on those provisions (apart from

1232   those already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).

	Marika Konings 11/10/08 9:52 AM
	Formatted: Bullets and Numbering

1233

1234   3.2.1.   The only voluntary provisions to facilitate partial bulk transfers that the

1235   members of the Registries Constituency are aware of are those that

1236   have been identified (i.e., NeuStar and Nominet).

1237

1238 3.3. **Level of Support of Active Members**: Supermajority

1239

1240   3.3.1. # of Members in Favor: 12

1241

1242   3.3.2. # of Members Opposed: 0

1243

1244   3.3.3. # of Members that Abstained: 0

1245

1246   3.3.4. # of Members that did not vote: 3

1247

1248 3.4. **Minority Position**: None

1249

1250 3.5. **General impact on the RyC**: Minimal

1251

1252 3.6. **Financial impact on the RyC**: Minimal

1253

1254 3.7. **Analysis of the period of time that would likely be necessary to implement the**

1255   **policy**: If current technology is used, there would be no system / software

1256   development time required at the registries. However, implementation time to

1257   develop requirements / products involving submission by the registrar of partial bulk

1258   transfer requests could take 3 to 12 months.

1259

1260

1260

1261 **October 3, 2008**

1262

1263 **Registrar Constituency Position on Inter-Registrar Transfer Policy Issues**

1264

1265 **BACKGROUND**

1266 In September 2008, the Registrar Constituency ("RC") was asked to provide feedback

1267 regarding three Inter-Registrar Transfer Policy ("IRTP") issues. This Position Paper captures

1268 the overall sentiment expressed by the RC Members who provided feedback about this

1269 matter and seems to reflect the general sense of the RC. Due to time constraints, however,

1270 no formal vote regarding this Position Paper was taken.

1271

1272 **RC POSITION**

1273 The RC's position regarding each of the three IRTP issues is as follows:

1274 1. Is there a way for registrars to make Registrant E-mail Address data available to one

1275 another?

1276

1277 No viable secure implementation of this proposal has been advanced that would enable a

1278 policy to require registrars to make Registrant E-mail Address data available to one another.

1279 Additionally, the RC believes that regulatory intervention is not necessary to address this

1280 issue. This issue is more appropriate for market based solutions rather than regulatory

1281 intervention.

1282

1283 2. Whether there is need for other options for electronic authentication (e.g., security token

1284 in the Form of Authorization (FOA)) due to security concerns on use of email addresses

1285 (potential for hacking or spoofing).

1286

1287 The RC does not believe that a regulatory approach to authentication is necessary. The RC

1288 recommends that the questions of whether additional authentication technology is needed,

1289 and if so which technology to implement, be decided based on market demands rather than

1290 regulation.

1291

1292   To that end, the RC cautions ICANN about the unintended consequences of technology

1293   directives. Specifically, any mandated technology is guaranteed to become the target of

1294   hackers who seek to circumvent its security. Having the option of a variety of technologies

1295   which may be developed and implemented based on market demands offers greater

1296   security in the long-run.

1297

1298   3. Whether the policy should incorporate provisions for handling "partial bulk transfers"

1299   between registrars – that is, transfers involving a number of names but not the entire group

1300   of names held by the losing registrar.

1301

1302   The RC believes that, properly defined, a "partial bulk transfer" option would be a useful tool

1303   for registrars.

1304

1305   There are at least three scenarios in which this option may be helpful to registrars, including:

1306   • A private business transaction between registrars, in which a subset of the domains /

1307   customers from one registrar are transferred to the other;

1308   • A registrar's reseller becomes an accredited registrar, and seeks to change the registrar of

1309   record at the registry; or

1310   • A registrar discontinues retail registrations in a given TLD, or is involuntarily deaccredited

1311   by ICANN.

1312

1313   However, many questions remain unanswered. For example, the RC questions how many

1314   domain names would constitute a "bulk" transfer. Also, does the term "partial" indicate that

1315   the losing registrar would maintain some remaining registrations in the TLD? Furthermore,

1316   what is the method for assessing fees? Should this be a flat fee, or sliding scale? Should an

1317   additional registration year be included or omitted from the transfer?

1318

1319   Also, the RC opposes any recommendations or language that extends this option to

1320   registrant-initiated transfers for large portfolio holders on the basis that this is better

1321   characterized as product development, not policy development. A consensus policy would

1322   not take into account the variety of registrar business models, and would impose the same

1323   terms, restrictions and limitations on all registrars regardless of its applicability to their

1324 customers. Additionally, there are several services available now that address this need.

1325

1326 The RC suggests that ICANN continue to let market-driven innovation and competition

1327 address the needs of registrants who manage large domain name portfolios, and limit the

1328 discussion of partial bulk transfers to situations arising "between registrars."

1329

1330 **CONCLUSION**

1331 The opinions expressed by the RC in this Position Paper should not be interpreted to reflect

1332 the individual opinion of any particular RC member.

1333

1333   **BC Constituency Statement**

1334   **Constituency Input Template Inter-Registrar Transfer Policy Set A**

1335

1336   The GNSO Council has formed a Working Group of interested stakeholders and

1337   Constituency representatives, to collaborate broadly with knowledgeable individuals and

1338   organizations, in order to develop potential policy options to address three new issues

1339   associated with the Inter-Registrar Transfer Policy.

1340

1341   Part of the working group's effort will incorporate ideas and suggestions gathered from

1342   Constituencies through this Constituency Statement.

1343

1344   Inserting your Constituency's response in this form will make it much easier for the Working

1345   Group to summarize the Constituency responses. This information is helpful to the

1346   community in understanding the points of view of various stakeholders.

1347

1348   For further background information on this issue, please review the GNSO Issues Report on

1349   Inter-Registrar Transfer Policy Set A - New IRTP Issues

1350   Process:

1351   • Please identify the members of your constituency who participated in developing the

1352   perspective(s) set forth below.

1353   Mike Rodenbaugh, Rodenbaugh Law

1354   Michael Collins, Internet Commerce Association

1355   Mike O'Connor, The O'Connor Company

1356

1357   • Please describe the process by which your constituency arrived at the perspective(s) set

1358   forth below.

1359   This request for input was circulated for comment from BC Members on two occasions. A

1360   draft response was created by Mike Rodenbaugh and circulated for comment. This final

1361   draft was submitted.

1362   _____

1363   **Issue I – Is there a way for registrars to make Registrant E-mail Address data**

1364   **available to one another? Currently there is no way of automating approval from the**

1365 **Registrant, as the Registrant Email Address is not a required field in the registrar**

1366 **Whois. This slows down and/or complicates the process for registrants, especially**

1367 **since the Registrant can overrule the Admin Contact**.

1368 • If you believe policy change is needed, what options could be explored for registrars

1369 to make Registrant E-mail address data available? For each option, please identify

1370 how this would benefit automating approval, and, if any, what potential problems

1371 might be associated with this option.

1372 BC: We believe policy change is needed. The current system is inconsistent and insecure.

1373 The Admin Contact email address is purportedly authoritative, yet can be overruled by a

1374 Registrant who need not even provide an email address. Buyers of domain names need

1375 better assurance that they are purchasing from an authorized seller, this has been an

1376 important function of the WHOIS database since the Admin Contact email address can be

1377 verified by a buyer. The buyer has no way of knowing, however, if there is a superior

1378 registrant who can disrupt the transaction.

1379 Yet today, this situation also seems to provide a security layer because registrars often have

1380 Registrant email addresss and other contact info that is not public in WHOIS, and they can

1381 use this information to confirm suspicious transfers. This may be a security benefit, but also

1382 causes confusion. We should find a way to increase security and decrease confusion.

1383 One answer may be to further clarify that the Admin Contact email address is authoritative,

1384 and consent from that address is assurance for a legitimate transfer that cannot be undone

1385 by the prior registrant. In that event, PGP or some other authentication method should be

1386 deployed to authenticate transfer requests and acknowledgments, because traditional email

1387 is blatantly insecure and easily spoofed.

1388 • Please identify examples or best practices of email address use to facilitate and/or

1389 automate approval from a Registrant for a transfer.

1390 • Although it is not the purpose of this Policy Development Process (PDP) to

1391 recommend changes to WHOIS policy, it conceivably could be an option to require

1392   registrant email addresses in WHOIS. The Working Group is interested in your views

1393   on that potential option, without regard to the broader WHOIS issues of availability

1394   and accuracy of WHOIS data. The Working Group is more particularly interested in

1395   your views about any other options not involving WHOIS.

1396 BC: We think the above solution, making the Admin Contact clearly authoritative, is a better

1397 solution than to add another piece of contact data to the WHOIS database. The Registrant

1398 email address could be different from the Admin Contact email and thereby create confusion

1399 as to which is authoritative.

1400 **Issue II – Whether there is need for other options for electronic authentication (e.g.,**

1401 **security token in the Form of Authorization (FOA)) due to security concerns on use of**

1402 **email addresses (potential for hacking or spoofing)**.

1403 • What security concerns can you identify related to current ways of authenticating

1404   registrants. Note, the Security and Stability Advisory Committee (SSAC) has

1405   identified a risk of email spoofing for purposes of domain name hijacking, see link.

1406   We are interested in your views on this and any other concerns.

1407 BC: It is a frightening risk that important domain names can be hijacked via email spoofing,

1408 hacking and otherwise. There are countless ways in which businesses and their users can

1409 be harmed financially, reputationally and even physically when a critical domain is overtaken

1410 by hostile and/or criminal actors. We encourage SSAC, GNSO and other ICANN bodies to

1411 continue working to investigate and mitigate this risk.

1412 • Do you think there is a need for other options for electronic authentication? Please

1413   state the reasons for your answer.

1414 BC: Yes. Traditional email is inherently insecure. Some domain names are critical for

1415 business and government infrastructure, and it is proven that they can be hijacked. PGP or

1416 other authentication methods could be devised to impose minimal burden on registrants or

1417 registrars, yet ensure much more effective security than is standard today.

1418   •   Do you know of any Registrars using additional means for electronic authorization
1419   (e.g. security token, digital signatures, etc.)? If so, what are they and who offers
1420   them?

1421   •   If a need would be identified for other options of electronic authentication, what other
1422   options could be explored?

1423   •   Of those other options to be explored, please identify the potential benefits but also
1424   any potential problems.

1425   •   Do you have or know of any data in relation to the impact of the Extensible
1426   Provisioning Protocol (EPP) deployment on security in relation to authentication? If
1427   so, please describe the source and type of data.

1428   •   Do you know of any further examples, apart from those mentioned in the issues
1429   report (.uk registry and .se registry), of electronic authentication methods? If so, what
1430   are they and who offers them?

1431   **Issue III – Whether the policy should incorporate provisions for handling "partial bulk**
1432   **transfers" between registrars – that is, transfers involving a number of names but not**
1433   **the entire group of names held by the losing registrar**.

1434   •   Should the policy incorporate provisions for handling "partial bulk transfers" between
1435   registrars? Please state the reasons and use-cases for your answer.

1436   BC: Yes. Large domain portfolio owners should have freedom and ability to move large
1437   blocks of domains freely among registrars. Today, some registrars make the transfer
1438   process difficult or impossible to do in bulk, and there is much inconsistency among the
1439   various registrars. There ought to be a standard mechanism for large portfolio owners to
1440   move large blocks of names among registrars. It would be particularly disturbing if the
1441   registrars were to have such a policy for partial bulk transfers among themselves, but did
1442   not offer that functionality to bulk registrants.

1443 • Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,
1444 could you please provide further details on those provisions (apart from those
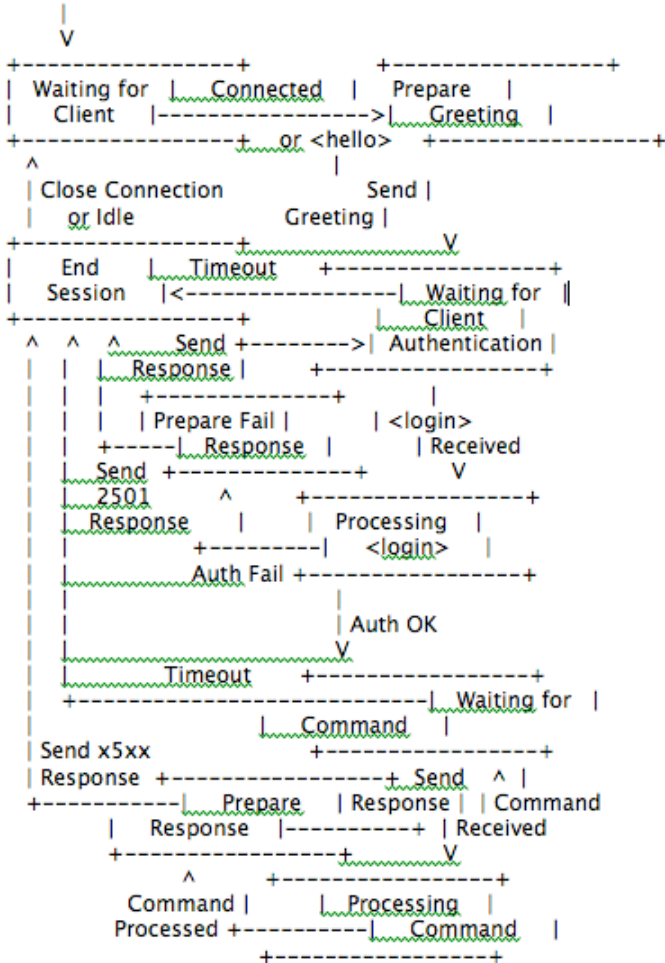1445 already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).

1446
1447
1448

1448 Annex C – EPP

1449

What is EPP?

```
        |
        V
+------------------+         +------------------+
| Waiting for  |  Connected  |    Prepare   |
|   Client     |------------------->|   Greeting   |
+------------------+  or <hello>   +------------------+
  ^                            |
  | Close Connection      Send |
  |    or Idle          Greeting |
+------------------+            V
|    End      |  Timeout    +------------------+
|  Session    |<-----------------|  Waiting for   ||
+------------------+           |    Client     |
  ^  ^  ^    Send +-------->| Authentication |
  |  |  |   Response |      +------------------+
  |  |  |   +--------------+        |
  |  |  | | Prepare Fail |      | <login>
  |  +-----|  Response   |      | Received
  |   Send +--------------+        V
  |   2501       ^        +------------------+
  | Response     |        |  Processing   |
  |  |           +---------|   <login>     |
  |  |        Auth Fail +------------------+
  |  |                     |
  |  |                     | Auth OK
  |  |                     V
  |  |     Timeout   +------------------+
  |  +---------------------------|  Waiting for  |
  |                 |  Command     |
| Send x5xx         +------------------+
| Response +-----------------+ Send  ^ |
+-----------|  Prepare  | Response | | Command
     |  Response  |----------+ | Received
     +------------------+        V
           ^        +------------------+
    Command |     |  Processing   |
    Processed +----------|    Command    |
           +------------------+
```

Source: http://www.ietf.org/rfc/rfc4930.txt

1450