

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

## STATUS OF THIS DOCUMENT

This is the Initial Report on IRTP Part A PDP, prepared by ICANN staff for submission to the GNSO Council on [TBC]. A Final Report will be prepared by ICANN staff following public comment.

## SUMMARY

This report is submitted to the GNSO Council and posted for public comment as a required step in this GNSO Policy Development Process on Inter-Registrar Transfers Policy.

25	<b>TABLE OF CONTENTS</b>	
26	<b>1. EXECUTIVE SUMMARY</b>	<b><u>3</u></b>
27	<b>2. OBJECTIVE AND NEXT STEPS</b>	<b><u>7</u></b>
28	<b>3. BACKGROUND</b>	<b><u>8</u></b>
29	<b>4. APPROACH TAKEN BY THE WORKING GROUP</b>	<b><u>13</u></b>
30	<b>5. DELIBERATIONS OF THE WORKING GROUP</b>	<b><u>15</u></b>
31	<b>6. CONSTITUENCY STATEMENTS &amp; PUBLIC COMMENT</b>	
32	<b>PERIOD</b>	<b><u>27</u></b>
33	<b>7. CONCLUSIONS AND NEXT STEPS</b>	<b><u>32</u></b>
34	<b>ANNEX A – TEMPLATE FOR CONSTITUENCY</b>	
35	<b>STATEMENTS</b>	<b><u>33</u></b>
36	<b>ANNEX B - CONSTITUENCY STATEMENTS</b>	<b><u>36</u></b>
37	<b>ANNEX C – EPP</b>	<b><u>58</u></b>
38		
39		
40		
41		

41

## 42 1. Executive Summary

### 43 1.1 Background

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

58

### 59 1.2 Deliberations of the Working Group

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

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

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.

Marika Konings 10/27/08 10:32 AM  
Deleted: TBC

137

## 138 **2. Objective and Next Steps**

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

145

146

147

## 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/gnsso/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://gnsso.icann.org/drafts/transfer-wg-  
166       recommendations-pdp-groupings-19mar08.pdf](http://gnsso.icann.org/drafts/transfer-wg-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://gnsso.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

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

- 186 ■ Issue I - Whether there could be a way for registrars to make Registrant Email  
187 Address data available to one another. Currently there is no way of automating  
188 approval from the Registrant, as the Registrant Email Address is not a required field  
189 in the registrar Whois. This slows down and/or complicates the process for  
190 registrants, especially since the Registrant can overrule the Admin Contact.  
191 ■ Section 1.1 of the Transfer Policy identifies the Registrant and the Administrative  
192 Contact as parties who can authorize a transfer, and notes that the Registrant’s  
193 authority supersedes that of the Administrative Contact. Accordingly, an  
194 authorization from the Registrant provides a reliable ground for executing a transfer,  
195 while an authorization from the Administrative Contact can be contested by the  
196 Registrant, in spite of being recognized as a valid ground for a transfer. A convenient  
197 means to acquire Registrant authorization could thus enable a reduction of the  
198 number of contested transfers.  
199 ■ During its deliberations, the Transfers Working Group noted that the issue is related  
200 to the Whois provisions, since the email address of the Administrative Contact is a  
201 required field in Whois, in contrast to the Registrant email address. However, in the  
202 context of a PDP focused on the Transfer Policy, any proposed policy change  
203 affecting Whois policy (for example requiring registrant email information in the  
204 Whois) would be outside the scope of the PDP<sup>1</sup>. The issue to address is thus limited  
205 to other means of keeping, maintaining and exchanging registrant email information

---

<sup>1</sup> [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 between the relevant Registrars. This invokes procedural, administrative and security  
207 aspects.

208

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

210 ■ Issue II - Whether there is need for other options for electronic authentication (e.g.,  
211 security token in FOA) due to security concerns on use of email addresses (potential  
212 for hacking or spoofing).

213 ■ The original Transfers Task Force mentioned this issue as follows in its Final Report:  
214 *19. In the event that the Gaining Registrar must rely on a physical process to obtain*  
215 *this authorization, a paper copy of the Standardized Form of Authorization will suffice*  
216 *insofar as it has been signed by the Registrant or Administrative Contact and is*  
217 *accompanied by a physical copy of the Losing Registrar's Whois output for the*  
218 *domain name in question.*

219 *a – b [...references to physical documents, of no relevance here. ]*

220 *c. The Task Force notes support for the concept that in the event of an electronic*  
221 *authorization process, recommended forms of identity would include;*

222 • *electronic signature in conformance with national legislation, for instance, the*  
223 *United States e-Sign Act*

224 • *Email address matching Registrant or Administrative Contact email address found*  
225 *in authoritative Whois database.*

226 In relation to the first bullet point above, it can be noted that the current extent of  
227 Registrars' use of digital signature means for transfers is unknown. Such information  
228 could be useful to collect as background for deliberations in a future PDP covering  
229 this issue.

230 ■ The Transfers WG noted the issue in its report as follows:

231 *According to the policy, the Gaining Registrar is required to obtain the FOA from the*  
232 *Registrant or Administrative Contact before initiating a transfer request. The*  
233 *Registrar of Record also has the option to send an FOA to confirm the transfer*  
234 *request. Policy issues relating to the FOA include:*

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

- 238     ▪ Regarding the risk of spoofing mentioned by the Transfers WG, useful background  
239 information is provided in the SSAC report on domain name hijacking, available at  
240 <http://www.icann.org/announcements/hijacking-report-12jul05.pdf>. Recommendation  
241 10 of this report states: “ICANN should consider whether to strengthen the identity  
242 verification requirements in electronic correspondence to be commensurate with the  
243 verification used when the correspondence is by mail or in person.”
- 244     ▪ The SSAC report was produced in 2005 and it should be noted that, since then,  
245 Extensible Provisioning Protocol (EPP) has been deployed by all gTLD registries that  
246 have implemented the Transfer Policy. Since EPP requires an authorization  
247 (“AuthInfo”) code, EPP deployment may have had an impact from a security  
248 standpoint and recent data in this respect could be useful as background for a future  
249 PDP covering this issue.
- 250     ▪ It can also be noted that some ccTLDs do use electronic authentication methods for  
251 transfers, for example through digital signatures for authentication of e-mail requests.  
252 The .UK registry operator Nominet uses PGP as described at  
253 <http://www.nic.uk/registrars/systems/auto/pgp/>. Another example is the .SE registry  
254 operator, IIS, featuring a certificate-based web interface (“Domänhanteraren” – in  
255 English “The Domain Handler”) for the registrant, where the registrant can effectuate  
256 changes of domain information, including change of Registrar, see  
257 <https://domanhanteraren.iis.se/start/welcome>. There may be other such examples of  
258 interest as references for this issue.

259

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

- 261     ▪ Issue III - Whether the policy should incorporate provisions for handling “partial bulk  
262 transfers” between registrars – that is, transfers involving a number of names but not  
263 the entire group of names held by the losing registrar.
- 264     ▪ This aspect was not touched upon by the Transfers Task Force, but identified as a  
265 potential issue (under “Other”) by the Transfers WG in its report.
- 266     ▪ Part B of the Transfer Policy governs bulk transfers, meaning transfer of all domains  
267 sponsored by one Registrar to another Registrar, for example as a consequence of  
268 one Registrar acquiring another. According to the policy, bulk transfers can only take

269 place under certain specific conditions, for further information see part B at  
270 <http://www.icann.org/transfers/policy-12jul04.htm>.

271 ■ While different from bulk transfers in the “complete” sense, i.e. transfer of a  
272 Registrar’s complete domain portfolio to another Registrar, the need for “partial” bulk  
273 transfers can arise due to, for example, company takeovers, where the acquiring  
274 company wishes to transfer some or all of the acquired company’s domains to its  
275 own Registrar of Record. There is no prescribed way of doing so in the Inter  
276 Registrar Transfer Policy other than domain by domain, although Registrars are free  
277 to accept, for example, fax lists with numerous domains to transfer, while still having  
278 to follow the authentication/verification practices of the policy. The extent of such  
279 “voluntary provisions to facilitate partial bulk transfers” in practice is unknown.

280 ■ NeuLevel, Inc., the registry operator of .BIZ, has proposed the launch of a partial bulk  
281 transfer service, which has been approved by ICANN through the Registry Services  
282 Technical Evaluation Panel (RSTEP) procedure. This service proposal was  
283 prompted by two Registrars’ request for a partial bulk transfer between them. For  
284 further information, see [http://www.icann.org/registries/rsep/NeuLevel\\_request.pdf](http://www.icann.org/registries/rsep/NeuLevel_request.pdf).

285 ■ For information, there are provisions in place for partial bulk transfers in some  
286 ccTLDs. The .UK registry, Nominet, has a procedure for “mass transfers”, described  
287 at <http://www.nic.uk/registrants/maintain/transfer/mass/> and also for PGP-signed  
288 “bulk” operations at the registrar level, described at  
289 <http://www.nic.uk/registrars/systems/auto/bulk/> (see especially Example 9 therein, of  
290 relevance for partial bulk transfers). There may be other such examples of interest as  
291 references for this issue.  
292

## 292 4. Approach taken by the Working Group

293

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

300

### 301 4.1 Members of the IRTP Part A Working Group

302

303 The members of the Working group are:

304

Name	Constituency / other	Affiliation
Paul Diaz (Chair of the Working Group)	Registrar	Network Solutions
James M. Bladel	Registrar	GoDaddy
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

305

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

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

308

309 [The email archives can be found at http://forum.icann.org/lists/gnso-irtp-pdp-jun08/](http://forum.icann.org/lists/gnso-irtp-pdp-jun08/).

310

311

## 311 5. Deliberations of the Working Group

312

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

317

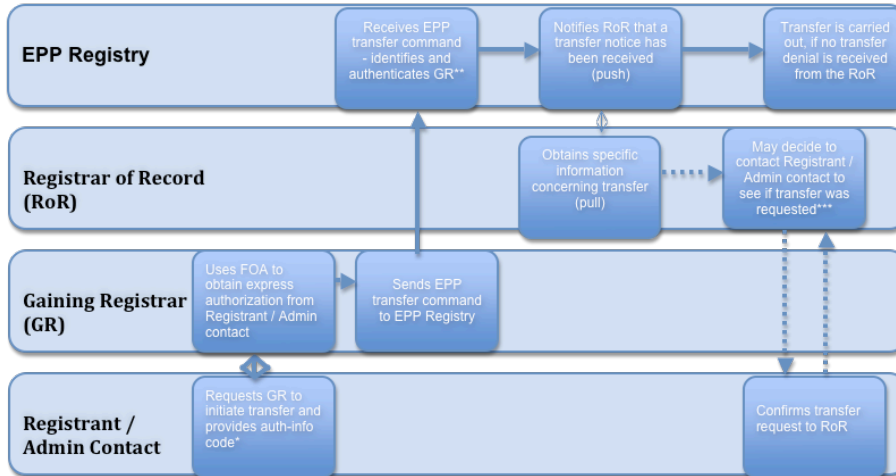
318 **Issue I - Is there a way for registrars to make Registrant E-mail Address data available**  
319 **to one another? Currently there is no way of automating approval from the Registrant,**  
320 **as the Registrant Email Address is not a required field in the registrar Whois. This**  
321 **slows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

323

### 324 Extensible Provisioning Protocol (EPP)

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

339

340 **Figure 1.****Transfer in an EPP Registry**341 **Notes**

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

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

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



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

Marika Konings 10/23/08 11:18 AM  
Deleted: would

### 367   **Internet Registry Information Service (IRIS)**

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

### 381   **Registrant vs. Admin contact approval**

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

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

Marika Konings 12/15/08 10:12 AM  
Deleted: but

#### 413 **Thin vs. Thick Registries**

- 414   ▪ A "Thin" Registry is one for which the Registry database contains only domain name  
415   service (DNS) information:
- 416   - Domain name
  - 417   - Name server names
  - 418   - Name server address
  - 419   - The name of the Registrar
  - 420   - Basic transaction data

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

Marika Konings 10/23/08 12:00 PM

Deleted: .

443 [Table 1](#)  
444

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

.COOP		✓	
.EDU		✓	
.GOV			✓ Private Registry
.INFO		✓	
.JOBS	✓		
.MIL			✓ Private Registry
.MOBI		✓	
.MUSEUM		✓	
.NAME	✓	✓ <sup>2</sup>	
.NET	✓		
.ORG		✓	
.PRO		✓	
.TEL		✓	
.TRAVEL		✓	

445 **Whois**

- 446
- 447 The WG agreed that even tough Whois should not be the main topic of the discussion as  
448 it is not specifically in the remit of this Working Group to make any recommendations for  
449 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 / probably 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  
most gTLDs and sTLDs and most of those registries make submission and display of

Marika Konings 10/23/08 12:06 PM  
**Deleted:** -

Marika Konings 10/23/08 11:19 AM  
**Deleted:** would

Marika Konings 10/27/08 10:13 AM  
**Deleted:** most likely

<sup>2</sup> 'Thick' Whois information is available, but only after payment

457 registrant e-mail address mandatory. It should be noted that this only applies to 'thick'  
458 registries.

459

#### 460 AuthInfo Code

- 461 ▪ The Working Group also discussed whether the AuthInfo code, which is currently being  
462 used to authenticate a transfer in EPP based registries, could be used as a means to  
463 authenticate the transfer instead of the registrant or admin contact e-mail address.
- 464 ▪ It was noted that this would not solve the issue at hand as the registrant could still  
465 challenge a transfer, even if the AuthInfo code would be provided by the admin contact,  
466 unless the submission of a valid AuthInfo code would be the only requirement to initiate  
467 a transfer. However, this was not deemed a secure and viable solution compared to the  
468 current system.

469

#### 470 Preliminary Conclusion for Issue I

- 471 ▪ The WG noted that WHOIS was not designed to support many of the ways in which it is  
472 currently used. Some members suggested that finding a way to make the Registrant e-  
473 mail address more readily available could be addressed as part of an overall technical  
474 modernization of the WHOIS protocol. This could be through updates to the existing  
475 protocol, modification of the Extensible Provisioning Protocol (EPP) or adoption of the  
476 Internet Registry Information Service (IRIS) protocol. However, after review and  
477 discussion none of these options received broad agreement.

478

479 The WG did note that, in the absence of a simple and secure solution for providing the  
480 gaining registrar access to the registrant email address, future IRTP working groups  
481 should consider the appropriateness of a policy change that would prevent a registrant  
482 from reversing a transfer after it has been completed and authorized by the admin  
483 contact. This option would not change the current situation whereby a losing registrar  
484 can choose to notify the registrant and provide an opportunity to cancel a transfer before  
485 the process is completed.

486

487 It should be noted that the Working Group will not make a final decision on which  
488 solution(s), if any, to recommend to the GNSO Council before a thorough review of the

Marika Konings 12/15/08 10:16 AM  
Formatted: Indent: Left: 0.25"

489 | comments received during the public comment period and final constituency statements  
490 | has taken place.

491  
492 **Issue II - Whether there is need for other options for electronic authentication (e.g.,**  
493 **security token in the Form of Authorization (FOA)) due to security concerns on use of**  
494 **email addresses (potential for hacking or spoofing).**

495  
496 ■ One of the issues raised by the Working Group was the actual incidence of hacking or  
497 spoofing. One member of the Group shared that its Domain Services team has the  
498 equivalent of 1-2 full-time employees dedicated to work on this specific issue. Since  
499 January 2008, this team has received over 1000 claims of domain name "hijacking," and  
500 has taken action to restore the original registrant in 533 of these cases, and upheld the  
501 transfer in another 504. On average, the investigation of each claim takes 5-10 business  
502 days. Some of these incidents are internal (e.g. Change of Registrant) transfers, not  
503 transfers from other registrars. It should be noted that AuthInfo keys are only involved in  
504 the latter case. The "vast majority" of disputed transfers involved compromised email  
505 accounts. Typically, these are free accounts (Gmail, Yahoo, Hotmail, etc.). These figures  
506 demonstrate that the prevention and remediation of domain name "hijacking" is a  
507 significant operational burden for registrars.

508 | ■ The Working Group also noted that apart from these figures, the loss of even a single  
509 domain name through "hijacking" can be personally and financially disruptive to a  
510 registrant, and involve a conceivable liability potential for the involved registrar / may  
511 result in significant potential liability for the involved registrar / could result in significant  
512 potential liability for the involved registrar / conceivably might result in a claim for  
513 damages against the involved registrar.

Marika Konings 12/1/08 9:43 AM  
**Formatted:** Bullets and Numbering

Marika Konings 10/23/08 11:19 AM  
**Deleted:** significant

Marika Konings 10/27/08 10:05 AM  
**Formatted:** Font:11 pt

514 ■ Additional security measures could be considered, but it should be noted that this would  
515 result in additional costs. Furthermore, it is argued that any recommendation to this end  
516 should not result in mandating certain technologies over others.

Marika Konings 10/23/08 11:20 AM  
**Deleted:** would be important that any recommendations to this end do not result in mandating certain technologies over others.

517 ■ Some members of the Working Group considered that offering additional security  
518 measures should be left as a service that a registrar can choose to provide as part of its  
519 offering.

521 **Preliminary Conclusion for Issue II**

- 522 ▪ Based on the discussion in the Working Group, there appears to be broad agreement  
 523 that there is a need for other options for electronic authentication. However, opinions in  
 524 the Working Group differ as to whether these options should be developed by means of  
 525 GNSO policymaking or should be left to market solutions. It should be noted that the  
 526 Working Group will not make a final decision on which solution(s), if any, to recommend  
 527 to the GNSO Council before a thorough review of the comments received during the  
 528 public comment period and final constituency statements has taken place.

529

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

- 533
- 534 ▪ Some members of the Working Group argue that this issue relates to potential partial  
 535 bulk transfers between registrars, and not registrant initiated partial bulk transfers which  
 536 are in practice already possible and offered as a service by a number of registrars.
- 537 ▪ Several members of the Working Group noted that if there would be support for  
 538 incorporating provisions for handling partial bulk transfers, it is imperative to ensure that  
 539 these provisions do not blur the boundaries between Policy requirements and Product  
 540 development.
- 541 ▪ In order to consider this issue in its full depth, it will be important to define what would  
 542 constitute a partial bulk transfer. What would be a minimum, would these transfers be  
 543 treated as renewals, is there a fee involved? Also, this definition process would need to  
 544 take into consideration that partial bulk transfers should not be abused by those trying to  
 545 avoid the charge that currently applies for bulk transfers over 50,000 domain names.
- 546 ▪ There is a policy in place that defines how a bulk transfer process works (see ICANN  
 547 [Policy on Transfer of Registrations between Registrars](#), 12 July 2004, Section B. ICANN-  
 548 Approved Transfers). When a registry executes a bulk transfer under the existing policy,  
 549 the registries receive approval from ICANN to use the 'bulk transfer tool' to transfer all  
 550 domains under the management of one ICANN accredited registrar to another  
 551 designated ICANN accredited registrar. The registry then contacts both the gaining  
 552 registrar and the losing registrar to coordinate a time to complete the transfer. A script is

Marika Konings 10/23/08 11:20 AM

**Deleted:** The

Marika Konings 10/23/08 11:20 AM

**Deleted:** noted

- 553 run that, in essence, only changes the registrar of record for the domain names - the  
554 expiration date is not changed nor is a registration fee assessed.
- 555 ■ It was suggested that a similar process could be considered for a 'voluntary partial bulk  
556 transfer' request with the exception that the request would not be received from ICANN,  
557 but instead, from one of the registrars. Therefore, the registries would receive the  
558 request to initiate a voluntary partial bulk transfer from a registrar and, provided all  
559 requirements are met, the registry would execute the command to move the designated  
560 domain names from the losing registrar to the gaining registrar (without further  
561 intervention by the registrars and without moving the expiration dates of the domain  
562 names forward or assessing the standard registration fee to the gaining registrar). The  
563 details surrounding the minimum requirements for submission of requests would need to  
564 be addressed. Much work would need to be done by the WG to define the  
565 requirements, fee structure, etc. The requirements should be limited to those relating to  
566 registry and registrar responsibilities. How various registrars decide to develop products  
567 (and establish their fee structure that they would charge for the service to their  
568 registrants), as well as market the product to their registrants, should be left up to the  
569 individual registrars.
  - 570 ■ It was noted that from a security perspective, provisions for a partial bulk transfer might  
571 not be desirable as this would also allow miscreants to transfer a large number of  
572 domain names at once.
  - 573 ■ Having taken into account the above considerations, the Working Group started  
574 deliberations on the possible scenarios in which a partial bulk transfer might be  
575 appropriate and found the following:
    - 576 ○ Scenario I – Partial Bulk Transfer following ICANN accreditation of a reseller  
577 A reseller becomes an ICANN accredited registrar and may decide to become the  
578 registrar of record for those domain names for which it has been accredited.
    - 579 ○ Scenario II – Partial Bulk Transfer between registrars  
580 A registrar may decide to move a certain number of domain names to another  
581 registrar, e.g. linked to one gTLD because there is agreement to no longer sell  
582 domain names in the gTLD in question.
    - 583 ○ Scenario III – Partial Bulk Transfer in case of a (partial) merger or acquisition  
584 between registrars



- 585 As a result of a partial merger or acquisition between registrars, a number, but not  
586 all, domain names are transferred to the new registrar.
- 587 ○ Scenario IV – Partial Bulk Transfer initiated by a registrant  
588 A registrant decides to his/her domain name portfolio to a new registrar, but not all,  
589 e.g. as a consequence of a merger or acquisition.
- 590 ○ Scenario V – Partial Bulk Transfer following de-accreditation of a registrar  
591 A registrar voluntarily abandons its accreditation, and instead becomes a reseller of  
592 an accredited registrar transferring all domain names to that registrar.
- 593 ■ The existing bulk transfer provision reads as follow:  
594 “B. ICANN-Approved Transfers  
595 Transfer of the sponsorship of all the registrations sponsored by one Registrar as the  
596 result of (i) acquisition of that Registrar or its assets by another Registrar, or (ii) lack of  
597 accreditation of that Registrar or lack of its authorization with the Registry Operator, may  
598 be made according to the following procedure:  
599 (a) The gaining Registrar must be accredited by ICANN for the Registry TLD and must  
600 have in effect a Registry-Registrar Agreement with Registry Operator for the Registry  
601 TLD.  
602 (b) ICANN must certify in writing to Registry Operator that the transfer would promote  
603 the community interest, such as the interest in stability that may be threatened by the  
604 actual or imminent business failure of a Registrar.  
605 Upon satisfaction of these two conditions, Registry Operator will make the necessary  
606 one-time changes in the Registry database for no charge, for transfers involving 50,000  
607 name registrations or fewer. If the transfer involves registrations of more than 50,000  
608 names, Registry Operator will charge the gaining Registrar a one-time flat fee of US\$  
609 50,000.”
- 610 Even though the current bulk transfer provisions were originally not intended to cater to  
611 the bulk transfer of domain names in only one gTLD, the Working Group recognises that  
612 the current language might provide for this option and a clarification to this end by the  
613 GNSO Council may be a useful approach. Taking this into account, the Working Group  
614 found, after in-depth discussion, that existing bulk transfer provisions and/or market  
615 solutions currently cover all scenarios.

- 616 | ■ As a result, the Working Group does not see a need to incorporate provisions for  
617 | handling partial bulk transfers between registrars at this stage.

618 |

619 | **Preliminary Conclusion for Issue III**

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

628 |

628

629

## 6. Initial Constituency Statements & Public Comment Period

630

631

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

634

### 6.1 Initial Public Comment Period

635

636  
637 The public comment period ran from 5 September 2008 to 29 September 2008. Three  
638 comments were received of which only one (from the IPC constituency) responded to the  
639 questions outlined in the announcement. The other two responses (from Malc McGookin  
640 and Jeffrey A. Williams) were off-topic; they expressed concerns relating to the loss of a  
641 particular domain name, the redemption grace period and warehousing. In addition, two  
642 other comments, the constituency statements of the Registrar and Registry constituency,  
643 were received after the deadline of the public comment period. The public comments on this  
644 forum are archived at <http://forum.icann.org/lists/new-irtp-issues/>. A summary of the  
645 constituency statements can be found in the next section.

646

### 6.2 Initial Constituency Statements

647

648  
649 The Constituency Statement Template was sent to all the constituencies. Feedback was  
650 received from the Intellectual Property Interests Constituency, gTLD Registry Constituency,  
651 Registrar Constituency and the Business and Commercial Users' Constituency. These  
652 entities are abbreviated in the text as follows (in the order of submission of the constituency  
653 statements):

654

655 IPC - Intellectual Property Interests Constituency

656 RyC - gTLD Registry Constituency

657 RrC – Registrar Constituency

Initial Report on IRTP Part A PDP

Author: Marika Konings

Marika Konings 10/28/08 3:45 PM

Deleted: 's

658 BC – Business and Commercial Users' Constituency

659

### 660 6.3 Constituency Views

661

662 The three comments responding to the questions outlined in the announcement were  
663 submitted by the Intellectual Property Constituency (IPC), the Registry Constituency (RyC)

664 the Registrar Constituency (RC) **and the Business and Commercial Users' Constituency**  
665 **(BC)**. Annex A of this report contains the full text of the constituency statements that have

666 been submitted. These should be read in their entirety. The following section attempts to  
667 summarize key constituency views on the issues raised in the context of IRTP Part A PDP.

668 This section also summarizes further work recommended by the various constituencies,  
669 possible actions recommended to address the three issues part of the IRTP Part A PDP,  
670 and the impact of potential measures on the GNSO constituencies.

671

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

677

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

682

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

Initial Report on IRTP Part A PDP

Author: Marika Konings

Marika Konings 10/27/08 11:17 AM

Deleted: -

Marika Konings 10/23/08 11:21 AM

Deleted: and

690 approach to proving WHOIS information could be considered for implementation by  
691 registrars.

692

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

697

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

703

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

707

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

718

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

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

731  
732 The RC also recommends that this issue be resolved based on market demand rather than  
733 prescriptive measures and cautions against unintended consequences of technology  
734 mandates.

735  
736 The BC does believe there is a need for other options for electronic authentication such as  
737 PGP or other authentication methods. In addition, it calls upon SSAC, GNSO and other  
738 ICANN bodies to continue working to investigate and mitigate the risk of domain name  
739 hijacking.

740

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

744

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

749

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

754

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

761

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

765

766

766

## 767 7. Conclusions and Next Steps

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

771

772

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



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

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

774

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

779

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

782

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

786

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

789

790 Process:

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

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

795

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

801

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

- 803 to make Registrant E-mail address data available? For each option, please identify  
804 how this would benefit automating approval, and, if any, what potential problems  
805 might be associated with this option.
- 806 - Please identify examples or best practices of email address use to facilitate and/or  
807 automate approval from a Registrant for a transfer.
  - 808 - Although it is not the purpose of this Policy Development Process (PDP) to  
809 recommend changes to WHOIS policy, it conceivably could be an option to require  
810 registrant email addresses in WHOIS. The Working Group is interested in your views  
811 on that potential option, without regard to the broader WHOIS issues of availability  
812 and accuracy of WHOIS data. The Working Group is more particularly interested in  
813 your views about any other options not involving WHOIS.

814

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

818

- 819 - What security concerns can you identify related to current ways of authenticating  
820 registrants. Note, the Security and Stability Advisory Committee (SSAC) has  
821 identified a risk of email spoofing for purposes of domain name hijacking, see link.  
822 We are interested in your views on this and any other concerns.
- 823 - Do you think there is a need for other options for electronic authentication? Please  
824 state the reasons for your answer.
- 825 - Do you know of any Registrars using additional means for electronic authorization  
826 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers  
827 them?
- 828 - If a need would be identified for other options of electronic authentication, what other  
829 options could be explored?
- 830 - Of those other options to be explored, please identify the potential benefits but also  
831 any potential problems.
- 832 - Do you have or know of any data in relation to the impact of the Extensible  
833 Provisioning Protocol (EPP) deployment on security in relation to authentication? If  
834 so, please describe the source and type of data.

- 835 - Do you know of any further examples, apart from those mentioned in the issues  
836 report (.uk registry and .se registry), of electronic authentication methods? If so, what  
837 are they and who offers them?  
838

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

- 842
- 843 - Should the policy incorporate provisions for handling “partial bulk transfers” between  
844 registrars? Please state the reasons and use-cases for your answer.
- 845 - Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,  
846 could you please provide further details on those provisions (apart from those  
847 already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).  
848

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

## 848 **Annex B - Constituency Statements**

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

850 Part A 'New IRTP Issues'

851 September 26, 2008

852

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

858

859 **COMMENTS**

860

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

872

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

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

879

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

890

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

894

#### 895 COMMENTS

896

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

902

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

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

911

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

918

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

923

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

931

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

937

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

941

942 COMMENTS

943

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

953

954 Submitted by,

955

956 Claudio DiGangi, on behalf of IPC

957

- 957 **GNSO gTLD Registry Constituency Statement**
- 958 **Issue: Inter-Registrar Transfer Policy Set A Request for Constituency Statements**
- 959 Date: 2 October 2008
- 960 Issues Report URL: [http://gns0.icann.org/issues/transfers/transfer-issues-report-set-a-](http://gns0.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf)
- 961 [23may08.pdf](http://gns0.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf)
- 962 General RyC Information
- 963
- 964 ▪ Total # of eligible RyC Members<sup>3</sup>: 15
- 965 ▪ Total # of RyC Members: 15
- 966 ▪ Total # of Active RyC Members<sup>4</sup>: 15
- 967 ▪ Minimum requirement for supermajority of Active Members: 10
- 968 ▪ Minimum requirement for majority of Active Members: 8
- 969 ▪ # of Members that participated in this process: 12
- 970 ▪ Names of Members that participated in this process:
- 971 1. Afiliás (.info)
- 972 2. DotAsia Organisation (.asia)
- 973 3. DotCooperation (.coop)
- 974 4. Employ Media (.jobs)
- 975 5. Fundació puntCAT (.cat)
- 976 6. mTLD Top Level Domain (.mobi)
- 977 7. Museum Domain Management Association – MuseDoma (.museum)
- 978 8. NeuStar (.biz)
- 979 9. Public Interest Registry - PIR (.org)
- 980 10. RegistryPro (.pro)
- 981 11. The Travel Partnership Corporation – TTPC (.travel)
- 982 12. VeriSign (.com & .net)

---

<sup>3</sup> All top-level domain sponsors or registry operators that have agreements with ICANN to provide Registry Services in support of one or more gTLDs are eligible for membership upon the "effective date" set forth in the operator's or sponsor's agreement (Article III, Membership, ¶ 1). The RyC Articles of Operations can be found at [http://www.gtldregistries.org/about\\_us/articles](http://www.gtldregistries.org/about_us/articles).

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



983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000  
1001  
1002  
1003  
1004  
1005  
1006  
1007  
1008  
1009  
1010  
1011  
1012  
1013  
1014

- Names & email addresses for points of contact
    - o Chair: David Maher, [dmaher@pir.org](mailto:dmaher@pir.org)
    - o Vice Chair: Jeff Neuman, [Jeff.Neuman@Neustar.us](mailto:Jeff.Neuman@Neustar.us)
    - o Secretariat: Cherie Stubbs, [Cherstubbs@aol.com](mailto:Cherstubbs@aol.com)
    - o RyC representative for this statement: Barbara Steele, [bsteele@verisign.com](mailto:bsteele@verisign.com)
- Regarding the issue noted above, the following positions represent the views of the ICANN GNSO gTLD Registry Constituency (RyC) as indicated. Unless stated otherwise, the RyC positions were arrived at through a combination of RyC email list discussion and RyC meetings (including teleconference meetings).

**1. Issue 1 - 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.**

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

2.1. The members of the Registries Constituency recommend that Issue 1 be edited to clarify the scope of the issue.

Specifically, it should be noted that registry WHOIS is authoritative which would include, in the case of thick registries, the registrant contact information such as e-mail address. Also, in the case of thick registries, the registry agreements mandate that the registry operator display the registrant e-mail address in the registry's WHOIS.

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

1015 tiered access approach to publishing WHOIS information.

1016

1017 Any changes to the policy and/or practice should be limited to addressing the  
1018 issue of obtaining authoritative information relating to the administrative  
1019 contact e-mail address in those instances where it is not available via the  
1020 registry WHOIS. In the case of thin registries, the contact information for a  
1021 domain name in the registrar WHOIS (including the registrant e-mail address)  
1022 is authoritative. In this case, registrars could implement a tiered access  
1023 approach to providing WHOIS information that would permit the private  
1024 provision of Registrant e-mail address and thereby satisfying various privacy  
1025 law requirements.

1026

1027 2.1 Please identify examples or best practices of email address use to facilitate and/or  
1028 automate approval from a Registrant for a transfer.

1029

1030 2.1. The members of the Registries Constituency agree that authentication of the  
1031 identity of the registrant, as stipulated by the IRTP, is the responsibility of the  
1032 Gaining Registrar. Therefore, aside from EPP AuthInfo authentication which  
1033 is systematically enforced when an EPP Registry processes a transfer  
1034 command, Registrars are best able to address this item.

1035

1036 2.1 Although it is not the purpose of this Policy Development Process (PDP) to  
1037 recommend changes to WHOIS policy, it conceivably could be an option to  
1038 require registrant email addresses in WHOIS. The Working Group is interested in  
1039 your views on that potential option, without regard to the broader WHOIS issues  
1040 of availability and accuracy of WHOIS data. The Working Group is more  
1041 particularly interested in your views about any other options not involving  
1042 WHOIS.

1043

1044 2.1. As previously indicated, thick registries are already publishing registrant e-  
1045 mail addresses in WHOIS. For thin registries to add contact information  
1046 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

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

1047 Registrars are already dealing with this requirement and thus extending this  
1048 requirement to their local WHOIS operations for use with thin registries does  
1049 not seem to extend a further burden on registrars and their handling of  
1050 privacy issues than already exists.

1051

1052 **1.4. Level of Support of Active Members:** Supermajority

1053

1054 1.4.1. # of Members in Favor: 12

1055

1056 1.4.2. # of Members Opposed: 0

1057

1058 1.4.3. # of Members that Abstained: 0

1059

1060 1.4.4. # of Members that did not vote: 3

1061

1062 **1.5. Minority Position:** None

1063

1064 **1.6. General impact on the RyC:** Minimal

1065

1066 **1.7. Financial impact on the RyC:** Minimal

1067

1068 **1.8. Analysis of the period of time that would likely be necessary to implement the**  
1069 **policy:** Not applicable as those registries that currently have registrant contact  
1070 information are already publishing the e-mail address. For thin registries to add  
1071 contact information would be a major change resulting in significant cost and time to  
1072 deploy.

1073

1074 **2. Issue 2 - Whether there is need for other options for electronic authentication**  
1075 **(e.g., security token in the Form of Authorization (FOA)) due to security concerns**  
1076 **on use of email addresses (potential for hacking or spoofing).**

1077

1078 2.1 What security concerns can you identify related to current ways of authenticating

1079 registrants. Note, the Security and Stability Advisory Committee (SSAC) has  
1080 identified a risk of email spoofing for purposes of domain name hijacking, see  
1081 link. We are interested in your views on this and any other concerns.

1082  
1083 2.1.1. The members of the Registries Constituency recognize that use of the  
1084 e-mail address has certain weaknesses, but the merits and costs of  
1085 implementing other methods should be judged in their own right and  
1086 not against any inadequacies and inefficiencies of email.

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

1087  
1088 2.2. Do you think there is a need for other options for electronic authentication?  
1089 Please state the reasons for your answer.

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

1090  
1091 2.2.1. The members of the Registries Constituency support allowing market  
1092 forces to operate freely in this area. Registrars can measure demand  
1093 to determine if they want to implement additional security methods for  
1094 authenticating transfer requests. Registrars should be permitted to  
1095 differentiate themselves from their competitors by determining what  
1096 offerings they make available to registrants, including the level of  
1097 security they employ in protecting the contact information of the  
1098 Registrants of domain names.

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

1099  
1100 2.3. Do you know of any Registrars using additional means for electronic  
1101 authorization (e.g. security token, digital signatures, etc.)? If so, what are they  
1102 and who offers them?

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

1103  
1104 2.3.1. The Registries Constituency believes that some registrars have  
1105 implemented additional security methods to authenticate transfers of  
1106 domain names. Specifically, Markmonitor, GoDaddy and Moniker  
1107 have products available to provide additional security. More  
1108 information relating to these products can be found at the following  
1109 websites, respectively:  
1110 [http://www.markmonitor.com/products/domain\\_management.php](http://www.markmonitor.com/products/domain_management.php),

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

1111 https://www.godaddy.com/gdshop/protect/landing.asp?isc\_prg001&ci  
1112 =9004 and http://www.domainmaxlock.com/. We also have  
1113 confirmation that CSC will issue some customers Secure ID tokens  
1114 (RSA) for additional validation.  
1115

1116 | 2.4. If a need would be identified for other options of electronic authentication,  
1117 | what other options could be explored?

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

1119 | 2.4.1. The EPP AuthInfo code provides an automated mechanism to  
1120 | authenticate transfer requests and could take the place of both the  
1121 | Registrant and Admin Contact e-mail addresses.  
1122

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

1123 | 2.5. Of those other options to be explored, please identify the potential benefits  
1124 | but also any potential problems.  
1125

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

1126 | 2.5.1. Use of the AuthInfo code to authenticate transfers is already in place  
1127 | and required by all EPP registries or the transfer command will fail.  
1128 | There is no additional cost or development required to implement this  
1129 | method of authentication. The IRTP addresses the potential problems  
1130 | associated with obtaining the AuthInfo code for a domain name in  
1131 | Section 5.  
1132

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

1133 However, for the use of AuthInfo codes to be effective, the members  
1134 of the Registries Constituency agree that compliance with the  
1135 requirement that AuthInfo codes be unique by domain name must be  
1136 enforced via the ICANN Registrar Compliance Program. Enforcement  
1137 of unique AuthInfo codes by domain name should not be done by the  
1138 registry operator as such enforcement would create a negative  
1139 response for conflicting AuthInfo codes thus creating a mechanism to  
1140 test for in-use AuthInfo codes which could result in a security  
1141 exposure.  
1142

1143 While the use of security tokens by the Registrant to authenticate a  
1144 transfer would bring additional security to the transfer process, the  
1145 members of the Registries Constituency agree that market forces  
1146 should be allowed to work freely in this regard and demand should  
1147 dictate whether a Registrar elects to employ this method since the  
1148 expense and logistics of providing tokens to all Registrants may not  
1149 make this a feasible option for all registrars and registrants.  
1150

1151 2.6. Do you have or know of any data in relation to the impact of the Extensible  
1152 Provisioning Protocol (EPP) deployment on security in relation to  
1153 authentication? If so, please describe the source and type of data.  
1154

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

1155 2.6.1. No members of the Registries Constituency are aware of any security  
1156 issues relating to the deployment of EPP or AuthInfo codes. All  
1157 indications are that the RFC is stable and EPP and AuthInfo codes,  
1158 when properly implemented, are secure.  
1159

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

1160 It should be noted that EPP requires mutual authentication of  
1161 clients/registrars and servers before a Transport Layer Security (or  
1162 TLS) connection can be made between the two parties. Digital  
1163 certificates, digital signatures, and PKI services are used to  
1164 authenticate both parties. Certificates must be signed by a CA that is  
1165 recognized by the server operator. [RFC 4934, section 8]  
1166

1167 Additionally, all EPP clients/registrars are required to identify and  
1168 authenticate themselves using a server-assigned user ID and a  
1169 shared secret (a password) that is sent to the server using a login  
1170 command. The server must confirm the identity and shared secret  
1171 before the client is given access to other protocol services. [RFC  
1172 4930, section 2.9.1.1]  
1173

1174 Some EPP commands, such as the domain transfer command,

1175 require additional authentication information that must be provided  
 1176 and confirmed before the requested action is completed. The default  
 1177 authentication information service uses a shared secret (or AuthInfo  
 1178 code) that is known to the registry, the registrar, and the registrant.  
 1179 Registrants are required to provide this secret to a second registrar  
 1180 when requesting the second registrar to initiate a domain transfer on  
 1181 the registrant's behalf. The authentication information data structure is  
 1182 extensible so that additional authentication mechanisms can be  
 1183 defined and implemented in the future. [RFC 4931, sections 3.2.1 and  
 1184 3.2.4]  
 1185

1186 | 2.7. Do you know of any further examples, apart from those mentioned in the  
 1187 | issues report (.uk registry and .se registry), of electronic authentication  
 1188 | methods? If so, what are they and who offers them?  
 1189 |

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

1190 | 2.7.1. The members of the Registries Constituency are unaware of any  
 1191 | methods of electronic authentication currently in use other than those  
 1192 | indicated in section 2.3.1 of this Issue #2.  
 1193 |

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

## 1194 2.8. Level of Support of Active Members: Supermajority

1195 2.8.1. # of Members in Favor: 12

1197

1198 2.8.2. # of Members Opposed: 0

1199

1200 2.8.3. # of Members that Abstained: 0

1201

1202 2.8.4. # of Members that did not vote: 3

1203

1204 2.9. Minority Position: None

1205

1206 2.10. General impact on the RyC: To be determined.

1207

1208 2.11. **Financial impact on the RyC:** To be determined.

1209

1210 2.12. **Analysis of the period of time that would likely be necessary to implement**1211 **the policy:** The period of time to implement other security methods could range

1212 from no time required to many months depending on which methods implemented.

1213 More information is needed to determine this.

1214

1215 3. **Issue 3 - Whether the policy should incorporate provisions for handling “partial**1216 **bulk transfers” between registrars – that is, transfers involving a number of**1217 **names but not the entire group of names held by the losing registrar.**

1218

1219 **3.1.** Should the policy incorporate provisions for handling “partial bulk transfers”  
1220 between registrars? Please state the reasons and use-cases for your answer.Marika Konings 10/21/08 4:18 PM  
Formatted: Bullets and Numbering

1221

1222 3.1.1. The members of the Registries Constituency support the incorporation  
1223 of provisions for handling partial bulk transfers between registrars  
1224 provided that the provisions would not require reengineering of the  
1225 existing bulk transfer functionality or new development. Specifically,  
1226 the transfer of the specified domain names would not extend the term  
1227 of the registration by an additional year and the registration fee would  
1228 not be assessed. Specific details of the product offerings by registries  
1229 and registrars should be left up to the individual registries and  
1230 registrars and should be driven by market demand.

1231

1232 **3.2.** Are you aware of any voluntary provisions to facilitate partial bulk transfers? If  
1233 so, could you please provide further details on those provisions (apart from  
1234 those already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).Marika Konings 11/10/08 9:52 AM  
Formatted: Bullets and Numbering

1235

1236 3.2.1. The only voluntary provisions to facilitate partial bulk transfers that the  
1237 members of the Registries Constituency are aware of are those that  
1238 have been identified (i.e., NeuStar and Nominet).



1239

1240 **3.3. Level of Support of Active Members:** Supermajority

1241

1242 3.3.1. # of Members in Favor: 12

1243

1244 3.3.2. # of Members Opposed: 0

1245

1246 3.3.3. # of Members that Abstained: 0

1247

1248 3.3.4. # of Members that did not vote: 3

1249

1250 **3.4. Minority Position:** None

1251

1252 **3.5. General impact on the RyC:** Minimal

1253

1254 **3.6. Financial impact on the RyC:** Minimal

1255

1256 **3.7. Analysis of the period of time that would likely be necessary to implement the**

1257 **policy:** If current technology is used, there would be no system / software

1258 development time required at the registries. However, implementation time to

1259 develop requirements / products involving submission by the registrar of partial bulk

1260 transfer requests could take 3 to 12 months.

1261

1262

1262

1263 **October 3, 2008**

1264

1265 **Registrar Constituency Position on Inter-Registrar Transfer Policy Issues**

1266

1267 **BACKGROUND**

1268 In September 2008, the Registrar Constituency (“RC”) was asked to provide feedback  
1269 regarding three Inter-Registrar Transfer Policy (“IRTP”) issues. This Position Paper captures  
1270 the overall sentiment expressed by the RC Members who provided feedback about this  
1271 matter and seems to reflect the general sense of the RC. Due to time constraints, however,  
1272 no formal vote regarding this Position Paper was taken.

1273

1274 **RC POSITION**

1275 The RC’s position regarding each of the three IRTP issues is as follows:

1276 1. Is there a way for registrars to make Registrant E-mail Address data available to one  
1277 another?

1278

1279 No viable secure implementation of this proposal has been advanced that would enable a  
1280 policy to require registrars to make Registrant E-mail Address data available to one another.  
1281 Additionally, the RC believes that regulatory intervention is not necessary to address this  
1282 issue. This issue is more appropriate for market based solutions rather than regulatory  
1283 intervention.

1284

1285 2. Whether there is need for other options for electronic authentication (e.g., security token  
1286 in the Form of Authorization (FOA)) due to security concerns on use of email addresses  
1287 (potential for hacking or spoofing).

1288

1289 The RC does not believe that a regulatory approach to authentication is necessary. The RC  
1290 recommends that the questions of whether additional authentication technology is needed,  
1291 and if so which technology to implement, be decided based on market demands rather than  
1292 regulation.

1293

1294 To that end, the RC cautions ICANN about the unintended consequences of technology  
1295 directives. Specifically, any mandated technology is guaranteed to become the target of  
1296 hackers who seek to circumvent its security. Having the option of a variety of technologies  
1297 which may be developed and implemented based on market demands offers greater  
1298 security in the long-run.

1299

1300 3. Whether the policy should incorporate provisions for handling "partial bulk transfers"  
1301 between registrars – that is, transfers involving a number of names but not the entire group  
1302 of names held by the losing registrar.

1303

1304 The RC believes that, properly defined, a "partial bulk transfer" option would be a useful tool  
1305 for registrars.

1306

1307 There are at least three scenarios in which this option may be helpful to registrars, including:

- 1308 • A private business transaction between registrars, in which a subset of the domains /  
1309 customers from one registrar are transferred to the other;
- 1310 • A registrar's reseller becomes an accredited registrar, and seeks to change the registrar of  
1311 record at the registry; or
- 1312 • A registrar discontinues retail registrations in a given TLD, or is involuntarily deaccredited  
1313 by ICANN.

1314

1315 However, many questions remain unanswered. For example, the RC questions how many  
1316 domain names would constitute a "bulk" transfer. Also, does the term "partial" indicate that  
1317 the losing registrar would maintain some remaining registrations in the TLD? Furthermore,  
1318 what is the method for assessing fees? Should this be a flat fee, or sliding scale? Should an  
1319 additional registration year be included or omitted from the transfer?

1320

1321 Also, the RC opposes any recommendations or language that extends this option to  
1322 registrant-initiated transfers for large portfolio holders on the basis that this is better  
1323 characterized as product development, not policy development. A consensus policy would  
1324 not take into account the variety of registrar business models, and would impose the same  
1325 terms, restrictions and limitations on all registrars regardless of its applicability to their

1326 customers. Additionally, there are several services available now that address this need.

1327

1328 The RC suggests that ICANN continue to let market-driven innovation and competition  
1329 address the needs of registrants who manage large domain name portfolios, and limit the  
1330 discussion of partial bulk transfers to situations arising "between registrars."

1331

1332 **CONCLUSION**

1333 The opinions expressed by the RC in this Position Paper should not be interpreted to reflect  
1334 the individual opinion of any particular RC member.

1335

1335 **BC Constituency Statement**1336 **Constituency Input Template Inter-Registrar Transfer Policy Set A**

1337

1338 The GNSO Council has formed a Working Group of interested stakeholders and  
1339 Constituency representatives, to collaborate broadly with knowledgeable individuals and  
1340 organizations, in order to develop potential policy options to address three new issues  
1341 associated with the Inter-Registrar Transfer Policy.

1342

1343 Part of the working group's effort will incorporate ideas and suggestions gathered from  
1344 Constituencies through this Constituency Statement.

1345

1346 Inserting your Constituency's response in this form will make it much easier for the Working  
1347 Group to summarize the Constituency responses. This information is helpful to the  
1348 community in understanding the points of view of various stakeholders.

1349

1350 For further background information on this issue, please review the [GNSO Issues Report on](#)  
1351 [Inter-Registrar Transfer Policy Set A - New IRTP Issues](#)

1352 Process:

1353 • Please identify the members of your constituency who participated in developing the  
1354 perspective(s) set forth below.

1355 Mike Rodenbaugh, Rodenbaugh Law

1356 Michael Collins, Internet Commerce Association

1357 Mike O'Connor, The O'Connor Company

1358

1359 • Please describe the process by which your constituency arrived at the perspective(s) set  
1360 forth below.

1361 This request for input was circulated for comment from BC Members on two occasions. A  
1362 draft response was created by Mike Rodenbaugh and circulated for comment. This final  
1363 draft was submitted.

1364

1365 **Issue I – Is there a way for registrars to make Registrant E-mail Address data**  
1366 **available to one another? Currently there is no way of automating approval from the**

1367 **Registrant, as the Registrant Email Address is not a required field in the registrar**  
1368 **Whois. This slows down and/or complicates the process for registrants, especially**  
1369 **since the Registrant can overrule the Admin Contact.**

1370 • If you believe policy change is needed, what options could be explored for registrars  
1371 to make Registrant E-mail address data available? For each option, please identify  
1372 how this would benefit automating approval, and, if any, what potential problems  
1373 might be associated with this option.

1374 BC: We believe policy change is needed. The current system is inconsistent and insecure.  
1375 The Admin Contact email address is purportedly authoritative, yet can be overruled by a  
1376 Registrant who need not even provide an email address. Buyers of domain names need  
1377 better assurance that they are purchasing from an authorized seller, this has been an  
1378 important function of the WHOIS database since the Admin Contact email address can be  
1379 verified by a buyer. The buyer has no way of knowing, however, if there is a superior  
1380 registrant who can disrupt the transaction.

1381 Yet today, this situation also seems to provide a security layer because registrars often have  
1382 Registrant email addresses and other contact info that is not public in WHOIS, and they can  
1383 use this information to confirm suspicious transfers. This may be a security benefit, but also  
1384 causes confusion. We should find a way to increase security and decrease confusion.

1385 One answer may be to further clarify that the Admin Contact email address is authoritative,  
1386 and consent from that address is assurance for a legitimate transfer that cannot be undone  
1387 by the prior registrant. In that event, PGP or some other authentication method should be  
1388 deployed to authenticate transfer requests and acknowledgments, because traditional email  
1389 is blatantly insecure and easily spoofed.

1390 • Please identify examples or best practices of email address use to facilitate and/or  
1391 automate approval from a Registrant for a transfer.

1392 • Although it is not the purpose of this Policy Development Process (PDP) to  
1393 recommend changes to WHOIS policy, it conceivably could be an option to require

1394 registrant email addresses in WHOIS. The Working Group is interested in your views  
1395 on that potential option, without regard to the broader WHOIS issues of availability  
1396 and accuracy of WHOIS data. The Working Group is more particularly interested in  
1397 your views about any other options not involving WHOIS.

1398 BC: We think the above solution, making the Admin Contact clearly authoritative, is a better  
1399 solution than to add another piece of contact data to the WHOIS database. The Registrant  
1400 email address could be different from the Admin Contact email and thereby create confusion  
1401 as to which is authoritative.

1402 **Issue II – Whether there is need for other options for electronic authentication (e.g.,**  
1403 **security token in the Form of Authorization (FOA)) due to security concerns on use of**  
1404 **email addresses (potential for hacking or spoofing).**

1405 • What security concerns can you identify related to current ways of authenticating  
1406 registrants. Note, the Security and Stability Advisory Committee (SSAC) has  
1407 identified a risk of email spoofing for purposes of domain name hijacking, see [link](#).  
1408 We are interested in your views on this and any other concerns.

1409 BC: It is a frightening risk that important domain names can be hijacked via email spoofing,  
1410 hacking and otherwise. There are countless ways in which businesses and their users can  
1411 be harmed financially, reputationally and even physically when a critical domain is overtaken  
1412 by hostile and/or criminal actors. We encourage SSAC, GNSO and other ICANN bodies to  
1413 continue working to investigate and mitigate this risk.

1414 • Do you think there is a need for other options for electronic authentication? Please  
1415 state the reasons for your answer.

1416 BC: Yes. Traditional email is inherently insecure. Some domain names are critical for  
1417 business and government infrastructure, and it is proven that they can be hijacked. PGP or  
1418 other authentication methods could be devised to impose minimal burden on registrants or  
1419 registrars, yet ensure much more effective security than is standard today.

- 1420 • Do you know of any Registrars using additional means for electronic authorization  
1421 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers  
1422 them?
- 1423 • If a need would be identified for other options of electronic authentication, what other  
1424 options could be explored?
- 1425 • Of those other options to be explored, please identify the potential benefits but also  
1426 any potential problems.
- 1427 • Do you have or know of any data in relation to the impact of the Extensible  
1428 Provisioning Protocol (EPP) deployment on security in relation to authentication? If  
1429 so, please describe the source and type of data.
- 1430 • Do you know of any further examples, apart from those mentioned in the issues  
1431 report (.uk registry and .se registry), of electronic authentication methods? If so, what  
1432 are they and who offers them?

1433 **Issue III – Whether the policy should incorporate provisions for handling “partial bulk**  
1434 **transfers” between registrars – that is, transfers involving a number of names but not**  
1435 **the entire group of names held by the losing registrar.**

- 1436 • Should the policy incorporate provisions for handling “partial bulk transfers” between  
1437 registrars? Please state the reasons and use-cases for your answer.

1438 BC: Yes. Large domain portfolio owners should have freedom and ability to move large  
1439 blocks of domains freely among registrars. Today, some registrars make the transfer  
1440 process difficult or impossible to do in bulk, and there is much inconsistency among the  
1441 various registrars. There ought to be a standard mechanism for large portfolio owners to  
1442 move large blocks of names among registrars. It would be particularly disturbing if the  
1443 registrars were to have such a policy for partial bulk transfers among themselves, but did  
1444 not offer that functionality to bulk registrants.



- 1445
- 1446
- 1447
- Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so, could you please provide further details on those provisions (apart from those already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).

1448

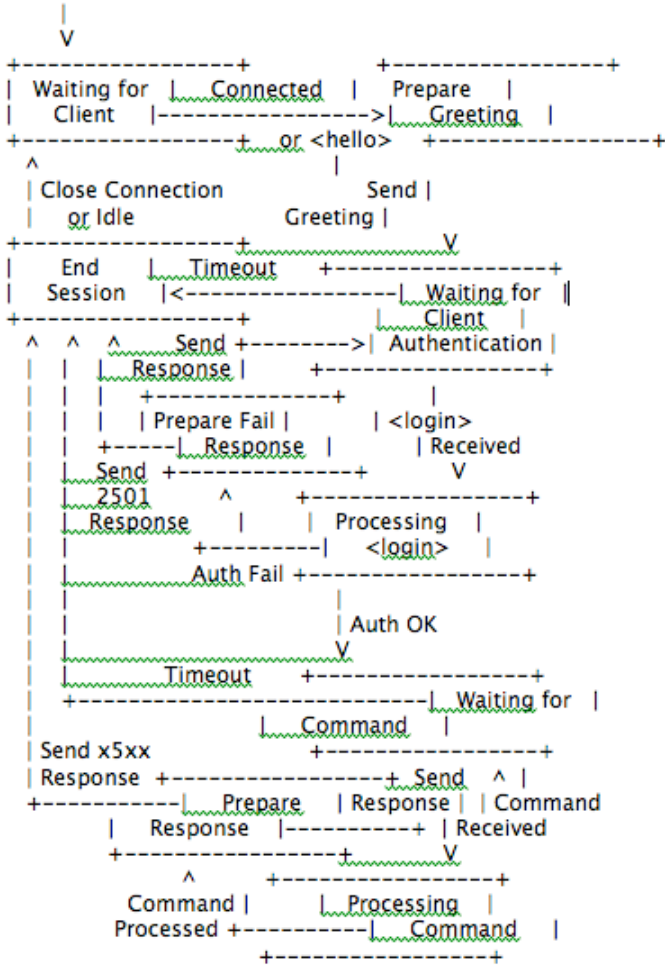
1449

1450

1450 **Annex C – EPP**

1451

**What is EPP?**



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

1452