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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.

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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 in 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 ▪ [It should be noted that all the three issues are still under active consideration by the](#)
- 83 [Working Group.](#)

84

85 **1.3 [Initial Constituency Statements & Initial Public Comment Period](#)**

- 86 ▪ [The public comment period ran from 5 September 2008 to 29 September 2008.](#)
- 87 [Apart from the Constituency statements, two other comments were received.](#)
- 88 [However, these two comments were deemed off-topic.](#)
- 89 ▪ [Constituencies were requested to use the Constituency Statement Template the](#)
- 90 [Working Group developed to provide their feedback. Input was received from the](#)
- 91 [Intellectual Property Interests Constituency, gTLD Registry Constituency, Registrars](#)
- 92 [Constituency and the Business and Commercial Users' Constituency. Constituency](#)
- 93 [statements received are reflected per issue in chapter 6 of this report, and are set](#)
- 94 [forth in their entirety in Annex B](#)

95

96 **1.4 [Conclusions and Next Steps](#)**

- 97 ▪ [The Working Group aims to complete this section of the report in the second phase](#)
- 98 [of the PDP, following a second public comment period and the submission of the](#)
- 99 [final constituency statements.](#)

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101 2. Objective and Next Steps

102 This Initial Report on the Inter-Registrar Transfer Policy (IRTP) Part A PDP is
103 prepared as required by the GNSO Policy Development Process as stated in the
104 ICANN Bylaws, Annex A (see <http://www.icann.org/general/bylaws.htm#AnnexA>).

105 The Initial Report will be posted for public comment for 20 days. The comments
106 received will be analyzed and used for redrafting of the Initial Report into a Final
107 Report to be considered by the GNSO Council for further action.

108

109

110

110 3. Background

111

112 3.1 Process background

113

- 114 ▪ Consistent with ICANN's obligation to promote and encourage robust competition in
115 the domain name space, the Inter-Registrar Transfer Policy (IRTP) aims to provide a
116 straightforward procedure for domain name holders to transfer their names from one
117 ICANN-accredited registrar to another should they wish to do so. The policy also
118 provides standardized requirements for registrar handling of such transfer requests
119 from domain name holders. The policy is an existing community consensus policy
120 that was implemented in late 2004 and is now being reviewed by the GNSO.
- 121 ▪ As part of that review, the GNSO Council formed a Transfers Working Group (TWG)
122 to examine and recommend possible areas for improvements in the existing transfer
123 policy. The TWG identified a broad list of over 20 potential areas for clarification and
124 improvement (see <http://www.icann.org/en/gnsso/transfers-tf/report-12feb03.htm>).
- 125 ▪ The Council tasked a short term planning group to evaluate and prioritize the policy
126 issues identified by the Transfers Working Group. In March 2008, the group
127 delivered a report to the Council that suggested combining the consideration of
128 related issues into five new PDPs (see [http://gnsso.icann.org/drafts/transfer-wg-
129 recommendations-pdp-groupings-19mar08.pdf](http://gnsso.icann.org/drafts/transfer-wg-recommendations-pdp-groupings-19mar08.pdf)).
- 130 ▪ On 8 May 2008, the Council adopted the structuring of five additional inter-registrar
131 transfers PDPs as suggested by the planning group (in addition to a recently
132 concluded Transfer PDP 1 on four reasons for denying a transfer). It was decided
133 that the five new PDPs would be addressed in a largely consecutive manner, with
134 the possibility of overlap as resources would permit.
- 135 ▪ The Council requested an Issues Report from Staff on the first of the new PDP issue
136 sets (Set A – New IRTP Issues) that was delivered to the Council on 23 May 2008
137 (see <http://gnsso.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf>).
- 138 ▪ The three “new” issues in Set A address (1) the potential exchange of registrant
139 email information between registrars, (2) the potential for including new forms of

140 electronic authentication to verify transfer requests and avoid “spoofing,” and (3) to
141 consider whether the IRTP should include provisions for “partial bulk transfers”
142 between registrars.

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

145

146 **3.2 Issue Background (excerpt from Issues Report)**

147

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

- 149 ▪ Issue I - Whether there could be a way for registrars to make Registrant Email
150 Address data available to one another. Currently there is no way of automating
151 approval from the Registrant, as the Registrant Email Address is not a required field
152 in the registrar Whois. This slows down and/or complicates the process for
153 registrants, especially since the Registrant can overrule the Admin Contact.
- 154 ▪ Section 1.1 of the Transfer Policy identifies the Registrant and the Administrative
155 Contact as parties who can authorize a transfer, and notes that the Registrant’s
156 authority supersedes that of the Administrative Contact. Accordingly, an
157 authorization from the Registrant provides a reliable ground for executing a transfer,
158 while an authorization from the Administrative Contact can be contested by the
159 Registrant, in spite of being recognized as a valid ground for a transfer. A convenient
160 means to acquire Registrant authorization could thus enable a reduction of the
161 number of contested transfers.
- 162 ▪ During its deliberations, the Transfers Working Group noted that the issue is related
163 to the Whois provisions, since the email address of the Administrative Contact is a
164 required field in Whois, in contrast to the Registrant email address. However, in the
165 context of a PDP focused on the Transfer Policy, any proposed policy change
166 affecting Whois policy (for example requiring registrant email information in the
167 Whois) would be outside the scope of the PDP¹. The issue to address is thus limited
168 to other means of keeping, maintaining and exchanging registrant email information

¹ [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.](#)

169 between the relevant Registrars. This invokes procedural, administrative and security
170 aspects.

171

172 **Issue II – Options for Electronic Authentication**

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

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

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

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

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

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

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

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

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

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

- 201 ▪ Regarding the risk of spoofing mentioned by the Transfers WG, useful background
202 information is provided in the SSAC report on domain name hijacking, available at
203 <http://www.icann.org/announcements/hijacking-report-12jul05.pdf>. Recommendation
204 10 of this report states: “ICANN should consider whether to strengthen the identity
205 verification requirements in electronic correspondence to be commensurate with the
206 verification used when the correspondence is by mail or in person.”
- 207 ▪ The SSAC report was produced in 2005 and it should be noted that, since then,
208 Extensible Provisioning Protocol (EPP) has been deployed by all gTLD registries that
209 have implemented the Transfer Policy. Since EPP requires an authorization
210 (“AuthInfo”) code, EPP deployment may have had an impact from a security
211 standpoint and recent data in this respect could be useful as background for a future
212 PDP covering this issue.
- 213 ▪ It can also be noted that some ccTLDs do use electronic authentication methods for
214 transfers, for example through digital signatures for authentication of e-mail requests.
215 The .UK registry operator Nominet uses PGP as described at
216 <http://www.nic.uk/registrars/systems/auto/pgp/>. Another example is the .SE registry
217 operator, IIS, featuring a certificate-based web interface (“Domänhanteraren” – in
218 English “The Domain Handler”) for the registrant, where the registrant can effectuate
219 changes of domain information, including change of Registrar, see
220 <https://domanhanteraren.iis.se/start/welcome>. There may be other such examples of
221 interest as references for this issue.

222 **Issue III - Provisions for partial bulk transfers between Registrars**

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

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

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

243 ▪ NeuLevel, Inc., the registry operator of .BIZ, has proposed the launch of a partial bulk
244 transfer service, which has been approved by ICANN through the Registry Services
245 Technical Evaluation Panel (RSTEP) procedure. This service proposal was
246 prompted by two Registrars’ request for a partial bulk transfer between them. For
247 further information, see http://www.icann.org/registries/rsep/NeuLevel_request.pdf.

248 ▪ For information, there are provisions in place for partial bulk transfers in some
249 ccTLDs. The .UK registry, Nominet, has a procedure for “mass transfers”, described
250 at <http://www.nic.uk/registrants/maintain/transfer/mass/> and also for PGP-signed
251 “bulk” operations at the registrar level, described at
252 <http://www.nic.uk/registrars/systems/auto/bulk/> (see especially Example 9 therein, of
253 relevance for partial bulk transfers). There may be other such examples of interest as
254 references for this issue.
255

255 4. Approach taken by the Working Group

256

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

263

264 4.1 Members of the IRTP Part A Working Group

265

266 The members of the Working group are:

267

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

268

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

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

271

272

272 5. Deliberations of the Working Group

273

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

278

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

284

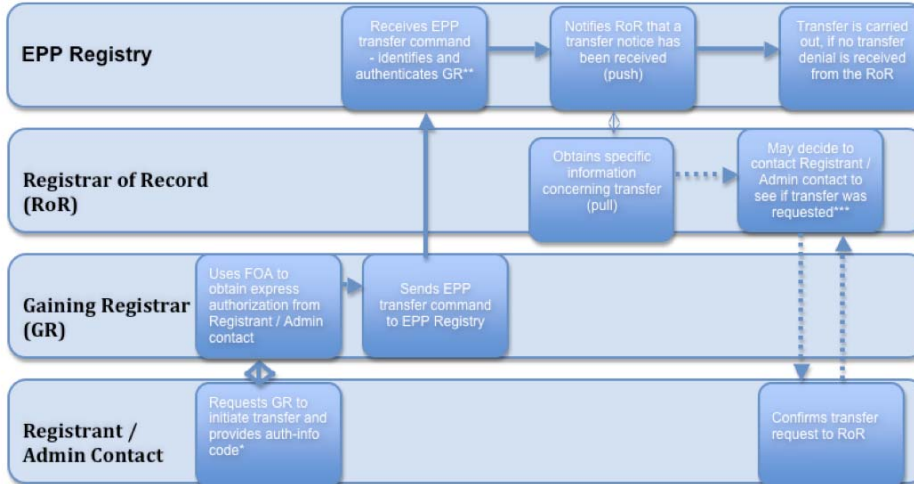
285 Extensible Provisioning Protocol (EPP)

- 286 ▪ One idea discussed in the context of issue I was to extend or modify the Poll Message
287 facility of the Extensible Provisioning Protocol (EPP) for this function (see Annex C for
288 further details on EPP). EPP is currently used as an authenticated and secure channel
289 of communication between the Registry and Registrar, which can also be used in the
290 context of transfers (see figure 1).
- 291 ▪ The Poll Message system has the advantage of being both an authenticated and secure
292 channel of communication between the Registry and Registrar, but it is currently mostly
293 unidirectional (Registrar does not create messages for Registry) and there is no means
294 for registrars to communicate with each other. The Working Group considered whether
295 EPP could be extended to allow registrars to create Poll Messages for each other, for
296 those situations which require the sharing of registrant information. Issues such as
297 security, costs of implementation and feasibility would need to be addressed in order to
298 determine whether this is a suitable option, but overall the Working Group considers this
299 a possible avenue to be further explored.

300

301 Figure 1.

Transfer in an EPP Registry



302 Notes

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

306 ** EPP requires mutual authentication of clients/registrar and servers before a TLS connection can be made between the
 307 two parties. Digital certificates, digital signatures, and PKI services are used to authenticate both parties. Certificates must
 308 be signed by a CA that is recognized by the server operator. [RFC 4934, section 8]. Additionally, all EPP clients/registrar
 309 are required to identify and authenticate themselves using a server-assigned user ID and a shared secret (a password)
 310 that is sent to the server using a login command. The server must confirm the identity and shared secret before the client
 311 is given access to other protocol services. [RFC 4930, section 2.9.1.1] Some EPP commands, such as the domain
 312 transfer command, require additional authentication information that must be provided and confirmed before the
 313 requested action is completed. The default authentication information service uses a shared secret that is known to the
 314 registry, the registrar, and the registrant. Registrants are required to provide this secret to a second registrar when
 315 requesting the second registrar to initiate a domain transfer on the registrant's behalf. The authentication information data
 316 structure is extensible so that additional authentication mechanisms can be defined and implemented in the future. [RFC
 317 4931, sections 3.2.1 and 3.2.4].

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

319

- 320 ▪ It should be noted that the RFC3730 - Extensible Provisioning Protocol (EPP) did not
- 321 foresee the potential use of poll messages in this way which may mean that a
- 322 modification of the RFC would be required in order to consider this as an option. Such a
- 323 modification could take a substantial amount of time. In addition, the implementation of a
- 324 modified EPP would bring with it certain costs. Both elements would need to be
- 325 considered prior to making a recommendation.
- 326 ▪ In relation to the security of EPP, it was noted that no security incidences with EPP have
- 327 been reported to date (or at least not to the knowledge of the Working Group members).
- 328

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329 **Internet Registry Information Service (IRIS)**

- 330 ▪ The Internet Registry Information Service (IRIS) has been developed by the IETF Cross
- 331 Registry Internet Service Protocol (CRISP) working group with the objective to replace
- 332 Whois. IRIS offers the opportunity to set some enforceable standards around who has
- 333 access to specific registrant data fields and a way to control such access.
- 334 ▪ Not taking into account or providing any opinion on whether IRIS should or should not be
- 335 considered as a replacement for Whois, the Working Group discussed whether it would
- 336 be an option to consider IRIS as a secure means of communication between registrars.
- 337 In this circumstance, the only data that would be provided and shared between registrars
- 338 would be registrant e-mail data. The Authinfo code could be used as a means of
- 339 authentication to access IRIS.
- 340 ▪ As with EPP, the costs and time of implementation would need to be assessed in order
- 341 to determine whether this would be a viable option.
- 342

343 **Registrant vs. Admin contact approval**

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

- 352 ▪ Taking this into account, one could consider requiring registrant approval before a
- 353 transfer occurs which would normally avoid most disputes.
- 354 ▪ Another option would be to give the admin contact the ultimate transfer authority.
- 355 However, this might result in additional security / hijacking risks as the admin contact
- 356 details are part of the public Whois.
- 357 ▪ Similarly, the registrant could be given the sole transfer authority. However, this brings
- 358 us back to the issue at hand, how to make the registrant e-mail address available to the
- 359 gaining registrar in order to confirm a transfer request.
- 360 ▪ Those registrars participating in the Working Group confirmed that normally the Gaining
- 361 Registrar sends the confirmation of a transfer to the admin contact since that is the
- 362 contact that they have on file. It could be considered to make it a requirement, instead of
- 363 optional, that the Registrar of Record confirms the transfer with the Registrant (instead of
- 364 the admin contact). This would add another approval into the process but it would
- 365 resolve the problem of Registrant e-mail not being publically available and it would
- 366 resolve the problem of domain transfers being authorized by the admin contact without
- 367 the Registrant's consent.
- 368

369 **Thin vs. Thick Registries**

- 370 ▪ A "Thin" Registry is one for which the Registry database contains only domain name
- 371 service (DNS) information:
- 372 - Domain name
- 373 - Name server names
- 374 - Name server address
- 375 - The name of the Registrar
- 376 - Basic transaction data
- 377 ▪ It does not contain any Registrant or contact information. Registrant or contact
- 378 information is maintained by the Registrar. Examples of Thin registries are .com, .net
- 379 and .jobs ([see table 1 for a complete overview](#)).
- 380 ▪ A "Thick" Registry is one for which the Registry database contains:
- 381 - Registrant and contact information
- 382 - Domain name
- 383 - Name server names

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- 384 - Name server address
- 385 - The name of the Registrar
- 386 - Basic transaction data
- 387 ▪ All authoritative information is kept within the Registry.
- 388 ▪ Registrant Email is collected and maintained by all registrars, and submitted to all
- 389 "Thick" Registries. A check of gTLD WHOIS data shows that Registrant Email is also
- 390 displayed for all Thick Registries.
- 391 ▪ "Thin" registries do not maintain any registrant information.
- 392 ▪ It should be noted that "Thick" registries are not obliged to include the registrant e-mail
- 393 address in Whois data, so requiring all "Thin" registries to become "Thick" registries
- 394 would not change anything for the particular issue at hand, unless the inclusion of the
- 395 registrant e-mail address would be mandated.
- 396 ▪ If the registrant email address would be required for inclusion in Whois data, it should
- 397 not even matter whether it is the registry or the registrar that is required to maintain
- 398 whois data.

Table 1

gTLD	Thin	Thick	Special
.ARPA		✓	
.AERO		✓	
.ASIA		✓	
.BIZ		✓	
.CAT		✓	
.COM	✓		
.COOP		✓	
.EDU		✓	
.GOV			✓ Private Registry
.INFO		✓	
.JOBS	✓		
.MIL			✓

			Private Registry
.MOBI		✓	
.MUSEUM		✓	
.NAME	✓	✓ ²	
.NET	✓		
.ORG		✓	
.PRO		✓	
.TEL		✓	
.TRAVEL		✓	

401 **Whois**

- 402 ■ The WG agreed that even tough Whois should not be the main topic of the discussion as
- 403 it is not [specifically](#) in the remit of this Working Group to make any recommendations for
- 404 Whois modification, it would not be off-limit to include in the discussion if deemed
- 405 appropriate for providing an insight into issue I.
- 406 ■ Registrant email addresses are not a required WHOIS field. Registrars can publish it if
- 407 they choose. Requiring that this address be made publicly available would solve the
- 408 issue at hand, but at the same time it [might](#) raise privacy and security concerns - and is
- 409 [possibly / probably](#) beyond the mandate of this WG.
- 410 ■ Members of the RyC who provided feedback also indicated that ICANN Registry
- 411 Agreements require that the registrant e-mail address field be displayed in the WHOIS of
- 412 most gTLDs and sTLDs and most of those registries make submission and display of
- 413 registrant e-mail address mandatory. It should be noted that this only applies to 'thick'
- 414 registries.

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416 **AuthInfo Code**

- 417 ■ The Working Group also discussed whether the AuthInfo code, which is currently being
- 418 used to authenticate a transfer in EPP based registries, could be used as a means to
- 419 authenticate the transfer instead of the registrant or admin contact e-mail address.

² ['Thick' Whois information available, but only after payment](#)

420 ▪ It was noted that this would not solve the issue at hand as the registrant could still
 421 challenge a transfer, even if the AuthInfo code would be provided by the admin contact,
 422 unless the submission of a valid AuthInfo code would be the only requirement to initiate
 423 a transfer. However, this was not deemed a secure and viable solution compared to the
 424 current system.

425
 426 **Issue II - Whether there is need for other options for electronic authentication (e.g.,**
 427 **security token in the Form of Authorization (FOA)) due to security concerns on use of**
 428 **email addresses (potential for hacking or spoofing).**

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

442 The Working Group also noted that apart from these figures, the loss of even a single
 443 domain name through "hijacking" can be personally and financially disruptive to a registrant,
 444 and involve a conceivable liability potential for the involved registrar / may result in
 445 significant potential liability for the involved registrar / could result in significant potential
 446 liability for the involved registrar / ,conceivably might result in a claim for damages against
 447 the involved registrar.

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

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451 ▪ Some members of the Working Group considered that offering additional security
452 measures should be left as a service that a registrar can choose to provide as part of its
453 offering.

454

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

458

459 ▪ Some members of the Working Group argue that this issue relates to potential partial
460 bulk transfers between registrars, and not registrant initiated partial bulk transfers which
461 are in practice already possible and offered as a service by a number of registrars.

462 ▪ Several members of the Working Group noted that if there would be support for
463 incorporating provisions for handling partial bulk transfers, it is imperative to ensure that
464 these provisions do not blur the boundaries between Policy requirements and Product
465 development.

466 ▪ In order to consider this issue in its full depth, it will be important to define what would
467 constitute a partial bulk transfer. What would be a minimum, would these transfers be
468 treated as renewals, is there a fee involved? Also, this definition process would need to
469 take into consideration that partial bulk transfers should not be abused by those trying to
470 avoid the charge that currently applies for bulk transfers over 50,000 domain names.

471 ▪ There is a policy in place that defines how a bulk transfer process works (see ICANN
472 [Policy on Transfer of Registrations between Registrars](#), 12 July 2004, Section B. ICANN-
473 Approved Transfers). When a registry executes a bulk transfer under the existing policy,
474 the registries receive approval from ICANN to use the 'bulk transfer tool' to transfer all
475 domains under the management of one ICANN accredited registrar to another
476 designated ICANN accredited registrar. The registry then contacts both the gaining
477 registrar and the losing registrar to coordinate a time to complete the transfer. A script is
478 run that, in essence, only changes the registrar of record for the domain names - the
479 expiration date is not changed nor is a registration fee assessed.

480 ▪ It was suggested that a similar process could be considered for a 'voluntary partial bulk
481 transfer' request with the exception that the request would not be received from ICANN,
482 but instead, from one of the registrars. Therefore, the registries would receive the

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483 request to initiate a voluntary partial bulk transfer from a registrar and, provided all
484 requirements are met, the registry would execute the command to move the designated
485 domain names from the losing registrar to the gaining registrar (without further
486 intervention by the registrars and without moving the expiration dates of the domain
487 names forward or assessing the standard registration fee to the gaining registrar). The
488 details surrounding the minimum requirements for submission of requests would need to
489 be addressed. Much work would need to be done by the WG to define the
490 requirements, fee structure, etc. The requirements should be limited to those relating to
491 registry and registrar responsibilities. How various registrars decide to develop products
492 (and establish their fee structure that they would charge for the service to their
493 registrants), as well as market the product to their registrants, should be left up to the
494 individual registrars.

- 495 ■ It was noted that from a security perspective, provisions for a partial bulk transfer might
496 not be desirable as this would also allow miscreants to transfer a large number of
497 domain names at once.

498

498

499

6. Initial Constituency Statements & Public Comment Period

500

501

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

504

6.1 Initial Public Comment Period

505

506
507 The public comment period ran from 5 September 2008 to 29 September 2008. Three
508 comments were received of which only one (from the IPC constituency) responded to the
509 questions outlined in the announcement. The other two responses (from Malc McGookin
510 and Jeffrey A. Williams) were off-topic; they expressed concerns relating to the loss of a
511 particular domain name, the redemption grace period and warehousing. In addition, two
512 other comments, the constituency statements of the Registrar and Registry constituency,
513 were received after the deadline of the public comment period. The public comments on this
514 forum are archived at <http://forum.icann.org/lists/new-irtp-issues/>. A summary of the
515 constituency statements can be found in the next section.

516

6.2 Initial Constituency Statements

517

518
519 [The Constituency Statement Template was sent to all the constituencies. Feedback was](#)
520 [received from the Intellectual Property Interests Constituency, gTLD Registry Constituency,](#)
521 [Registrar Constituency and the Business and Commercial Users' Constituency.](#) These
522 entities are abbreviated in the text as follows (in the order of submission of the constituency
523 statements):

524

525 IPC - Intellectual Property Interests Constituency

526 RyC - gTLD Registry Constituency

527 RrC – Registrar Constituency

[Draft Initial Report on IRTP Part A PDP](#)

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528 BC – Business and Commercial Users’ Constituency

529

530 **6.3 Constituency Views**

531

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

534 the Registrar Constituency (RC) and the Business and Commercial Users’ Constituency

535 (BC). Annex A of this report contains the full text of the constituency statements that have
536 been submitted. These should be read in their entirety. The following section attempts to

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

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

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

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

541

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

547

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

552

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

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560 approach to proving WHOIS information could be considered for implementation by
561 registrars.

562

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

567

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

573

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

577

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

588

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

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

601

602 The RC also recommends that this issue be resolved based on market demand rather than
603 prescriptive measures and cautions against unintended consequences of technology
604 mandates.

605

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

610

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

614

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

619

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

624

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

631

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

635

636

636

637 7. Conclusions and Next Steps

638 [The Working Group aims to complete this section of the report in the second phase of the](#)
639 [PDP, following a second public comment period and the submission of the final constituency](#)
640 [statements.](#)

641

642

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642 **Annex A – Template for Constituency Statements**

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

644

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

649

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

652

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

656

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

659

660 Process:

- 661 • Please identify the members of your constituency who participated in developing the
662 perspective(s) set forth below.
- 663 • Please describe the process by which your constituency arrived at the perspective(s) set
664 forth below.

665

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

671

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

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

684

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

688

- 689 - What security concerns can you identify related to current ways of authenticating
690 registrants. Note, the Security and Stability Advisory Committee (SSAC) has
691 identified a risk of email spoofing for purposes of domain name hijacking, see link.
692 We are interested in your views on this and any other concerns.
- 693 - Do you think there is a need for other options for electronic authentication? Please
694 state the reasons for your answer.
- 695 - Do you know of any Registrars using additional means for electronic authorization
696 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers
697 them?
- 698 - If a need would be identified for other options of electronic authentication, what other
699 options could be explored?
- 700 - Of those other options to be explored, please identify the potential benefits but also
701 any potential problems.
- 702 - Do you have or know of any data in relation to the impact of the Extensible
703 Provisioning Protocol (EPP) deployment on security in relation to authentication? If
704 so, please describe the source and type of data.

705 - Do you know of any further examples, apart from those mentioned in the issues
706 report (.uk registry and .se registry), of electronic authentication methods? If so, what
707 are they and who offers them?
708

709 **Issue III – Whether the policy should incorporate provisions for handling “partial bulk**
710 **transfers” between registrars – that is, transfers involving a number of names but not**
711 **the entire group of names held by the losing registrar.**
712

- 713 - Should the policy incorporate provisions for handling “partial bulk transfers” between
714 registrars? Please state the reasons and use-cases for your answer.
- 715 - Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,
716 could you please provide further details on those provisions (apart from those
717 already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).
718

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718 **Annex B - Constituency Statements**

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

720 Part A 'New IRTP Issues'

721 September 26, 2008

722

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

728

729 COMMENTS

730

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

742

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

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

749

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

760

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

764

765 COMMENTS

766

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

772

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

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

781

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

788

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

793

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

801

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

807

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

811

812 COMMENTS

813

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

823

824 Submitted by,

825

826 Claudio DiGangi, on behalf of IPC

827

827 **GNSO gTLD Registry Constituency Statement**828 **Issue: Inter-Registrar Transfer Policy Set A Request for Constituency Statements**

829 Date: 2 October 2008

830 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)
831 [23may08.pdf](http://gns0.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf)832 General RyC Information

833

834 ▪ Total # of eligible RyC Members³: 15

835 ▪ Total # of RyC Members: 15

836 ▪ Total # of Active RyC Members⁴: 15

837 ▪ Minimum requirement for supermajority of Active Members: 10

838 ▪ Minimum requirement for majority of Active Members: 8

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

840 ▪ Names of Members that participated in this process:

841 1. Afiliás (.info)

842 2. DotAsia Organisation (.asia)

843 3. DotCooperation (.coop)

844 4. Employ Media (.jobs)

845 5. Fundació puntCAT (.cat)

846 6. mTLD Top Level Domain (.mobi)

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

848 8. NeuStar (.biz)

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

850 10. RegistryPro (.pro)

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

852 12. VeriSign (.com & .net)

³ 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.

⁴ 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.

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- Names & email addresses for points of contact
 - o Chair: David Maher, dmaher@pir.org
 - o Vice Chair: Jeff Neuman, Jeff.Neuman@Neustar.us
 - o Secretariat: Cherie Stubbs, Cherstubbs@aol.com
 - o RyC representative for this statement: Barbara Steele, bstele@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

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885 tiered access approach to publishing WHOIS information.

886

887 Any changes to the policy and/or practice should be limited to addressing the
888 issue of obtaining authoritative information relating to the administrative
889 contact e-mail address in those instances where it is not available via the
890 registry WHOIS. In the case of thin registries, the contact information for a
891 domain name in the registrar WHOIS (including the registrant e-mail address)
892 is authoritative. In this case, registrars could implement a tiered access
893 approach to providing WHOIS information that would permit the private
894 provision of Registrant e-mail address and thereby satisfying various privacy
895 law requirements.

896

897 2.1 Please identify examples or best practices of email address use to facilitate and/or
898 automate approval from a Registrant for a transfer.

899

900 2.1. The members of the Registries Constituency agree that authentication of the
901 identity of the registrant, as stipulated by the IRTP, is the responsibility of the
902 Gaining Registrar. Therefore, aside from EPP AuthInfo authentication which
903 is systematically enforced when an EPP Registry processes a transfer
904 command, Registrars are best able to address this item.

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906 2.1 Although it is not the purpose of this Policy Development Process (PDP) to
907 recommend changes to WHOIS policy, it conceivably could be an option to
908 require registrant email addresses in WHOIS. The Working Group is interested in
909 your views on that potential option, without regard to the broader WHOIS issues
910 of availability and accuracy of WHOIS data. The Working Group is more
911 particularly interested in your views about any other options not involving
912 WHOIS.

913

914 2.1. As previously indicated, thick registries are already publishing registrant e-
915 mail addresses in WHOIS. For thin registries to add contact information
916 would be a major change resulting in significant cost and time to deploy.

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

921

922 **1.4. Level of Support of Active Members: Supermajority**

923

924 1.4.1. # of Members in Favor: 12

925

926 1.4.2. # of Members Opposed: 0

927

928 1.4.3. # of Members that Abstained: 0

929

930 1.4.4. # of Members that did not vote: 3

931

932 **1.5. Minority Position: None**

933

934 **1.6. General impact on the RyC: Minimal**

935

936 **1.7. Financial impact on the RyC: Minimal**

937

938 **1.8. Analysis of the period of time that would likely be necessary to implement the**

939 **policy:** Not applicable as those registries that currently have registrant contact
940 information are already publishing the e-mail address. For thin registries to add
941 contact information would be a major change resulting in significant cost and time to
942 deploy.

943

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

947

948 2.1 What security concerns can you identify related to current ways of authenticating

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

952

953 2.1.1. The members of the Registries Constituency recognize that use of the
954 e-mail address has certain weaknesses, but the merits and costs of
955 implementing other methods should be judged in their own right and
956 not against any inadequacies and inefficiencies of email.

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957

958 2.2. Do you think there is a need for other options for electronic authentication?
959 Please state the reasons for your answer.

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960

961 2.2.1. The members of the Registries Constituency support allowing market
962 forces to operate freely in this area. Registrars can measure demand
963 to determine if they want to implement additional security methods for
964 authenticating transfer requests. Registrars should be permitted to
965 differentiate themselves from their competitors by determining what
966 offerings they make available to registrants, including the level of
967 security they employ in protecting the contact information of the
968 Registrants of domain names.

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970 2.3. Do you know of any Registrars using additional means for electronic
971 authorization (e.g. security token, digital signatures, etc.)? If so, what are they
972 and who offers them?

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973

974 2.3.1. The Registries Constituency believes that some registrars have
975 implemented additional security methods to authenticate transfers of
976 domain names. Specifically, Markmonitor, GoDaddy and Moniker
977 have products available to provide additional security. More
978 information relating to these products can be found at the following
979 websites, respectively:
980 http://www.markmonitor.com/products/domain_management.php,

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981 https://www.godaddy.com/gdshop/protect/landing.asp?isc_prg001&ci
982 =9004 and http://www.domainmaxlock.com/. We also have
983 confirmation that CSC will issue some customers Secure ID tokens
984 (RSA) for additional validation.
985

986 | 2.4. If a need would be identified for other options of electronic authentication,
987 | what other options could be explored?

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989 | 2.4.1. The EPP AuthInfo code provides an automated mechanism to
990 | authenticate transfer requests and could take the place of both the
991 | Registrant and Admin Contact e-mail addresses.
992

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993 | 2.5. Of those other options to be explored, please identify the potential benefits
994 | but also any potential problems.
995

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996 | 2.5.1. Use of the AuthInfo code to authenticate transfers is already in place
997 | and required by all EPP registries or the transfer command will fail.
998 | There is no additional cost or development required to implement this
999 | method of authentication. The IRTP addresses the potential problems
1000 | associated with obtaining the AuthInfo code for a domain name in
1001 | Section 5.
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1003 However, for the use of AuthInfo codes to be effective, the members
1004 of the Registries Constituency agree that compliance with the
1005 requirement that AuthInfo codes be unique by domain name must be
1006 enforced via the ICANN Registrar Compliance Program. Enforcement
1007 of unique AuthInfo codes by domain name should not be done by the
1008 registry operator as such enforcement would create a negative
1009 response for conflicting AuthInfo codes thus creating a mechanism to
1010 test for in-use AuthInfo codes which could result in a security
1011 exposure.
1012

1013 While the use of security tokens by the Registrant to authenticate a
1014 transfer would bring additional security to the transfer process, the
1015 members of the Registries Constituency agree that market forces
1016 should be allowed to work freely in this regard and demand should
1017 dictate whether a Registrar elects to employ this method since the
1018 expense and logistics of providing tokens to all Registrants may not
1019 make this a feasible option for all registrars and registrants.

1021 2.6. Do you have or know of any data in relation to the impact of the Extensible
1022 Provisioning Protocol (EPP) deployment on security in relation to
1023 authentication? If so, please describe the source and type of data.

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1025 2.6.1. No members of the Registries Constituency are aware of any security
1026 issues relating to the deployment of EPP or AuthInfo codes. All
1027 indications are that the RFC is stable and EPP and AuthInfo codes,
1028 when properly implemented, are secure.

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1030 It should be noted that EPP requires mutual authentication of
1031 clients/registrars and servers before a Transport Layer Security (or
1032 TLS) connection can be made between the two parties. Digital
1033 certificates, digital signatures, and PKI services are used to
1034 authenticate both parties. Certificates must be signed by a CA that is
1035 recognized by the server operator. [RFC 4934, section 8]

1037 Additionally, all EPP clients/registrars are required to identify and
1038 authenticate themselves using a server-assigned user ID and a
1039 shared secret (a password) that is sent to the server using a login
1040 command. The server must confirm the identity and shared secret
1041 before the client is given access to other protocol services. [RFC
1042 4930, section 2.9.1.1]

1044 Some EPP commands, such as the domain transfer command,

1045 require additional authentication information that must be provided
 1046 and confirmed before the requested action is completed. The default
 1047 authentication information service uses a shared secret (or AuthInfo
 1048 code) that is known to the registry, the registrar, and the registrant.
 1049 Registrants are required to provide this secret to a second registrar
 1050 when requesting the second registrar to initiate a domain transfer on
 1051 the registrant's behalf. The authentication information data structure is
 1052 extensible so that additional authentication mechanisms can be
 1053 defined and implemented in the future. [RFC 4931, sections 3.2.1 and
 1054 3.2.4]

1056 | [2.7.](#) Do you know of any further examples, apart from those mentioned in the
 1057 issues report (.uk registry and .se registry), of electronic authentication
 1058 methods? If so, what are they and who offers them?
 1059

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1060 | [2.7.1.](#) The members of the Registries Constituency are unaware of any
 1061 methods of electronic authentication currently in use other than those
 1062 indicated in section 2.3.1 of this Issue #2.
 1063

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1064 **2.8. Level of Support of Active Members: Supermajority**

1066 2.8.1. # of Members in Favor: 12

1068 2.8.2. # of Members Opposed: 0

1070 2.8.3. # of Members that Abstained: 0

1072 2.8.4. # of Members that did not vote: 3

1074 **2.9. Minority Position: None**

1076 **2.10. General impact on the RyC: To be determined.**

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

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

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

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

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

3.2. 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)).

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

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3.3. Level of Support of Active Members: Supermajority

3.3.1. # of Members in Favor: 12

3.3.2. # of Members Opposed: 0

3.3.3. # of Members that Abstained: 0

3.3.4. # of Members that did not vote: 3

3.4. Minority Position: None

3.5. General impact on the RyC: Minimal

3.6. Financial impact on the RyC: Minimal

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

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

1132

1133 **October 3, 2008**

1134

1135 **Registrar Constituency Position on Inter-Registrar Transfer Policy Issues**

1136

1137 **BACKGROUND**

1138 In September 2008, the Registrar Constituency (“RC”) was asked to provide feedback
1139 regarding three Inter-Registrar Transfer Policy (“IRTP”) issues. This Position Paper captures
1140 the overall sentiment expressed by the RC Members who provided feedback about this
1141 matter and seems to reflect the general sense of the RC. Due to time constraints, however,
1142 no formal vote regarding this Position Paper was taken.

1143

1144 **RC POSITION**

1145 The RC’s position regarding each of the three IRTP issues is as follows:

1146 1. Is there a way for registrars to make Registrant E-mail Address data available to one
1147 another?

1148

1149 No viable secure implementation of this proposal has been advanced that would enable a
1150 policy to require registrars to make Registrant E-mail Address data available to one another.
1151 Additionally, the RC believes that regulatory intervention is not necessary to address this
1152 issue. This issue is more appropriate for market based solutions rather than regulatory
1153 intervention.

1154

1155 2. Whether there is need for other options for electronic authentication (e.g., security token
1156 in the Form of Authorization (FOA)) due to security concerns on use of email addresses
1157 (potential for hacking or spoofing).

1158

1159 The RC does not believe that a regulatory approach to authentication is necessary. The RC
1160 recommends that the questions of whether additional authentication technology is needed,
1161 and if so which technology to implement, be decided based on market demands rather than
1162 regulation.

1163

1164 To that end, the RC cautions ICANN about the unintended consequences of technology
1165 directives. Specifically, any mandated technology is guaranteed to become the target of
1166 hackers who seek to circumvent its security. Having the option of a variety of technologies
1167 which may be developed and implemented based on market demands offers greater
1168 security in the long-run.

1169

1170 3. Whether the policy should incorporate provisions for handling “partial bulk transfers”
1171 between registrars – that is, transfers involving a number of names but not the entire group
1172 of names held by the losing registrar.

1173

1174 The RC believes that, properly defined, a "partial bulk transfer" option would be a useful tool
1175 for registrars.

1176

1177 There are at least three scenarios in which this option may be helpful to registrars, including:

- 1178 • A private business transaction between registrars, in which a subset of the domains /
1179 customers from one registrar are transferred to the other;
- 1180 • A registrar’s reseller becomes an accredited registrar, and seeks to change the registrar of
1181 record at the registry; or
- 1182 • A registrar discontinues retail registrations in a given TLD, or is involuntarily deaccredited
1183 by ICANN.

1184

1185 However, many questions remain unanswered. For example, the RC questions how many
1186 domain names would constitute a "bulk" transfer. Also, does the term "partial" indicate that
1187 the losing registrar would maintain some remaining registrations in the TLD? Furthermore,
1188 what is the method for assessing fees? Should this be a flat fee, or sliding scale? Should an
1189 additional registration year be included or omitted from the transfer?

1190

1191 Also, the RC opposes any recommendations or language that extends this option to
1192 registrant-initiated transfers for large portfolio holders on the basis that this is better
1193 characterized as product development, not policy development. A consensus policy would
1194 not take into account the variety of registrar business models, and would impose the same
1195 terms, restrictions and limitations on all registrars regardless of its applicability to their

1196 customers. Additionally, there are several services available now that address this need.

1197

1198 The RC suggests that ICANN continue to let market-driven innovation and competition
1199 address the needs of registrants who manage large domain name portfolios, and limit the
1200 discussion of partial bulk transfers to situations arising "between registrars."

1201

1202 **CONCLUSION**

1203 The opinions expressed by the RC in this Position Paper should not be interpreted to reflect
1204 the individual opinion of any particular RC member.

1205

1205 **BC Constituency Statement**

1206 **Constituency Input Template Inter-Registrar Transfer Policy Set A**

1207

1208 The GNSO Council has formed a Working Group of interested stakeholders and
1209 Constituency representatives, to collaborate broadly with knowledgeable individuals and
1210 organizations, in order to develop potential policy options to address three new issues
1211 associated with the Inter-Registrar Transfer Policy.

1212

1213 Part of the working group's effort will incorporate ideas and suggestions gathered from
1214 Constituencies through this Constituency Statement.

1215

1216 Inserting your Constituency's response in this form will make it much easier for the Working
1217 Group to summarize the Constituency responses. This information is helpful to the
1218 community in understanding the points of view of various stakeholders.

1219

1220 For further background information on this issue, please review the [GNSO Issues Report on](#)
1221 [Inter-Registrar Transfer Policy Set A - New IRTP Issues](#)

1222 Process:

1223 • Please identify the members of your constituency who participated in developing the
1224 perspective(s) set forth below.

1225 Mike Rodenbaugh, Rodenbaugh Law

1226 Michael Collins, Internet Commerce Association

1227 Mike O'Connor, The O'Connor Company

1228

1229 • Please describe the process by which your constituency arrived at the perspective(s) set
1230 forth below.

1231 This request for input was circulated for comment from BC Members on two occasions. A
1232 draft response was created by Mike Rodenbaugh and circulated for comment. This final
1233 draft was submitted.

1234

1235 **Issue I – Is there a way for registrars to make Registrant E-mail Address data**
1236 **available to one another? Currently there is no way of automating approval from the**

1237 **Registrant, as the Registrant Email Address is not a required field in the registrar**
1238 **Whois. This slows down and/or complicates the process for registrants, especially**
1239 **since the Registrant can overrule the Admin Contact.**

- 1240 • If you believe policy change is needed, what options could be explored for registrars
1241 to make Registrant E-mail address data available? For each option, please identify
1242 how this would benefit automating approval, and, if any, what potential problems
1243 might be associated with this option.

1244 BC: We believe policy change is needed. The current system is inconsistent and insecure.
1245 The Admin Contact email address is purportedly authoritative, yet can be overruled by a
1246 Registrant who need not even provide an email address. Buyers of domain names need
1247 better assurance that they are purchasing from an authorized seller, this has been an
1248 important function of the WHOIS database since the Admin Contact email address can be
1249 verified by a buyer. The buyer has no way of knowing, however, if there is a superior
1250 registrant who can disrupt the transaction.

1251 Yet today, this situation also seems to provide a security layer because registrars often have
1252 Registrant email addresss and other contact info that is not public in WHOIS, and they can
1253 use this information to confirm suspicious transfers. This may be a security benefit, but also
1254 causes confusion. We should find a way to increase security and decrease confusion.

1255 One answer may be to further clarify that the Admin Contact email address is authoritative,
1256 and consent from that address is assurance for a legitimate transfer that cannot be undone
1257 by the prior registrant. In that event, PGP or some other authentication method should be
1258 deployed to authenticate transfer requests and acknowledgments, because traditional email
1259 is blatantly insecure and easily spoofed.

- 1260 • Please identify examples or best practices of email address use to facilitate and/or
1261 automate approval from a Registrant for a transfer.
- 1262 • Although it is not the purpose of this Policy Development Process (PDP) to
1263 recommend changes to WHOIS policy, it conceivably could be an option to require

1264 registrant email addresses in WHOIS. The Working Group is interested in your views
1265 on that potential option, without regard to the broader WHOIS issues of availability
1266 and accuracy of WHOIS data. The Working Group is more particularly interested in
1267 your views about any other options not involving WHOIS.

1268 BC: We think the above solution, making the Admin Contact clearly authoritative, is a better
1269 solution than to add another piece of contact data to the WHOIS database. The Registrant
1270 email address could be different from the Admin Contact email and thereby create confusion
1271 as to which is authoritative.

1272 **Issue II – Whether there is need for other options for electronic authentication (e.g.,**
1273 **security token in the Form of Authorization (FOA)) due to security concerns on use of**
1274 **email addresses (potential for hacking or spoofing).**

1275 • What security concerns can you identify related to current ways of authenticating
1276 registrants. Note, the Security and Stability Advisory Committee (SSAC) has
1277 identified a risk of email spoofing for purposes of domain name hijacking, see [link](#).
1278 We are interested in your views on this and any other concerns.

1279 BC: It is a frightening risk that important domain names can be hijacked via email spoofing,
1280 hacking and otherwise. There are countless ways in which businesses and their users can
1281 be harmed financially, reputationally and even physically when a critical domain is overtaken
1282 by hostile and/or criminal actors. We encourage SSAC, GNSO and other ICANN bodies to
1283 continue working to investigate and mitigate this risk.

1284 • Do you think there is a need for other options for electronic authentication? Please
1285 state the reasons for your answer.

1286 BC: Yes. Traditional email is inherently insecure. Some domain names are critical for
1287 business and government infrastructure, and it is proven that they can be hijacked. PGP or
1288 other authentication methods could be devised to impose minimal burden on registrants or
1289 registrars, yet ensure much more effective security than is standard today.

- 1290 • Do you know of any Registrars using additional means for electronic authorization
1291 (e.g. security token, digital signatures, etc.)? If so, what are they and who offers
1292 them?
- 1293 • If a need would be identified for other options of electronic authentication, what other
1294 options could be explored?
- 1295 • Of those other options to be explored, please identify the potential benefits but also
1296 any potential problems.
- 1297 • Do you have or know of any data in relation to the impact of the Extensible
1298 Provisioning Protocol (EPP) deployment on security in relation to authentication? If
1299 so, please describe the source and type of data.
- 1300 • Do you know of any further examples, apart from those mentioned in the issues
1301 report (.uk registry and .se registry), of electronic authentication methods? If so, what
1302 are they and who offers them?

1303 **Issue III – Whether the policy should incorporate provisions for handling “partial bulk**
1304 **transfers” between registrars – that is, transfers involving a number of names but not**
1305 **the entire group of names held by the losing registrar.**

- 1306 • Should the policy incorporate provisions for handling “partial bulk transfers” between
1307 registrars? Please state the reasons and use-cases for your answer.

1308 BC: Yes. Large domain portfolio owners should have freedom and ability to move large
1309 blocks of domains freely among registrars. Today, some registrars make the transfer
1310 process difficult or impossible to do in bulk, and there is much inconsistency among the
1311 various registrars. There ought to be a standard mechanism for large portfolio owners to
1312 move large blocks of names among registrars. It would be particularly disturbing if the
1313 registrars were to have such a policy for partial bulk transfers among themselves, but did
1314 not offer that functionality to bulk registrants.

- 1315 • Are you aware of any voluntary provisions to facilitate partial bulk transfers? If so,
1316 could you please provide further details on those provisions (apart from those
1317 already identified in the issues paper – NeuLevel (.biz), Nominet (.uk)).

1318

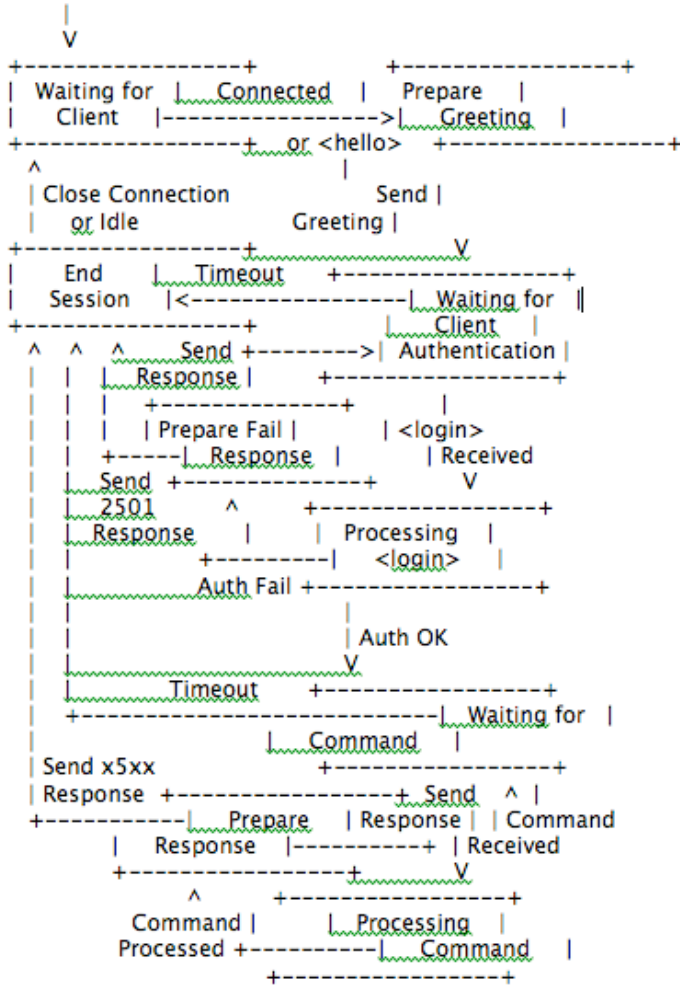
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1320 **Annex C – EPP**

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What is EPP?



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

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