Internationalized Domain Names Expedited Policy Development Process

IDN-EPDP Team Working Sessions 1-4 | 12-15 July 2023

Agenda

1. Group Photo (Session 1)

2. Roll Call and SOI Updates

3. Welcome and Chair Updates

4. Discuss Variant Label Behavior in Domain Name Lifecycle: D4, D6, D7, C4a

5. Review Preliminary Agreement: C4, C5, C6, C1, C2

6. AOB

Discuss Variant Label Behavior in Domain Name Lifecycle

D4, D6, D7, C4a

Charter Questions Overview

Core Question

D4) Regarding second-level domain names, <u>should a variant set behave as one unit</u>, i.e. the <u>behavior of one domain name</u> is replicated across the other variant domain names? Or should each variant domain name have its own independent domain name life cycle?

Consider the operational and legal impact of the <u>"same entity" principle</u>, if any, to all aspects of a domain name lifecycle, including but not limited to:

● Registration, including registration during the Sunrise Period, any Limited Registration Period, any Launch Program and during General Registration

● Update

● Renewal

● Transfer

● Lock

● Suspension

● Expiration

● Redemption

● Deletion

Related to Transfer

D6) To ensure that the <u>"same entity" principle is followed</u>, the transfer of a domain name registration to a new entity -- <u>voluntary or involuntary</u>, and <u>inter-registrants or inter-registrars</u> -- should result in transfer of all variant domain names (i.e., if s1.t1 is to be transferred, s1.t1, s1.t1v1, s1v1.t1 and s1v1.t1v should all be transferred). The WG, the Transfer Policy PDP, and the RPM PDP Phase 2 to coordinate and consider the following questions in order to develop a consistent solution: <u>to what extent should the Transfer Policy be updated to reflect domain name relationships due to variants and the "same entity" requirement</u>?

Related to Suspension

D7) Should the policies and procedures related to domain name suspension be updated to <u>ensure that the "same entity" principle is followed</u> for all variant domain names (i.e., if s1.t1 is to be suspended, s1.t1v1, s1v1.t1 and s1v1.t1v1 should all be suspended)? In other words, <u>if one domain label is suspended, either voluntarily or involuntarily, should all the variant labels related to that domain be suspended</u>?

C4a

Related to SubPro Rec 25.8

C4a) The SubPro PDP and the Staff Paper recommend that the set of allocatable or activated second-level variant labels may not be identical across the activated IDN variant TLDs. Meaning, their behavior/disposition can be different. Under the conditions above, may the set of allocatable or activated second-level variant labels not behave identically <u>under an individual TLD, which does not have any variant TLD label</u>?

Preview - D4: Discussion Questions
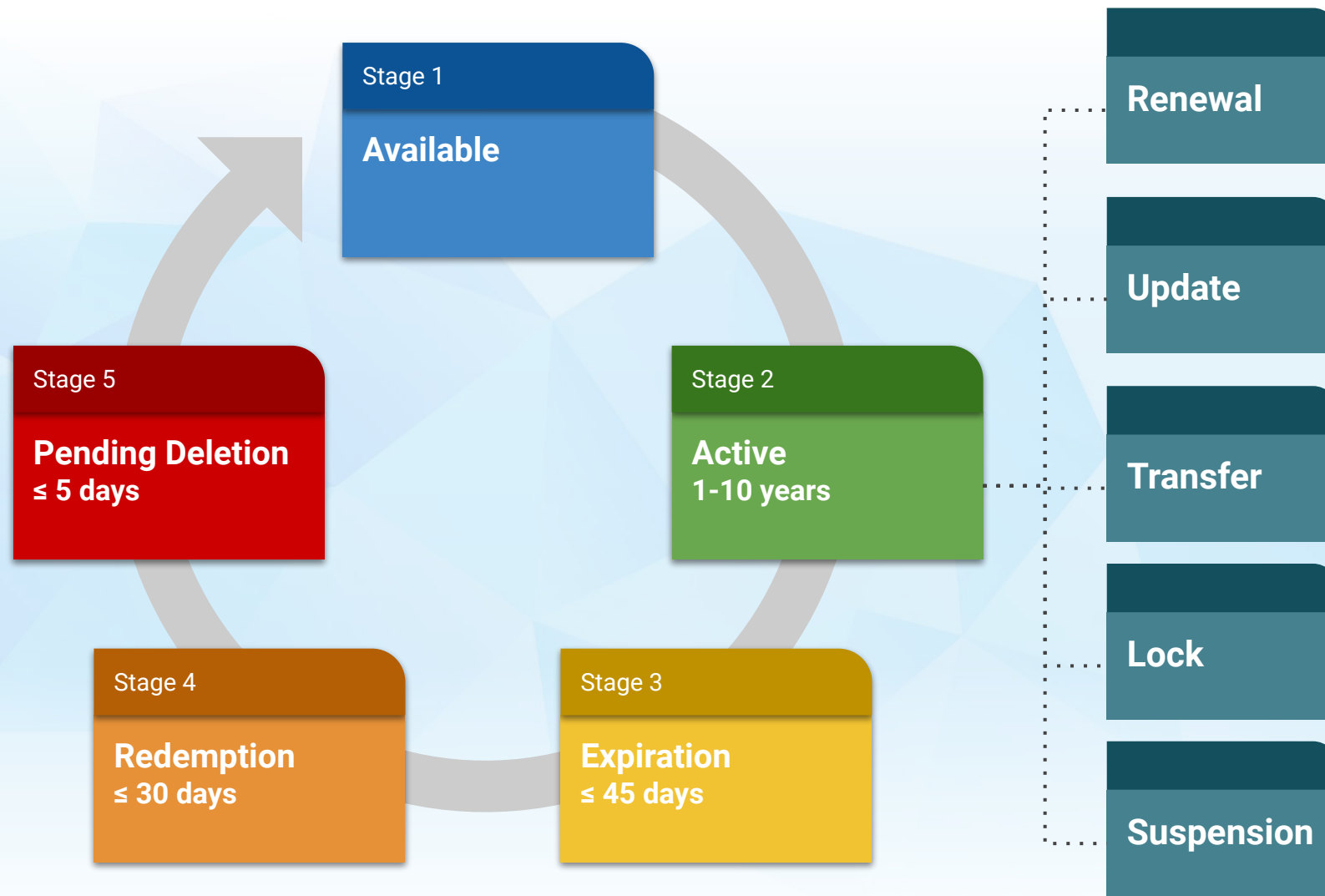
What D4 is asking:

Regarding second-level domain names, should a variant set <u>behave as one unit</u>, i.e., the <u>behavior of one domain name is replicated</u> *across the other variant domain names? Or should each variant domain name have its own <u>independent</u> domain name life cycle? Consider the <u>operational and legal impact</u> of the "same entity" principle, if any, to all aspects of a domain name lifecycle.*

Discussion Questions

> **1. How is a <u>variant label set</u> determined for the second-level variant domains?**

> **2. What does "<u>behaving as one unit</u>" mean in the context of lifecycle management of variant domains? Are there parallels with the "<u>integrity of the set</u>" principle at the top-level?**

General Stages of Domain Name Lifecycle

Stage 1

Available

Stage 2

Active
1-10 years

Stage 3

Expiration
≤ 45 days

Stage 4

Redemption
≤ 30 days

Stage 5

Pending Deletion
≤ 5 days

Renewal

Update

Transfer

Lock

Suspension

Note: the time limitation in each stage is not ICANN policy, but a reflection of common practice

Additional Info on Domain Name Lifecycle

- Extensible Provisioning Protocol (EPP) domain status codes indicate the status of a domain name registration and where exactly they are in the domain name lifecycle from technical standpoint

- Every domain has at least one status code

- 17 standardized EPP domain status code plus the Registry Grace Period status code

- EPP domain status code can be found by running a Whois lookup

- Originated from RFC3915 and RFC5731

addPeriod	pendingRenew	serverHold
autoRenewPeriod	pendingRestore	serverRenewProhibited
inactive	pendingTransfer	serverTransferProhibited
ok	pendingUpdate	serverUpdateProhibited
pendingCreate	renewPeriod	transferPeriod
pendingDelete	serverDeleteProhibited	RGP

Stage 1: Available

Explanation: Domain can be registered by any entity (e.g., individual, organization) via a domain registrar that operates under the gTLD's registry.

Registration options for domains under New gTLDs

- **Qualified Launch Period**: Registry allocates domains to selected registrants prior to Sunrise Period
- **Limited Registration Period**: A registrant may submit an application to register a domain
- **Sunrise**: Trademark holders have an advanced opportunity to register domains
- **Landrush**: Registration is open to the public but is sold at a higher price
- **General Availability**: Registration is open to the public at a regular price

Stage 2: Active (1-10 years)

Explanation:

- Domain name is registered and fully functional (e.g., website and email services are active)

- A domain name can be registered for between 1-10 years

Renewal

Explanation:

- Options and fees for renewing domain names, including expired ones, vary by registrar

- As expiration date draws near, registrars typically send out reminders to registrants to get domains renewed

- Many registrars offer auto-renewal option

- No limit on the number of times a domain can be renewed; however, renewal of a domain name may not extend the registration period beyond 10 years from the time of the renewal

Update

Explanation:

- Change to the registration data associated with a domain name during the normal life cycle

- Registrant submits domain changes to the registrar

- Some update is prohibited under certain circumstances (e.g., lock, suspension): registrant and any other contact information, name server information, DNSSEC, etc.

Transfer

Explanation:

- Two types of transfer:

    - Inter-Registrar Transfer: change of registrar for a domain name (registrant may or may not be the same)

    - Inter-Registrant Transfer: change of ownership of a domain within the same registrar

        - Material change to registrant name, organization, email address, or administrative contact

- For inter-registrar transfer, a unique AuthInfo code (key to the domain name) is required to allow the transfer

- Circumstances under which a registrar must / may deny a transfer request; e.g., a domain cannot be transferred within 60 days of:

    - initial registration with the current registrar

    - making a change to certain contact information

- An expired domain can still be transferred

- Options and fees for transferring domain names vary by registrar

- Involuntary transfer examples: 1) UDRP determination; 2) registrar loses accreditation

Assumption - "Same Entity" Requirement Implication

If one domain is transferred to a new registrant, the other domains from the variant label set must be transferred to the same registrant at the same time

Lock

Explanation:

- Lock means that a domain, which remains registered to its registrant and continues to resolve, is prohibited from being updated, transferred, or deleted

- 60-day Change of Registrant Lock

  - It prevents an unauthorized transfer of a domain from one registrar to another

  - Some registrar may provide an option for registrant to opt-out this Lock

- Registry Lock Service:

  - Some registries offer this service that allows registrants, through their registrars to set this status as an extra protection against unauthorized updates, transfers, and deletions

- URS Lock:

  - Registry restricts all changes to the registration data of a domain subject to a URS proceeding

Suspension

Explanation:

- WHOIS Accuracy Program Specification within RAA 2013:

  - in cases where inaccurate or unreliable WHOIS information, failure to verify the registrant information, or respond to inquiries regarding accuracy of contact details, registrar "**shall either terminate or suspend the Registered Name Holder's Registered Name or place such registration on <u>clientHold</u> and <u>clientTransferProhibited</u>**, until such time as Registrar has validated the information provided by the Registered Name Holder."

  - No explicit definition what the suspension of a domain name looks like, except for EPP status

- Some registrars' description: customer's website, email, and other related services to their registered domain name will stop working, with some registrars of having the domain resolved to an informational suspension page hosted by the registrar

- Suspension can be due to other various reasons, e.g., malware infection, excessive use of server resources, payment failures, other policy violations, URS suspension

Stage 3: Expiration (≤ 45 days)

Explanation:

- Each domain name has an expiration date

- If a domain name is not renewed prior to the expiration date, it is deactivated (e.g., associated email or website services will be no longer accessible)

- Domain name can stay in this stage for up to 45 days and cannot be registered by a different entity

- Registrant can renew the domain name via registrar during this period to return to the "Active" stage

- As a practice by some registrars, domains in their Expiration stage may appear for sale at an auction website

Stage 4: Redemption (≤ 30 days)

Explanation:

- If a domain is not renewed while being in the Expiration stage, it will go into Redemption stage

- Redemption stage might vary depending on registrar but usually lasts for up to 30 days

- In this stage, the registrar has asked the registry to delete the domain

- Last chance for a registrant to renew the domain, but additional redemption fees will apply

Stage 5: Pending Deletion (≤ 5 days)

Explanation:

- In case the domain is not renewed during the Expiration or Redemption stage, it will go into Pending Deletion

- Domains typically cannot be renewed and stay in this stage for up to 5 days until all records for the domain are purged from the registry database

- Depending on the registrar, the domain may be released and set back to "Available" stage afterward

- Some registrars might withhold the domain or list it on domain auction websites for sale

Assumption - "Same Entity" Requirement Implication

Once a domain is deleted, it should be withheld to the same registrant as long as that registrant has other domains from the same variant label set

D4: Discussion Questions

What D4 is asking:

Regarding second-level domain names, should a variant set <u>behave as one unit</u>, i.e., the <u>behavior of one domain name is replicated</u> across the other variant domain names? *Or should each variant domain name have its own <u>independent</u> domain name life cycle? Consider the <u>operational and legal impact</u> of the "same entity" principle, if any, to all aspects of a domain name lifecycle.*

Discussion Questions

> **1. How is a <u>variant label set</u> determined for the second-level variant domains?**

> **2. What does"<u>behaving as one unit</u>" mean in the context of lifecycle management of variant domains? Are there parallels with the "<u>integrity of the set</u>" principle at the top-level?**

"Variant Label Set" in Top-Level Context

<u>Meaning of "variant label set" at top-level:</u>

- The set of labels that is calculated by the RZ-LGR using the <u>primary label</u>. The variant label set consists of: primary label + allocatable variant label(s) + blocked variant label(s).

- In the context of <u>future</u> new gTLD applications, <u>a primary label is identified by the applicant</u> as the main applied-for label that acts as a source against which variant labels and disposition values are calculated using the RZ-LGR

- For <u>existing</u> gTLD registry operators who apply for variant labels, their <u>existing gTLDs will automatically become the primary label</u>

"Integrity of the Set" Principle in TLD Context

Meaning of "integrity of the set" principle at top-level

- The relationship between a primary label and its allocatable and blocked variant labels shall not be infringed upon as long as the primary label exists

- If the primary label ceases to exist, the variant label set will also cease to exist

How is the "Integrity of the set" principle reflected in Phase 1 Initial Report (examples):

- Variant label can be applied-for together with the primary label

- Variant label cannot be applied-for prior to primary label

- Primary label and approved variant labels subject to one Registry Agreement

- Same registry service provider for each Critical Function for the variant label set

- All registry transition processes encompass the variant label set

- Primary label and approved variant labels subject to same delegation timeframe

- Removal of primary label requires removal of delegated variant labels

- Removal of variant labels may not require removal of the other delegated labels

Discuss Implication of "Same Entity" Requirement

Stage 1: Available

1) Should a primary label be identified for variant domain registration?

2) Can a registrant register any allocatable second-level label from the variant label set at any time?

Stage 2: Active

1) If the registrant renews one domain, does it mean the other domains from the variant labels set must be renewed as well?

2) If the registration data of one domain is updated, does it mean the same update must be applied to the other domains from the variant label set?

3) If one domain is transferred to a new registrar but is still registered to the same registrant, should the other domains from the variant label set be transferred at the same time to the new registrar?

4) When one domain is locked, what happens to the other active domains from the variant label set? Would update, transfer, or deletion be allowed?

5) When one domain is suspended, does it affect the other domains from the variant label set that are registered to the same registrant?

Discuss Implication of "Same Entity" Requirement (Cont.)

Stage 3: Expiration

1) Should activated domains from the variant label set be allowed to have different expiration dates?

2) If one domain enters the expiration stage, does that affect the other active domains from the variant label set?

3) Should there be a mechanism to prevent the scenario where an expired domain is being sold or auctioned to a different entity even before deletion, while the registrant still has other domains from the variant label set?

Stage 4: Redemption

1) If one domain enters the Redemption stage, does that affect the other domains from the same variant label set?

Stage 5: Pending Deletion

1) If one domain enters the Pending Deletion stage, does it affect the other domains from the same variant label set?

Additional Questions Regarding Grandfathered Domains

Reminder: Grandfathered domains refer to the active variant domains that are currently registered to different registrants. EPDP Team agreed to allow them to continue existing and being registered to their current registrants, but disallow further activation of variant labels until one registrant remains for the variant label set of a grandfathered domain

1) For grandfathered domains, is renewal allowed?

2) Are inter-registrant transfer and inter-registrar transfer still allowed for grandfathered domains that still have different registrants?

3) Once a grandfathered domain is eventually deleted, should it be "withheld" by the registrar? If so, for whom?

C4a

Related to SubPro Rec 25.8

C4a) The SubPro PDP and the Staff Paper recommend that the set of allocatable or activated second-level variant labels may not be identical across the activated IDN variant TLDs. Meaning, their behavior/disposition can be different. Under the conditions above, may the set of allocatable or activated second-level variant labels not behave identically <u>under an individual TLD, which does not have any variant TLD label</u>?

C4a Context

What does SubPro Rec 25.8 say?

- Second-level labels derived from Rec 25.6 or Rec 25.7 <u>are not required to act, behave, or be perceived as identical</u>.

- Essentially it means the usage of the second-level labels is not required to be the same.

What are the second-level labels derived from Rec 25.6 and Rec 25.7?

- A given second-level label under any allocated variant TLD

    - Example: s1.t1, s1.t1v1, s1.t1v2…

- Second-level variant labels that arise from a registration based on a second-level IDN table under all allocated variant TLD labels

    - Example: s1.t1, s1.t1v1, s1v1.t1, s1v1.t1v1…

What is the rationale for SubPro Rec 25.8?

- Ensuring that second-level domains behave the same has not been found to be technically feasible in the DNS

- Practical reasons for second-level variants to not be the same (e.g., Simplified and Traditional Chinese second-level variants could have the content on the respective web pages available in Simplified or Traditional Chinese, consistent with the DNS label)

What is C4a asking?

Should second-level variant labels under a single TLD that doesn't have top-level variant labels behave the same?

    - Example: s1.t1, s1.v1.t1, s1.v2.t1…

C4a Discussion Questions

Question 1: Does SubPro Rec 25.8 already cover the scenario where a single TLD does not have variant labels, but has second-level variant labels registered under it?

Question 2: If so, does the EPDP Team agree to affirm the SubPro Rec 25.8 that the second-level variant labels under a single TLD are not required to have the same usage?