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FORUM

Transfer Policy Review Working Group 1(b) “Where We Stand”



RECAP: TPR Groups 1(a) & 2 Recommendations

Previous Draft Recs related to Transfer security

Group 1(a): (Inter-Registrar Transfers) Relevant Recommendations

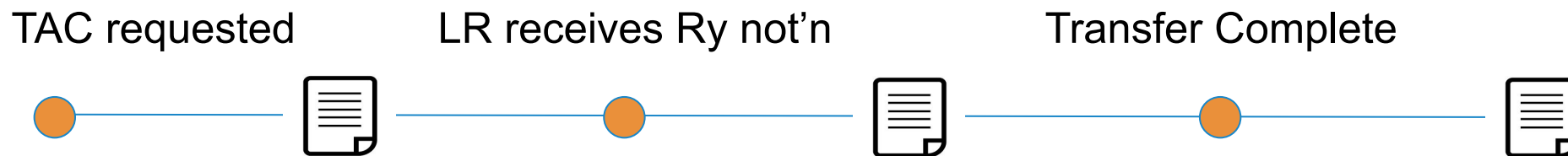
- [Prelim Rec 2](#): Notification of Transfer Confirmation (formerly Losing FOA)
- [Prelim Rec 3](#): Required TAC notification, instructions for taking action/invalidating TAC
- [Prelim Rec xx](#): Required retention of TAC issuance records
- [Prelim Rec 7](#): Minimum TAC composition requirements
- [Prelim Rec 8, 10](#): Registry to verify TAC syntax and validity
- [Prelim Rec 9](#): TAC generated only on RNH request, must be stored securely
- [Prelim Rec 11](#): TAC must be “one time use”
- [Prelim Rec 13](#): TAC Time To Live (TTL)
- [Prelim Rec 17](#): Required 30-day transfer restriction following Registrar transfer
- [Prelim Rec 19](#): Registrar may deny transfer if evidence of fraud, DNS Security Threat, or reasonable concern that the transfer was not requested by the RNH.

Group 1(a): Inter-Registrar Transfer Notifications

No more Gaining FOA requirement

Required notices to be sent by Losing Registrar/Registrar of Record:

1. Notice of TAC Issuance (sent within 10 min of issuing TAC)
2. Notice of Transfer Confirmation (sent after notice of pending transfer is rec'd from Registry)
3. Notice of Transfer Completion (sent within 24 hours after transfer completion)



Group 2: (TEAC/TDRP) Relevant Recommendations

- **Group 2 [Prelim Rec 1](#):** The Working Group recommends the GNSO request an Issues Report or other suitable mechanism to further **research and explore the pros and cons of:**
 - (i) expanding the TDRP to registrant filers and**
 - (ii) creating a new standalone dispute resolution mechanism for registrants who wish to challenge improper transfers, including compromised and stolen domain names.**

TPR Group 1(b): Change of Registrant (COR)

Draft Recommendations

Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 1: The working group recommends that the Transfer Policy and all related policies **MUST use the term “Change of Registrant Data”** in place of the currently-used term “Change of Registrant”. This recommendation is for an update to terminology only and does not imply any other changes to the substance of the policies.

IN SHORT: TERMINOLOGY UPDATE



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 1.1: “Change of Registrant Data” is defined as a **Material Change to the Registered Name Holder’s name, organization, or email address.**

IN SHORT: NEW DEFINITION



Prelim Rec 1.2: The Working Group affirms that the current definition of “**Material Change**” **remains applicable and fit for purpose.**

IN SHORT: CONFIRMATION OF CURRENT DEFINITION



Prelim Rec 1.3: A “Change of Registrant Data” **does not apply to the addition or removal of Privacy/Proxy Service Provider data in RDDS** when such P/P services are provided by the Registrar or its Affiliates.

IN SHORT: CLARIFICATION OF NEW DEFINITION



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 2: The working group recommends eliminating Section II from the Transfer Policy; instead, the working group recommends that a **standalone “Change of Registrant Data” policy MUST be established, existing outside of the revised Transfer Policy.** As part of the implementation of the new standalone Change of Registrant Data Policy, the working group recommends the following changes from the existing policy language in Section II of the Transfer Policy.

IN SHORT: NEW / SEPARATE POLICY



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 2.1: The working group recommends that the role and definition of “**Designated Agent**” is no longer fit for purpose. Accordingly, the working group recommends all references to Designated Agent MUST be eliminated from the future standalone Change of Registrant Data Policy.

IN SHORT: REMOVAL OF POLICY LANGUAGE



Prelim Rec 2.2: The working group recommends **eliminating Section II.B “Availability of Change of Registrant”** from the future standalone Change of Registrant Data Policy.

IN SHORT: REMOVAL OF POLICY LANGUAGE



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 2.3: The working group recommends **eliminating** from the future Change of Registrant Data Policy **the requirement that the Registrar request and obtain confirmation from both the Prior Registrant and the New Registrant** prior to processing a Change of Registrant Data as detailed in Sections II.2.1.2 and II.2.1.4 of the Transfer Policy.

IN SHORT: REMOVAL OF PREVIOUS REQUIREMENT



Prelim Rec 2.4: The working group recommends **eliminating** from the future Change of Registrant Data Policy **the requirement that the Registrar impose a 60-day inter-registrar transfer lock following a Change of Registrant.** This requirement is detailed in section II.C.2 of the Transfer Policy. Additionally, the working group recommends eliminating from the Transfer Policy the text regarding opting out of the 60-day lock, as this text has been overtaken by the removal of the lock requirement from the Transfer Policy.

IN SHORT: REMOVAL OF PREVIOUS REQUIREMENT



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 3: The working group recommends that following a Change of Registrant Data, unless the RNH previously opted out of notifications, the **Registrar MUST send a Change of Registrant Data notification** to the Registered Name Holder without undue delay, but no later than 24 hours after the Change of Registrant Data occurred.

IN SHORT: UPDATE TO PREVIOUS REQUIREMENT 



Prelim Rec 3.1: This **notification MUST be written in the language of the registration agreement** and MAY also be provided in English or other languages.

IN SHORT: LANGUAGE CLARIFICATION 

Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 3.2: The Registrar **MUST** include the following elements in the Change of Registrant Data notification:

- Domain name(s)
- Text stating which registrant data field(s) were updated
- Date and time that the Change of Registrant Data was completed
- Instructions detailing how the registrant can take action if the change was invalid (how to initiate a reversal)

IN SHORT: UPDATE TO PREVIOUS NOTIFICATION



Prelim Rec 3.3: The Registrar **MUST** send the notification via email, SMS, or other secure messaging system. These examples are not intended to be limiting, and it is understood that additional methods of notification may be created that were not originally anticipated by the working group.

IN SHORT: CLARIFICATION OF UPDATED NOTIFICATION



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 3.4: When a material change to the Registered Name Holder's email address occurs, the **Registrar MUST send the CORD notification to the RNH's prior email address** (the email address that was on file with the Registrar immediately prior to the change) and **MAY send the CORD notification to the RNH's new email address**, unless the RNH previously opted-out of these notifications.

IN SHORT: CLARIFICATION OF UPDATED NOTIFICATION ✓



Prelim Rec 3.5: The **Registrar is not prevented from sending additional notifications** resulting from changes to the Registered Name Holder's phone number, postal address, Account Holder information, or other contact information used by the Registrar to associate the RNH with their domain name or relevant account.

IN SHORT: CLARIFICATION OF UPDATED NOTIFICATION ✓

Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 3.6: To the extent that the Change of Registrant Data is requested for multiple domains, and the Registered Name Holder is the same for all domains, the Registrar of Record **MAY consolidate the Change of Registrant Data notifications into a single notification.**

IN SHORT: OPTIONAL CONSOLIDATION OF NOTIFICATIONS



Prelim Rec 3.7: To the extent that the Change of Registrant Data may incur a verification request to be sent to the Registered Name Holder pursuant to the RDDS Accuracy Program Specification, the Registrar of Record **MAY consolidate the Change of Registrant Data notification and the verification request into a single notification [where applicable].**

IN SHORT: OPTIONAL CONSOLIDATION OF NOTIFICATIONS



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 4: The working group recommends that **Registrars MUST provide Registered Name Holders with the option to opt out** of receiving Change of Registrant Data notifications.

IN SHORT: REMOVAL OF PREVIOUS REQUIREMENT + UPDATE



Prelim Rec 4.1: **Registrars MUST enable Change of Registrant Data notifications by default** when a domain name is initially registered. Registrars **MAY** disable Change of Registrant Data notifications if the Registered Name Holder elects to opt out of these notifications.

IN SHORT: CLARIFICATION OF NEW REQUIREMENT



Group 1(b): (Change of Registrant) Recommendation Refresher



Prelim Rec 4.2: Registrars **MUST provide clear instructions** for how the Registered Name Holder can opt out of (and opt back in to) Change of Registrant Data notifications. Additionally, Registrars **MUST provide warning of the consequences** associated with opting out of these notifications, **enabling the RNH to make an informed decision** whether to opt out.

IN SHORT: NEW REQUIREMENT



Prelim Rec 4.3: The Change of Registrant Data notification **opt-out option does not apply to any verification notices** sent pursuant to the RDDS Accuracy Program Specification.

IN SHORT: CLARIFICATION OF NEW REQUIREMENT



Community Q&A and Open Mic



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Transfer Policy Review Working Group 1(a)/(b):

Revisiting 30-day Transfer Restrictions

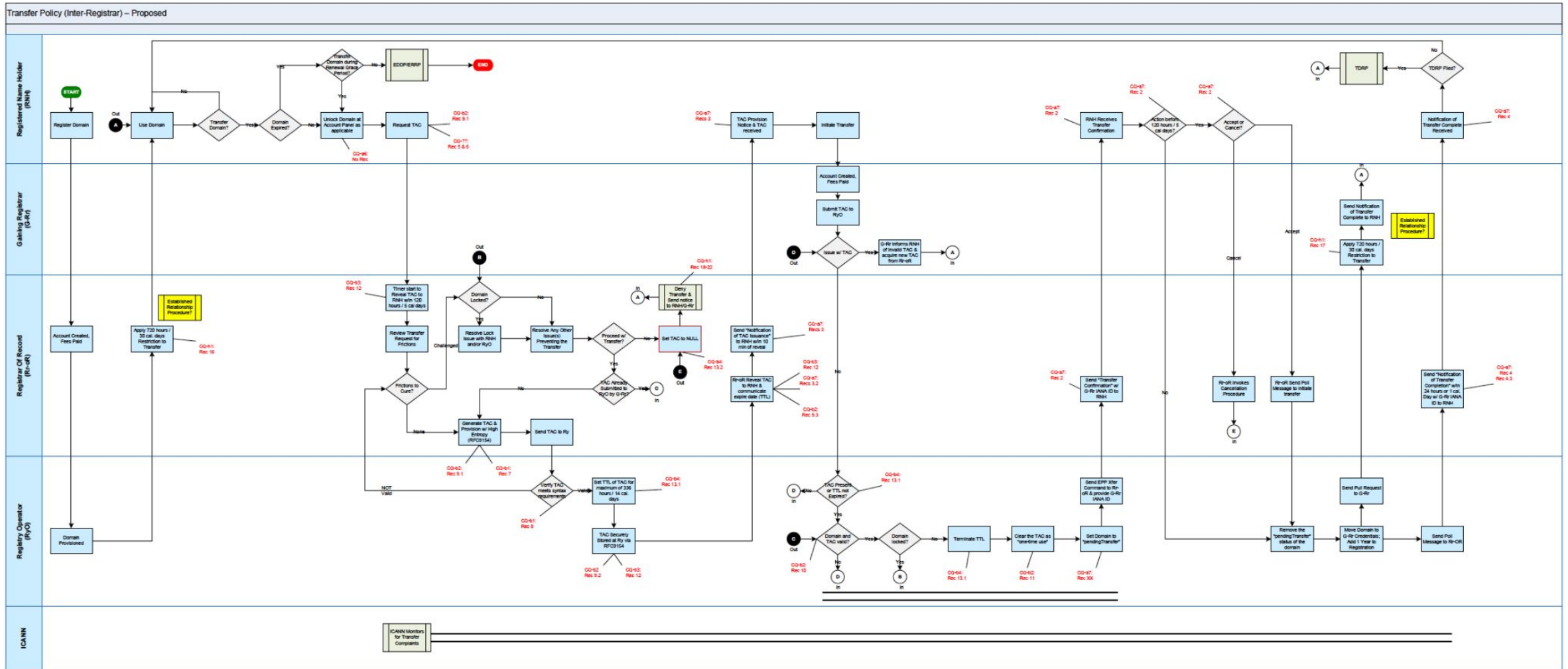
& “Established Relationships”



30-day Transfer Restrictions & “Established Relationships”

TPR Working Group 1(a)/(b) Discussion (continued)

Group 1(a): Inter-Registrar Transfer Swimlane (v1.4) Overview



Group 1(a): NACK-ing Recommendation Refresher



Prelim. Rec. 16: The Registrar **MUST** restrict the RNH from transferring a domain name to a new Registrar within 30 calendar days / 720 hours of the initial registration date. To the extent that a Registry and/or Registrar has an existing policy and/or practice of restricting the RNH from transferring a domain name to a new Registrar for a different period of time following initial registration, all policies and practices **MUST** be updated to be consistent with this new requirement.

IN SHORT: TIMING CHANGE (60 days to 30 days)



Prelim. Rec. 17: The Registrar **MUST** restrict the RNH from transferring a domain name to a new Registrar within 30 calendar days / 720 hours of the completion of an inter-Registrar transfer. To the extent that a Registry and/or Registrar has an existing policy and/or practice of restricting the RNH from transferring a domain name to a new Registrar for a different period of time following an inter-Registrar transfer, all policies and practices **MUST** be updated to be consistent with this new requirement.

IN SHORT: TIMING CHANGE (60 days to 30 days)



** the WG has yet to settle the concept of “Established Relationship Procedure”

Group 1(a) Small Team - “Established Relationship”

In January 2023, a Small Team put together a [redlined Prelim Rec 17](#), supporting the concept of an “Established Relationship” procedure (to be revisited following WG’s COR discussion).

- The Small Team considered revising Prelim Rec 16, but ultimately decided against it.

Small Group Redlined Prelim Rec 17: Registrars MUST apply a 30-day post-change of registrar lock by default for all domain names transferred into a Registrar, however on a case-by-case basis and where an Established Relationship exists, the Registrar may unlock the domain name in less than thirty (30) days for the purpose of an inter-registrar transfer, on a case-by-case basis. ~~The Registrar MUST restrict the RNH from transferring a domain name to a new Registrar within 30 days of the completion of an inter-Registrar transfer.~~ An Established Relationship means a RNH who has; a) received registrar services for a period of at least thirty (30) days; and b) a history of regular interactions with the Registrar and who has demonstrated a willingness to continue receiving registrar services from the Registrar in the future.

Group 1(a) Small Team - “Established Relationship”

Small Team Rationale: The working group believes that a single requirement across the industry will result in a better experience for registrants and will also consistently prevent the transfer of a domain multiple times in rapid succession, a practice associated with domain theft. The working group recommends that 30 days is the appropriate period for this requirement because:

- It provides a window of opportunity to identify issues associated with credit card payments, including unauthorized use of a credit card. This may assist with addressing criminal activity and deterring fraud.
- For registrants who legitimately want to transfer a domain again shortly after an inter-registrar transfer has taken place **and do not have an Established Relationship.** 30 days is a reasonable period of time to wait.

Group 1(a) Small Team - “Established Relationship”

Small Team Rationale (continued):

- However, in the case of a Registrar customer who has an **Established Relationship** with the Registrar, **an exception is appropriate to enable a Registrar to override the general prohibition on transfers within 30 days of the initial registration date**, where the Registrar has no concerns with permitting the transfer.
- Currently, i.e. prior to this Proposal, there is no absolute prohibition on transfers following a change of registrar. A RNH can opt-out of a Registrar-imposed 60-day inter-registrar transfer lock following a Change of Registrant. This Proposal creates a general prohibition against such transfers within 30 days of the previous transfer, but does permit Registrars to **permit transfers only on a case-by-case basis where an Established Relationship Exists.**

Group 1(a) Small Team - “Established Relationship”

Small Team Rationale (continued):

- As such, this Proposal generally increases restrictions on inter-registrar transfers and thereby provides greater security by prohibiting such transfers except where a **Registrar exercises its discretion as a result of the existence of an Established Relationship.** We consider this an appropriate **balance between portability and security.**
- While we recognize that a bad actor may attempt to transfer a domain name to another registrar to avoid impending enforcement or recovery actions on the basis of having an Established Relationship with a Registrar, we believe that potential existence of **such relatively rare circumstances are outweighed by the clear benefit of enabling RNH to choose their desired registrar at any time, provided that the Registrar is comfortable doing so and an Established Relationship exists with the RNH.** We also believe that despite the possible exception available for RNHs with an Established Relationship, the **general security situation is improved** in comparison to the current status quo under the Transfer Policy.

Established Relationships - WG Discussion continued

1. Does the WG believe that an “Established Relationship” role/procedure should be created?
 - Is 30 days a sufficient threshold to be considered an Established Relationship?
 - What is the operational procedure for designating an Established Relationship?

2. If so, what exemptions (if any) should customers with an “Established Relationship” be provided?
 - 30-day post-transfer restriction (Group 1a Prelim Rec 17)?
 - 30-day post-registration transfer restriction (Group 1a Prelim Rec 16)?
 - Other restrictions?

3. If RNHs with an Established Relationship can be exempted from the 30-day post-transfer restriction, how does this affect TPR Group 1(b) CORD recommendations?
 - e.g. Prelim Rec 2.4 (eliminating the 60-day post-COR transfer lock and opt out)

Community Q&A and Open Mic

Appendix

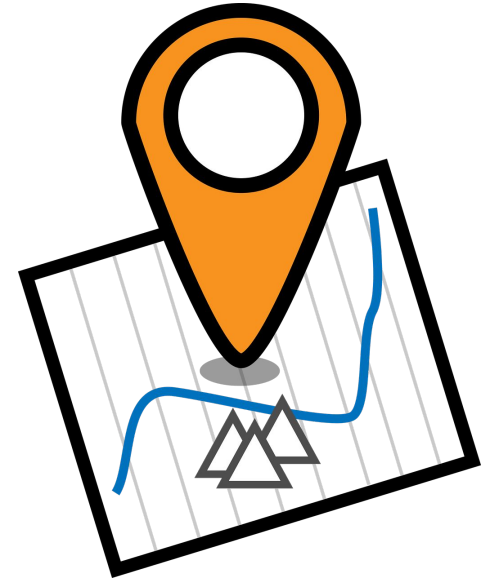
Group 1(a) + Group 2 Draft Recommendations

Transfer Policy Review Working Group Recap

Group 1(A) + Group 2 Recommendations



GROUP 1(A)



- Losing and Gaining FOAs
- AuthInfo Codes
- Denying (NACKing) transfers
- EPDP Phase 1, Recommendation 27, Wave 1 as they relate to FOA

Group 1(A): (FOAs) Recommendation Refresher



Prelim. Rec. 1: The working group recommends *eliminating* from the Transfer Policy *the requirement* that the Gaining Registrar *send a Gaining Form of Authorization*. This requirement is detailed in section 1.A.2 of the Transfer Policy.

In Short: GAINING FOA REQUIREMENT IS REMOVED **X**

Group 1(A): (FOAs) Recommendation Refresher



Prelim. Rec. 2: The working group did not reach agreement to eliminate or substantially change the Obligations of the Registrar of Record described in Section I.A.3.1 - I.A.3.6 of the Transfer Policy. Therefore, the working group anticipates that these requirements will largely remain in place. The working group recommends the following minor modifications:

- ***The term “Transfer Confirmation” MUST be used in place of “Standardized Form of Authorization (FOA).”***
- The Transfer Confirmation language MUST include the ***Gaining Registrar’s IANA ID and a link to ICANN-maintained webpage listing accredited Registrars and corresponding IANA IDs.*** If available, the name of the Gaining Registrar MAY also be included.
- The Transfer Confirmation ***MUST be provided in English*** and the language of the registration agreement and may also be provided in other languages.
- The ***timeframe of five (5) calendar days specified in section I.A.3.5 of the policy MUST be expressed in both calendar days and hours:*** “Failure by the Registrar of Record to respond within five (5) calendar days / 120 hours to a notification from the Registry regarding a transfer request will result in a default "approval" of the transfer.”

IN SHORT: UPDATED REGISTRAR REQUIREMENT



Group 1(A): (FOAs) Recommendation Refresher



Prelim. Rec. 3: Prelim. Rec. 3: The working group recommends that the Registrar of Record **MUST send a “Notification of T[ransfer] A[uthorization] C[ode] Issuance”** to the RNH without undue delay but no later than 10 minutes after the Registrar of Record issues the TAC. For the purposes of sending the notification, the Registrar of Record **MUST** use contact information as it was in the registration data at the time of the TAC request.

- **MUST be provided *in English and language of registration agreement***
- **Notice MUST include:**
 - Domain Name
 - ***Explanation that the TAC will enable the transfer of the domain name to another registrar***
 - Date and Time TAC was issued and when it will expire
 - ***Instructions on how to take action/invalidate the TAC***
 - If the TAC has not been issued via another method of communication, the communication will include the TAC

In short: NEW LOSING REGISTRAR NOTIFICATION REQUIREMENT



Group 1(A): (FOAs) Recommendation Refresher



Prelim. Rec. 4: The working group recommends that the **Losing Registrar MUST send a “Notification of Transfer Completion”** to the RNH without undue delay but no later than 24 hours after the transfer is completed. For the purposes of sending the notification, the Registrar of Record MUST use contact information as it was in the registration data at the time of the transfer request.

In short: NEW LOSING REGISTRAR NOTIFICATION REQUIREMENT



Prelim. Rec. xx: The **Registry Operator MUST provide the Gaining Registrar’s IANA ID to the Losing Registrar** in the notification of pending transfer request, which will enable the Losing Registrar to provide this information in the Transfer Confirmation and Notification of Transfer Completion.

In short: NEW REGISTRY REQUIREMENT + NEW LOSING REGISTRAR REQUIREMENT



Group 1(A): (Auth Codes) Recommendation Refresher



Prelim. Rec. 5: The working group recommends that the Transfer Policy and all related policies **MUST** use the term “***Transfer Authorization Code (TAC)***” ***in place of the currently-used term “AuthInfo Code”*** and related terms. This recommendation is for an update to terminology only and does not imply any other changes to the substance of the policies.

IN SHORT: NEW DEFINITION



Prelim. Rec. 6: The working group recommends that the ***Transfer Authorization Code*** ***MUST be defined as follows:*** “A Transfer Authorization Code (TAC) ***is a token created by the Registrar of Record and provided upon request to the RNH*** or their designated representative. The TAC is ***required for a domain name to be transferred from one Registrar to another Registrar*** and when presented authorizes the transfer.” Relevant policy language **MUST** be updated to be consistent with this definition.

IN SHORT: NEW DEFINITION



Group 1(A): (Auth Codes) Recommendation Refresher



Prelim Rec. xx: The Registrar ***MUST retain all records pertaining to the provision of the TAC to a Registered Name Holder***, as well as all notifications sent per the requirements under the Transfer Policy. At a minimum, the records retained in accordance with this section ***MUST document the date/time, means, and contact(s) to whom the TAC and notifications are sent.*** The Registrar **MUST** maintain these records for the shorter of 15 months or the longest period permitted by applicable law, and during such period, **MUST** provide such records to ICANN upon reasonable notice.

IN SHORT: NEW REQUIREMENT FOR REGISTRARS



Group 1(A): (Auth Codes) Recommendation Refresher



Prelim Rec. 7: The working group recommends that the *minimum requirements for the composition of a TAC MUST be as specified in RFC 9154*, including all successor standards, modifications or additions thereto relating to Secure Authorization Information for Transfer. The requirement in section 4.1 of RFC 9154 regarding the minimum bits of entropy (i.e., 128 bits) should be a MUST in the policy until a future RFC approved as “Internet Standards” (as opposed to Informational or Experimental standards) through the applicable IETF processes updates the security recommendation.

IN SHORT: NEW REQUIREMENTS FOR TAC (Auth-Code)



Prelim Rec. 8: The working group recommends that, at the time that the TAC is stored in the Registry system, the *Registry MUST verify at the time the TAC meets the syntax requirements* specified in Preliminary Recommendation 7.

IN SHORT: NEW REQUIREMENT FOR REGISTRIES



Group 1(A): (Auth Codes) Recommendation Refresher

Prelim Rec. 9: The working group recommends that:



9.1: The *TAC MUST only be generated by the Registrar of Record upon request by the RNH* or their designated representative.

IN SHORT: NEW REQUIREMENT FOR REGISTRARS



9.2: When the Registrar of Record sets the TAC at the Registry, *the Registry MUST store the TAC securely, at least according to the minimum standard set forth in RFC 9154* (or its successors).

IN SHORT: NEW REQUIREMENT FOR REGISTRIES



9.3: When the Registrar of Record issues the TAC to the RNH or their designated representative, *the Registrar of Record MUST also provide information about when the TAC will expire.*

IN SHORT: NEW REQUIREMENT FOR REGISTRARS



Group 1(A): (Auth Codes) Recommendation Refresher



Prelim. Rec. 10: The working group recommends that the Transfer Policy include the following requirement: ***“4. Registry Operator MUST verify that the “AuthInfo” code provided by the Gaining Registrar is valid in order to accept an inter-Registrar transfer request,”***

IN SHORT: CONFIRMATION OF CURRENT TEMP SPEC REQUIREMENT



Prelim. Rec. 11: The working group recommends that the TAC as created by the Registrar of Record according to Preliminary Recommendation 7, ***MUST be “one-time use.”*** In other words, it ***MUST*** be used no more than once per domain name. ***The Registry Operator MUST reset the TAC to null when it accepts a valid TAC from the Gaining Registrar.***

IN SHORT: NEW REQUIREMENT FOR REGISTRIES



Group 1(A): (Auth Codes) Recommendation Refresher



Prelim. Rec. 12: The working group confirms that the Transfer Policy **MUST** continue to require Registrars to set the TAC at the Registry and issue the TAC to the RNH or their designated representative ***within five calendar days of a request***, although the working group recommends that the policy state the requirement as ***120 hours rather than 5 calendar days to reduce any risk of confusion***. The working group further recommends that the policy **MUST** make clear that 120 hours is the maximum and not the standard period in which the TAC is to be issued.

IN SHORT: CONFIRMATION OF CURRENT REGISTRAR REQUIREMENT



Prelim. Rec. 13: The working group recommends that:

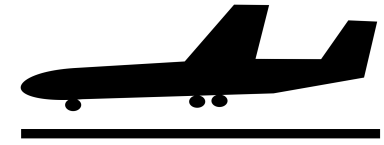
13.1: A standard ***Time to Live*** (TTL) for the TAC **MUST** be valid for ***14 calendar days / 336 hours*** from the time it is set at the Registry, enforced by the Registry.

13.2: The Registrar of Record ***MAY reset the TAC to null prior to the end of the 14th calendar day / 336 hours by agreement by the Registrar of Record and the RNH.***

IN SHORT: NEW REGISTRY REQUIREMENT



RECAP: High-Level Landing for TACs



- **New Term + Updated definition (token created by LR and needed to transfer a name to a different registrar)**
- **Minimum composition requirements**
- **Registry to verify syntax**
- **Generated only upon request**
- **Stored securely**
- **Retain records of communication related to TAC for 15 months**
- **Must be provided within 5 days/120 hrs of request**
- **Standard TTL**

Group 1(A): (Wave 1) Recommendation Refresher



Prelim. Rec. 14: The working group recommends the following specific terminology updates to the Transfer Policy:

- (i) The term "Whois data" SHALL have the same meaning as "Registration Data".
- (ii) The term "Whois details" SHALL have the same meaning as "Registration Data".
- (iii) The term "Publicly accessible Whois" SHALL have the same meaning as "RDDS".
- (iv) The term "Whois" SHALL have the same meaning as "RDDS".

For the avoidance of doubt, the terms referenced in above in Recommendation 14 (i) - (iv) are intended to correspond to the definitions in the Registry Agreement and the Registrar Accreditation Agreement ("RAA"). In the event of any inconsistency, the RA/RAA definitions, if updated, will supersede. The working group also recommends that the outdated terms should be replaced with the updated terms, e.g., all references to "Whois Data" should be replaced with the term "Registration Data," etc.

IN SHORT: CONFIRMATION OF TEMP SPEC REQUIREMENT



Group 1(A): (Wave 1) Recommendation Refresher



Prelim. Rec. 15: The working group recommends *removing any reference to an “Administrative Contact” or “Transfer Contact”* in the Transfer Policy and *replacing it with “Registered Name Holder”* unless specifically indicated.

IN SHORT: LANGUAGE/DEFINITIONAL UPDATE



Group 1(A): NACK-ing Recommendation Refresher



Prelim. Rec. 16: The *Registrar MUST restrict the RNH from transferring a domain name to a new Registrar within 30 calendar days / 720 hours of the initial registration date.* To the extent that a Registry and/or Registrar has an existing policy and/or practice of restricting the RNH from transferring a domain name to a new Registrar for a different period of time following initial registration, all policies and practices MUST be updated to be consistent with this new requirement.

IN SHORT: TIMING CHANGE (60 days to 30 days)



Prelim. Rec. 17: The *Registrar MUST restrict the RNH from transferring a domain name to a new Registrar within 30 calendar days / 720 hours of the completion of an inter-Registrar transfer.* To the extent that a Registry and/or Registrar has an existing policy and/or practice of restricting the RNH from transferring a domain name to a new Registrar for a different period of time following an inter-Registrar transfer, all policies and practices MUST be updated to be consistent with this new requirement.

IN SHORT: TIMING CHANGE (60 days to 30 days)



*** the WG has yet to settle the concept of “Established Relationship Procedure” pending deliberations on Group 2 and 1B topics*

Group 1(A): NACK-ing Recommendation Refresher



Prelim. Rec. 18: I.A.3.7 of the Transfer Policy currently reads, “Upon denying a transfer request for any of the following reasons, the Registrar of Record must provide the Registered Name Holder and the potential Gaining Registrar with the reason for denial. The Registrar of Record MAY deny a transfer request only in the following specific instances:” The working group recommends the following revision, in bold, to the first sentence: “Upon denying a transfer request for any of the following reasons, the Registrar of Record must provide the Registered Name Holder and, *upon request*, the potential Gaining Registrar with the reason for denial.” *The working group recommends expressing the two sentences of this provision as two distinct provisions of the policy.*

IN SHORT: LANGUAGE UPDATE



Group 1(A): NACK-ing Recommendation Refresher



Prelim. Rec. 19: The working group recommends revising the following reasons that the Registrar of Record MAY deny a transfer request as follows:

1. Evidence of ***(a) fraud or (b) the domain presents an active DNS Security Threat as defined here: <https://www.icann.org/dns-security-threat>***.
2. Reasonable ***concern that the transfer was not requested*** by the Registered Name Holder.
3. Nonpayment for previous registration period (including ***payment disputes*** or credit card charge-backs) if the domain name is past its expiration date ***at the current Registrar of Record*** or for previous or current registration periods if the domain name has not yet expired.

IN SHORT: LANGUAGE CLARIFICATION



Group 1(A): NACK-ing Recommendation Refresher



Prelim. Rec. 20: The working group recommends changing the following reasons that the Registrar of Record currently MAY deny a transfer into reasons that the Registrar of Record MUST deny a transfer and revising the text as follows:

- Express objection to the transfer by the **Registered Name Holder**. Objection could take the form of specific request (either by paper or electronic means) by the **Registered Name Holder** to deny a particular transfer request, or a general objection to all transfer requests received by the Registrar, either temporarily or indefinitely. In all cases, the objection must be provided with the express and informed consent of the **Registered Name Holder** on an opt-in basis and upon request by the **Registered Name Holder**, the Registrar must remove the lock or provide a reasonably accessible method for the **Registered Name Holder** to remove the lock within five (5) calendar days.
- The transfer was requested within **30 days** of the creation date as shown in the **RDDS** record for the domain name.
- A domain name is within **30 days** (or a lesser period to be determined) after being transferred (apart from being transferred back to the original Registrar in cases where both Registrars so agree and/or where a decision in the dispute resolution process so directs). "Transferred" shall only mean that an inter-registrar transfer has occurred in accordance with the procedures of this policy.

IN SHORT: LANGUAGE CLARIFICATION + TIMING UPDATE



Group 1(A): NACK-ing Recommendation Refresher



Prelim. Rec. 21: The working group recommends revising the reasons that the Registrar of Record **MUST** deny a transfer request as follows:

- Pending UDRP proceeding that the Registrar has been ***notified of by the Provider in accordance with the UDRP Rules.***
- Pending dispute ***under*** the Transfer Dispute Resolution Policy.
- ***Pending*** URS proceeding or URS suspension that the Registrar has been ***notified of by the Provider in accordance with the URS Procedure.***

IN SHORT: LANGUAGE CLARIFICATION



Group 1(A): NACK-ing Recommendation Refresher



Prelim. Rec. 22: The working group recommends changing the following reasons that the Registrar of Record currently MAY NOT deny a transfer into reasons that the Registrar of Record **MUST NOT** deny a transfer and revising the text as follows:

- [Nonpayment for a pending or future registration period.] Implementation Guidance: Registrars are prohibited from denying domain name transfer requests based on non-payment of fees for pending or future registration periods during the Auto-Renew Grace Period, provided that any auto-renewal costs borne by the Registrar are reversible for future period.
- No response from the Registered Name Holder.
- ***A registrar-applied inter-registrar transfer lock is in place*** on the domain name, for reasons other than those specified in I.A.3.7 and I.A.3.8 unless ***and*** the Registered Name Holder is **not** provided with the reasonable opportunity and ability to unlock the domain name prior to the Transfer Request ***pursuant to the requirements in sections I.A.5.1 - I.A.5.4.***
- Domain name registration period time constraints, other than ***as defined in I.A.3.7.5 and I.A.3.7.6,*** or during the 60-day lock following a Change of Registrant pursuant to Section II.C.2.
- General payment defaults between Registrar and ***Reseller, as defined in the RAA,*** in cases where the Registered Name Holder for the domain in question has paid for the registration.

IN SHORT: LANGUAGE CLARIFICATION



Group 1(A): (FOA+NACK-ing) Deliberations Refresher

TPR WG Resources:

- ❖ [Transfer Policy](#), Section I
- ❖ [Gaining FOA Working Document](#)
- ❖ [Losing FOA Working Document](#)
- ❖ [Auth-Info Codes \(TAC\) Working Document](#)
- ❖ [Rec. 27 Working Document](#)
- ❖ [Updated Initial Report following Public Comment Review](#)

GROUP 2

- Transfer Emergency Action Contact (TEAC)
- Transfer Dispute Resolution Policy (TDRP)
- EPDP Phase 1, Recommendation 27, Wave 1 as they relate to TEAC/TDRP
- ICANN-Approved Transfers



Group 2: (TEAC) Recommendation Refresher



Prelim. Rec. 1: Section I.A.4.6.3 of the Transfer Policy states, “Messages sent via the TEAC communication channel must generate a non-automated response by a human representative of the Gaining Registrar. The person or team responding must be capable and authorized to investigate and address urgent transfer issues. Responses are required within 4 hours of the initial request, although final resolution of the incident may take longer.” The working group recommends that the policy must be revised to ***update the required timeframe for initial response from 4 hours to 24 hours / 1 calendar day.***

IN SHORT: TIMING CHANGE (4 hours to 24 hours)



Group 2: (TEAC) Recommendation Refresher



Prelim. Rec. 2: Section I.A.4.6.2 of the Transfer Policy states in part, “. . . Communications to a TEAC must be initiated in a timely manner, within a reasonable period of time following the alleged unauthorized loss of a domain.” The working group recommends that the Transfer Policy must be updated to state that the ***initial communication to a TEAC is expected to occur no more than 30 days following the alleged unauthorized loss of a domain.*** If the initial communication to the TEAC occurs more than 30 days following the alleged unauthorized loss of a domain, the Losing Registrar must provide a detailed written explanation to the Gaining Registrar’s TEAC justifying why this is an emergency situation that must be addressed through the TEAC channel and providing information about why earlier contact to the TEAC was not possible.

IN SHORT: NEW REGISTRAR REQUIREMENT



Group 2: (TEAC) Recommendation Refresher



Prelim. Rec. 3: Once a Gaining Registrar has provided an initial non-automated response to a TEAC communication as described in Section I.A.4.6.3 of the Transfer Policy, the Gaining Registrar must provide additional, ***substantive updates by email to the Losing Registrar at least every 72 hours / 3 calendar days until work to resolve the issue is complete.*** These updates must include specific actions taken by the Gaining Registrar to work towards resolution.

IN SHORT: NEW REGISTRAR REQUIREMENT



Group 2: (TEAC) Recommendation Refresher



Prelim. Rec. 4: The working group recommends that *initial communication to the TEAC described in Section I.A.4.6.2 of the Transfer Policy must either be in the form of email or, if the primary TEAC communication channel is designated as a phone number or other method, the verbal/non-email communication must be accompanied by an email communication to the TEAC.* This email “starts the clock” for the 24-hours response timeframe specified in Preliminary Recommendation 1. The Gaining Registrar receiving the TEAC communication must respond by email within 24 hours.

IN SHORT: NEW REGISTRAR REQUIREMENT 

Group 2: (TEAC) Recommendation Refresher



NOTE: The Working Group discussed the possibility of a “**fast undo**” mechanism or **clawback mechanism**, but **could not come to agreement** on pursuing this further.

- A Small Team worked on drafting a process of how informal resolution occurs today, and how the process could potentially be added to the Transfer Policy as a fast undo mechanism.
- After presenting the [proposed process](#) to the Working Group, the majority of members believed there was no compelling reason to add the informal resolution to the Transfer Policy, as it appears to be working today as a “fast undo”.
- The WG instead pivoted to TEAC requirements to see if they could be amended to assist with fast resolution. (Some requirements in the [fast undo proposed process](#) have been added to new TEAC requirements, e.g., 1, 3, 5.)

Group 2: (TDRP) Recommendation Refresher



Prelim. Rec. 1: The Working Group recommends the *GNSO request an Issues Report* or other suitable mechanism to further research and explore the pros and cons of (i) expanding the TDRP to registrant filers and (ii) *creating a new standalone dispute resolution mechanism for registrants who wish to challenge improper transfers, including compromised and stolen domain names*. In making this recommendation, the Working Group recognizes that if such an effort were ultimately adopted by the GNSO Council, this request could be resource-intensive and will require the Council to consider the appropriate timing and priority against other policy efforts.

IN SHORT: REQUEST TO GNSO



Group 2: (TDRP, Rec. 27) Recommendation Refresher



Prelim. Rec. 3: The working group recommends the following specific terminology updates to the Transfer Dispute Resolution Policy:

- (i) The term "Whois data" SHALL have the same meaning as "Registration Data".
- (ii) The term "Whois details" SHALL have the same meaning as "Registration Data".
- (iii) The term "Publicly accessible Whois" SHALL have the same meaning as "RDDS".
- (iv) The term "Whois" SHALL have the same meaning as "RDDS".

For the avoidance of doubt, the terms referenced in above in Recommendation 14 (i) - (iv) are intended to correspond to the definitions in the Registrar Accreditation Agreement ("RAA"). In the event of any inconsistency, the RAA definitions, if updated, will supersede. The working group also recommends that the outdated terms should be replaced with the updated terms, e.g., all references to "Whois Data" should be replaced with the term "Registration Data," etc.

IN SHORT: TERMINOLOGY UPDATE



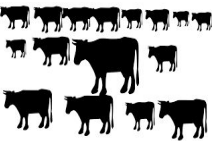
Group 2: (ICANN-Approved Transfers) Recommendation Refresher

- There has been some general confusion in the WG re: bulk transfers, so we will be using some explanatory icons to aid understanding. There are three types of bulk transfers:

1. A registrar is transferring ALL of its gTLD domains to another registrar, because it will no longer operate as a registrar (on a voluntary or involuntary basis). This is akin to a farmer selling their entire farm to a buyer.



2. A registrar is transferring all of its names in a certain gTLD(s) because it will no longer offer those TLDs but will continue operating as a registrar with other approved TLDs, i.e., an RRA is voluntary or involuntarily terminated. This is akin to a farmer deciding to sell all of their cattle to an interested buyer (with no intent in raising cattle anymore), but the farmer will keep growing crops and raising other animals. *Note: there are no specific recommendations for this scenario, but is included for illustrative purposes only.*



3. A registrar sells off a portion of its domain name portfolio to another registrar, but will continue offering all of the same TLDs. This is akin to a farmer selling one its cows, but still has cattle and continue to acquire new cattle.



Group 2: (ICANN-Approved Transfers) Recommendation Refresher



Prelim. Rec. 1: i) The Working Group recommends that a Registry Operator MAY charge a fee to implement a full domain name portfolio transfer of 50,000 or more domain names from one ICANN-accredited registrar to another ICANN-accredited registrar(s), provided the required conditions are satisfied.* (ii) The **Registry MAY waive the fee** associated with full portfolio transfers; however, ***in full portfolio transfers resulting from an involuntary registrar termination***, i.e., where a registrar is terminated by ICANN due to non-compliance with the Registrar Accreditation Agreement, the Working Group recommends the **Registry MUST waive any fee** associated with a full portfolio transfer.

IN SHORT: UPDATE TO REGISTRY REQUIREMENT



*The required conditions provided in the Transfer Policy are, “The gaining Registrar must be accredited by ICANN for the Registry TLD and must have in effect a Registry-Registrar Agreement with Registry Operator for the Registry TLD [and] 1.2 ICANN must certify in writing to Registry Operator that the transfer would promote the community interest, such as the interest in stability that may be threatened by the actual or imminent business failure of a Registrar.”

Group 2: (ICANN-Approved Transfers) Recommendation Refresher



Prelim. Rec. 2: The Working Group recommends retaining both (i) the current minimum number of domain names that trigger the fee at 50,000 names and (ii) the current price ceiling of USD \$50,000. If the full portfolio transfer involves multiple Registry Operators, ***the affected Registry Operators MUST ensure the collective fee does not exceed the recommended ceiling of USD \$50,000, and the fee MUST be apportioned based on the number of domain names transferred.*** [Please see recs. 3-6 for further information on the apportionment.]



IN SHORT: UPDATE TO REGISTRY REQUIREMENT



Group 2: (ICANN-Approved Transfers) Recommendation Refresher



Prelim Rec. 4: The Working Group recommends that if the full portfolio transfer involves multiple Registry Operators, and one or more affected Registry Operators chooses to waive its portion of the collective fee, *the remaining Registry Operator(s) MUST NOT adjust their fees to a higher percentage due to another Registry Operator's waiver.*



IN SHORT: UPDATE TO REGISTRY REQUIREMENT



Group 2: (ICANN-Approved Transfers) Recommendation Refresher



Prelim. Rec. 5: The Working Group recommends that following the completion of the transfer, the **Registry Operator(s) MUST provide notice to ICANN that the transfer is complete, and the notice to ICANN MUST include the number of domain names transferred.**



IN SHORT: NEW REGISTRY REQUIREMENT



Prelim Rec. 6: The Working Group recommends that following receipt of notices from all affected Registry Operators, **ICANN MUST send a notice to affected Registry Operators with the reported numbers and corresponding percentages of domain names involved in the bulk transfer**, e.g., 26% of names for .ABC and 74% of names for .DEF. The Registry Operators MAY then charge the Gaining Registrar a fee.



IN SHORT: NEW ICANN REQUIREMENT



Group 2: (ICANN-Approved Transfers) Recommendation Refresher



Prelim. Rec. 7: The Working Group recommends that the Gaining Registrar **MUST** be responsible for paying the relevant Registry's fee (if any)



IN SHORT: CONFIRMATION OF EXISTING REQUIREMENT



Group 2: BTAPPA Recommendations Refresher



Prelim. Rec. 1: The Working Group recommends that [the standard Bulk Transfer After Partial Portfolio Acquisition (BTAPPA)] *be expanded to include circumstances where an agent of the Registrar, such as a Reseller or service provider who is acting under the authority or on behalf of the Registered Name Holder, elects to transfer its portfolio of domain names to a new Gaining Registrar*, and this type of transfer is permissible under the relevant agreements.



IN SHORT: NEW REGISTRY REQUIREMENT



Prelim Rec. 2: The Working Group recommends that in the event a change of sponsorship is permitted by the Registry Operator, *Registrars shall either notify or ensure their Resellers (where applicable) notify affected Registrants approximately one month before the change of sponsorship is expected to occur*. This notification must provide instructions on (i) how to opt out (if applicable) (ii) how to transfer the name to a Registrar other than the Gaining Registrar, (iii) the expected date of the change of sponsorship, (iv) the name of the Gaining Registrar, and (v) a link to the Gaining Registrar's (or their Reseller's) terms of service.



IN SHORT: NEW REGISTRAR REQUIREMENT



Group 2: BTAPPA Recommendation Refresher



Prelim. Rec. 3: The Working Group recommends that for a change of sponsorship, the expiration dates of transferred registrations are not affected and, therefore, there are no ICANN fees. Once the change of sponsorship is complete, there is no grace period to reverse the transfer.

IN SHORT: CONFIRMATION OF EXISTING BTAPPA BOILERPLATE



Prelim Rec. 4: The Working Group recommends a Registry Operator ***MUST reject a change of sponsorship request if there is reasonable evidence that the change of sponsorship is being requested in order to avoid fees otherwise due to the Registry Operator or ICANN.*** A

Registry Operator has discretion to reject a change of sponsorship request if a registrar with common ownership or management or both has already requested a change of sponsorship within the preceding six-month period.

IN SHORT: CONFIRMATION OF EXISTING BTAPPA BOILERPLATE



Group 2: BTAPPA Recommendation Refresher



Prelim. Rec. 5: The Working Group recommends that the *Losing Registrar's existing Registration Agreement with customers MUST permit the transfer of domain names in the event of the scenarios described in the Transfer Policy with respect to a change of sponsorship*. Additionally, the Losing Registrar's Registration Agreement must inform registrants that in the event of a change of sponsorship, the affected registrants will be deemed to have accepted the new registrar's terms, unless the registrant transfers their domain name(s) to a different registrar prior to the change of sponsorship.



IN SHORT: NEW REGISTRAR REQUIREMENT



Prelim Rec. 6: The Working Group recommends that the Registry Operator MAY charge a fee for a change of sponsorship, but Registry Operators MUST provide notice to Registrars of any fees associated with a change of sponsorship upon request and prior to the initiation of the transfer. How Registry Operators choose to provide notice of fees will be up to the Registry to decide, i.e., password protected portal, website, written notice, etc.



IN SHORT: NEW REGISTRY REQUIREMENT



Group 2: BTAPPA Recommendation Refresher



Prelim. Rec. 7: In the case of a change of sponsorship, the Gaining Registrar **MUST NOT** impose a new inter-registrar transfer lock preventing affected registrants from transferring their domains to another Registrar.



IN SHORT: NEW REGISTRAR REQUIREMENT 

Group 2: (TEAC + TDRP + Bulk Transfers) Deliberations Refresher

TPR WG Resources:

- ❖ [Transfer Policy](#), Section I.A.4.6, I.B
- ❖ [Transfer Dispute Resolution Policy](#)
- ❖ [TEAC Working Document](#)
- ❖ [TDRP Working Document](#)
- ❖ [Rec. 27 TDRP Working Document](#)
- ❖ [ICANN-Approved Transfers Working Document](#)