- FRN - report
  - Options and recommendation
    - Option: Initiate a PDP on FRN
      - Next step
        - Initiate the PDP process -- issue report
      - Pro
        - Provides all the usual benefits of the PDP
          - Discussion and awareness across the broader community
          - Opportunity for fact-finding and discussion of alternative approaches
      - Con
        - Contention for scarce PDP resources
        - This is a narrow issue, which appears to be confined to a small number of miscreants
        - PDP process takes a long time
      - Drafting team view
        - We do not feel that this issue warrants a PDP
    - Option: Add this issue to the upcoming PDP on the RAA
      - Next step
        - Add the FRN issue to the scoping conversation that is currently under way with regard to the RAA PDP
      - Pro
        - Leveraging resources that are already committed to studying similar issues
        - May be a shorter start-up cycle to get the conversation started
      - Con
        - This issue may be neglected as the conversation focuese on more serious or pressing issues
        - May divert resources away from more important issues
        - The PDP will take a long time
      - Drafting team view
        - We think this option is worthy of a broader discussion by the Council, but is not our preferred approach
    - Option: Add a section of the RAA that addresses Business Practices
      - Next step
        - Registrars, working with ICANN compliance, initiate the ???? process to develop and add language to section ??? of the RAA to address FRN
        - Similar to current language of RAA 3.7.3 Registrar shall not represent to any actual or potential Registered Name Holder that Registrar enjoys access to a registry for which Registrar is Accredited that is superior to that of any other registrar Accredited for that registry.
        - Proposed language -- Registrar shall not deceptively represent to any Registered Name Holder that Registrar is currently the Registrar of Record for that domain name when in fact they are not.
      - Pro
        - Fewer resources required
        - Less time required
        - More targeted work
        - More targeted solution
      - Con
        - Process is not as transparent as the PDP
        - Caution would be required to ensure that the wording did not cause more problems than it solved
      - Drafting team view
        - We think this option is worthy of discussion by the Council and is our preferred approach
    - Option: Do not proceed with any action at this time
      - Next step
        - No next step required
      - Pro
        - The least resources required
      - Con
        - Does not provide ICANN Compliance with any assistance in defining or addressing the FRN issue
        - Does not respond to the concerns of registrars who view this as a serious issue
        - Does not help address the negative perception that is created by not addressing the FRN problem
      - Drafting team view
        - We do not support this approach
  - Analysis of questionnaire
    - Overall observations
      - We need to be sensitive to the small (19 response) sample size of this poll of registrars
      - Another way to view this is that the respondents to this poll represent ????% of names under management
    - 3 Source of complaints
      - Primarily customers looking to registrars for assistance
    - 4 Burden or minor?
      - Quite split with registrars either viewing this as a serious problem or not a problem at all
      - Some registrars noted that they did not see significant volume -- but that FRNs presented a significant problem when they appear
      - A question that we didn't ask was "what is your practice when people ask you to get involved?" This may explain some of the dispersion in these replies, if we were to find that there is similar dispersion in the level of response by registrars.
        - Some registrars may not be getting involved and thus seeing little impact
        - Registrars that get more involved may be feeling a bigger burden
        - It may be advisable to add this question to a PDP, if there is one
    - 5 Seeing any trend?
      - Most common response was that this is a steady state
    - 6 Same players, or new ones?
      - Given the deceptive practices involved, the conclusion is that FRN are coming from the same entity
      - DRA, DRC, DRE, etc.
        - Solicitations are made under different names when targeting different locations
        - There were many survey reponses from European registrars, which explains some of the confusion about the source of FRNs as there is more variety in the names used in FRNs aimed at Europen registrants
    - 7 where are FRN coming from?
      - The predominant response was "resellers" but this is because of the history of the situation -- at one time this entity was a reseller, but more recently it has become a registrar
      - Several responses name Branden Grey (Spelling????) or NameJuice as the specific registrar
    - 8 what country
      - US, Canada, UK, etc. in order
      - It is always the same party that's responsible, it just appears to be coming from different places
    - 9 what mechanism you use to prevent FRN?
      - Half of respondents are answering "not applicable" because they don't offer a reseller channel
      - "Contract" is the dominant tool of registrars that address the FRN issue
    - 10 impact
      - Responses list cost, lost customers, confusion, wasted time and customer service
      - Several responses also note that FRNs are a source of negative perception by customers and others
    - 11 other topics
      - Respondents note that this is expanding to include new scenarios -- these solicitations are now sometimes combined with solicitations for other products such as search engine optimization (SEO), hosting, etc.
      - Some noted that there is a security angle to this, in that registrants must provide auth codes and other credentials to this untrustworthy entity
      - It was noted that this is similar to the practice known as "slamming" in the telecommunications industry, and that perhaps a similar remedy (3rd party verification) is required
      - it was noted that this practice is bad for the reputation of ICANN and the industry as a whole
      - There was a suggestion that ICANN initiate a "name and shame" reseller black list, perhaps paralleling the current practice of sharing abuse and spammer identities between registrars