

## **Report of Negotiation Session on the Registrar Accreditation Agreement (17 Jan 2012)**

**Location:** Marina Del Rey Hotel (All Day)

### **Attendees:**

**Registrars:** In person: Becky Burr (WilmerHale), Mason Cole (Nameking), Rob Hall (Momentum),  
Remote participants: Jeff Eckhaus (Enom), Volker Greimann (Key Systems), and Matt Serlin (Markmonitor)

**ICANN:** In person: Tim Cole, Samantha Eisner, John Jeffrey, Margie Milam, Kurt Pritz, and Dan Halloran  
Remote participant: Mike Zupke

### **Issues Discussed:**

- Discussion of Timing for Next Meeting:
  - The next telephone conferences are to be held on Monday, January 23<sup>th</sup> and Friday Jan 27<sup>th</sup>
  - Additional meetings proposed: Two-day meeting for Feb 9<sup>th</sup> & 10<sup>th</sup> in Washington, D.C.
- Discussion of Meeting with Law Enforcement:
  - At the request of law enforcement representatives, a meeting is to be held in Washington, D.C. on either January 30 or 31 to describe progress of negotiations with the registrars on the 12 law enforcement recommendations, and to seek clarification of requests.
- Discussion of Publication of Proposed Revised Registrar Accreditation Agreement:
  - In advance of the Costa Rica Meeting, the negotiation teams plan to publish the proposed revisions to the RAA as requested by the ICANN board.
- Discussion of Redlines to the RAA
  - The negotiation teams reviewed the redlines proposed by the Registrar Negotiation Team to the RAA and the WHOIS Appendix circulated on 1/16/2012
- **Amendment Topics Discussed** The summary of the amendment topics discussed are listed below. Additional details for each of these issues are included on the dedicated WIKI page for the specific issue.

- **AMENDMENT TOPICS DISCUSSED 17 January 2012**

**A. Registrar Obligations/Duties**

- A.1 Malicious conduct – registrar duty to investigate
- A.1.a. Prohibition of Certain Illegal, Criminal or Malicious Conduct
- A.1.b. Registrar obligation to collect, securely maintain and validate data
- A.2 Designation and publication of technically competent point of contact on malicious conduct issues available 24/7 basis
- A.3 Require greater disclosure of registrar contact information, information on business organization
- A.4 Require greater disclosure of registrar affiliates/multiple accreditations
- A.5 Prohibition on registrar cybersquatting

**B. Privacy & Proxy Services/Resellers**

- B.1. Obligations of privacy/proxy services made available in connection with registration re: data escrow
- B.2 Registrar responsibility for cancellation under appropriate circumstances of registrations made by other privacy/proxy services for noncompliance
- B.3 Define “reseller” and clarify registrar responsibility for reseller compliance
- B.4 Registrar disclosure of privacy/proxy services made available in connection with registration; and responsibility of registrar compliance by such services

**C. WHOIS Data**

- C.1 Require WHOIS Validation/PCI compliance in registration process
- C.2 Service Level Agreement on Whois availability
- C.3 Define circumstances under which registrar is required to cancel registration for false Whois data
- C.4 Spell out “verification” process registrars are required to undertake after receiving report of false Whois data
- C.5 Require links to Whois Data Problem Reporting System on Whois results pages and on registrar home page

**D. Contract Administration**

- D.1 Expand scope of authority to terminate accreditation
- D.4 Review of registrar’s compliance record prior to RAA renewal

Key: “LEA” – Law Enforcement Agencies  
“RAA-DT” – Refers to the RAA Drafting Team which compiled the Final Report on improvements to the RAA