- IRTP-C Workplan
  - Tasks
    - Reach out to other AC/SOs for initial comments
    - Item A – change of control
      - Background
        - Understand why we're looking at this question -- what problems are we trying to solve
          - Review Issue Report
            - Some issues were raised a long time ago -- are these questions still valid, given other measures that have been taken in the intervening time
          - Understand the connection between this question (Item A) and the FOA (Item B)
          - There's a lack of guidance regarding COC
            - Registrars have filled that gap with a variety of different approaches to change of control
            - It's within our remit to address this issue
          - One of the main issues is felt by the people who are trying to move domains -- and for them, this process is difficult, confusing, broken, etc.
            - Even moderately-experienced registrants struggle with this process today
        - There is no ICANN policy that addresses change of control
          - There may be an implied change of control -- referenced in the UDRP (an option/outcome is change of controll)
          - ICANN has policy for a transfer of domains between accredited registrars -- but nothing like a change of control between registrants
          - CC's have two concepts
            - change of registrar
            - change of registrant
            - there's a policy for doing both at the same time
          - There's an acknowledgement that the event occures, but little guidance as to HOW it occurs
          - This is one of several areas where ICANN doesn't have policy -- and in some cases this is a problem that doesn't need to be fixed
            - But in the case of COC -- this gap creates a number of operational headaches that need to be addressed
          - COC could also address another hole -- registrants are allowed to update their WHOIS data -- but the info in the "registrant" fields in WHOIS is the person.entity responsible -- registrars are also requied to have a contract with that person -- which leaves an opportunity for a bad actor to maliciously transfer a domain to a person with whom they don't have an acknowledged registration agreement. Unilateral blind pushing of the domain to a new registrant without the knowledge of the gaining registrar/registrant.
            - EG Registrar is held liable, even though contact details/relationship were all posted by a bad actor -- Michele can supply details of the example if needed
        - Currently missing from policy -- only transfer between registrar
        - Policy wasn't written with the after-market in mind
        - Causes confusion/frustration -- registrars and registrants
        - Many combinations/scenarios -- escrow providers, registrars, etc.
          - Refer to slide show
        - As a result, there are market-based solutions to provide this capability
          - A clearer policy environment might have avoided issues,or improved quality of implementations
        - Many of those use the IRTP as part of the mechanism
        - IRTP wasn't intended to this purpose, but it's being used that to change control in addition to change registrar
          - Outstripped its original design
      - Investigate how this function is currently achieved
        - Different interpretation/implementation/inconsistency between registrars
          - Identify areas of difference
          - Develop strategies for smoothing out these differences?
        - Understand the way transfers are being done in ccTLDs -- looking for the good and bad
        - Look at both ccTLDs *and* existing gTLD "change of account" type processes for models
        - Understand current definitions of "change of control"
          - Different rules for different circumstances
        - Understand the connection between policy/practice and the experience of registrants
          - How the IRTP is normally done -- how can this be related to a particular registrant impact/effect/experience
          - What specific features have specific effects
          - Understand the shape of, and unintended consequences of, the arrival of the aftermarket
          - Note -- there are other change of control mechanisms than just the aftermarket -- corporate agreements, mergers, tax issues, legal issues, death in the family for example
          - Rob Golding (othello): a change of registrar doesnt mean a changeof control - you either have to change it at the existing regsitrar first, or after the transfer - in both cases it has to be auditted
        - Education Exercise -- Use real transfers between members of the working-group to demonstrate to us a real transfer
          - Basis for documentation
          - How-to
          - 13-Dec call refinements
          - ✓ Maybe combine this work with the ccNSO use-case table that Marika is developing
        - Covered pretty comprehensively with the sub-team slideshow, etc.
          - Use summary flow-chart slides for each scenario as the basis
          - Focus on text based outline -- forms the seed of policy language
      - Identify if there are any applicable models in the country-code space that can be used as a best practice for the gTLD space
        - Reach out to the ccNSO
        - Reach out to members who have experience with ccNSO practices (Michele, etc.)
          - Combined views of Michele, Chris, Matt
          - Questions
            - ✓ Matt offers to poll team
            - Simonetta? Which cc's make transfers to dn's that make them easy, fast, secure?
            - Contractual structure? Tripartate is common in cc's, bilateral more common in gTLDs -- need to explore
            - Thick vs thin -- .COM registry doesn't have the data to do COC events
              - locus of COC activity
              - Is there the possibility that this will change?
              - This would allow an ideal process to be designed to use that capability
          - Likes
            - Process is less the issue
            - Simple
            - Consistent
            - Fast
            - Access to records -- accuracy
            - Options -- "major" vs "minor" updates
              - eg LLC -> INC
          - Dislikes
            - Multiple types of transfers and trades
            - Manual processes
            - Processes that are open to gaming
            - Loopholes, lack of controls to avoid fraud
            - Complicated processes
            - Subjective processes
            - Long elapsed times to complete transfer -- .ES takes up to a month to complete
          - Preferences
            - Registry level process vs Registrary level process?
          - Registries
            - Favorite -- UK
            - Mid -- EU
            - Least -- IE
            - Chris's least favorite -- ES
        - Check back with registrars to see how well they like these models
        - Probably need to defer some of this until we've had our conversation w/ccNSO in CR
      - Draw up an "ideal" process based on what has been learned
      - Send the "ideal process" back to the registrars for review and comment
      - Incorporate changes into "ideal"
      - Determine whether such a policy is even appropriate for ICANN to consider
      - Draft changes to existing (or new) policy
      - Draft educational materials/explanations
      - Action items
        - Launch a subgroup to sketch the rough first draft of the process
    - Item B – time-limiting FOAs
    - Item C – Whether the process could be streamlined by a requirement that registries use IANA IDs for registrars rather than proprietary IDS
    - Public comment cycle(s)
    - Publication and approval cycle
  - Milestones
    - Open public comment period
    - Circulate constituency/stake-holder templates
    - Close public comment period
    - Face to face meeting in Costa Rica
    - Initial report
    - Public comments on initial report
    - IRTP workshop in Prague
    - Publish final report and submit to Council