

**IRTP Part C – Public Comments Review Tool – Initial Report**  
**FINAL 29 August 2012**

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For complete overview of comments received, please see <http://forum.icann.org/lists/irtp-c-initial-report/> and <http://prague44.icann.org/node/31759>.

#	Comment	Who / Where	WG Response	Recommended Action
<b>General Comments</b>				
1.	Processes should be kept as light and simple as possible, and registrant confirmation for domain procedures should only be required if absolutely necessary.	Michael Shohat	The WG completely agrees with the first part of the statements, but notes that in relation to the second part the term 'if absolutely necessary' is open to different interpretations.	None
2.	<p>The ALAC supports the general direction that the IRTP C PDP WG is heading. Specifically, the ALAC strongly supports all measures that will reduce the possibility of domain hijacking while still providing legitimate registrants the ability to change registrars.</p> <p>Lastly, the report could benefit from a clearer overview describing the change of registrar and registrant processes.</p>	ALAC	<p>The WG acknowledges statement about supporting the WG efforts.</p> <p>Establishing a clearer process will flush out difference of Rt vs. Rr. Which parts of the process that we can document vs the difference across Registrars</p> <p>WG will attempt to document the common portion of the process. Documenting all processes will be too complicated. Possible sub-team to document process. WG</p>	<b>Sub-team to be formed to document a visual representation of the transfer process (WG must determine to delineate between Change of Rr and Change of Rt.</b>

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			Acknowledges this needs to be performed. - Change of Registrar - Change of Registrar	
<b>Recommendation #1</b> – The IRTP Part C WG recommends the adoption of change of registrant consensus policy, which outlines the rules and requirements for a change of registrant of a domain name registration. At this point in time, the WG is of the view that such a policy should follow the five steps as outlined in the section 5 under the heading ‘proposed change of control process for gTLDs’, but recognizes that there are additional details and/or steps that may need to be added and therefore requests community input on the proposed process and related notes.				
3.	Normal" registrants (non-domainer, non-technical end-users) usually don't understand registry policies and verification procedures and often ignore communications from registries and registrars. Ask EURid, nic.es and nic.at (to name just a few) which portion of their mails regarding trades are bounced or simply ignored. EURid is currently removing their confirmation requirement for trades for exactly that reason, and will shortly regard COR as a simple update - while ICANN is considering going in the opposite direction for gTLDs.	Michael Shohat	The WG notes that the proposed policy for change of registrant does not include registries and has been intentionally limited to the registrar of record to avoid the issues described (ignoring communications from unknown parties). The WG notes that similar processes are already in place such as for an FOA and/or AuthInfo code, which do not seem to cause major issues.	None
4.	Cronon supports the adoption of such a policy, however it should place as little technical burdens on registrars and registrants as possible. Change of Registrant should be possible before as well as after IRTPs, and there should be no mutual locks, since this has been shown to confuse registrants and complicate registrar implementation unnecessarily.	Michael Shohat	The WG agrees that any process should be as lightweight as possible and not unnecessarily complicate things and notes that in the current proposal there is only one use case for which additional security measures are proposed.	<b>Further consideration of the proposed policy and suggested restrictions for a change of registrar immediately following a change of registrant.</b>

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5.	Regarding the question "which updates constitute a change of ownership?", we are of the opinion that only changing the name or organization (any change to any part of the name) constitutes such COR. The legally relevant data on who owns a domain is the name of the owner. The primary contact (such as email) is only a means to get hold of that person, and should be available for simple update, since people frequently change their contact addresses and should be able to do so easily.	Michael Shohat	The WG considered this comment in conjunction with comment #5 and #11 and noted that it will need to give further consideration to this issue as part of its deliberations going forward. Some suggested that it would make sense to also consider changes to the email as a registrant change while others suggested that this would create operational hurdles as updates to email addresses are made on a very regular basis without it necessarily being a change of registrant. Some suggested that further consideration might be given to what fields are required in order for an electronic signature to be valid as a similar approach might be valid here (as a new registrant would need to 'sign' a new registration agreement with the registrar).	<b>Further consideration of this issue in light of the comments received (#5, #6 and #12) as the WG continues its deliberations.</b>
6.	In addition to a change of name, a change of address should also be considered as a change of registrant.	Public Workshop Prague	See comment #4	<b>See comment #5</b>
7.	The WG may want to consider how to fix mistakes (e.g. a spelling mistake when a change of	Public Workshop	The WG agreed that this is also an issue that will need further	<b>Further consideration of this issue as the WG continues its</b>

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	registrant is made) – if a domain name is locked for 60-days this would create problems. Are there any restrictions on how often changes of registrant can be made?	Prague	consideration as it further deliberates and refines its recommendation for a change of registrant policy.	<b>deliberations.</b>
8.	Adding a 60-day lock might results in registrants staying with one registrar and/or only move to the registrar's resellers in order to go around the 60-day lock (assuming that such a restriction would not apply if the domain name stays with the same registrar or registrar family).	Public Workshop Prague	The WG agrees that any anti-competitive effects should be avoided, whether it is on the primary or secondary market and notes it will review this issue in further detail as it continues its deliberations also in light of the link with resellers. Some suggested that the WG may want to consider ensuring that the policy would apply to all equally (change of registrant within a registrar / reseller or in combination with a change of registrar).	<b>Further consideration of this issue as the WG continues its deliberations.</b>
9.	The RySG would be supportive of Recommendation #1 relating to Charter Question A which proposes a change of control policy, if the development of the policy can be accomplished without the need for a separate PDP. Ideally, the RySG would prefer to see the development of a change of control policy separate and apart from the IRTP to be completed as part of the deliverables of PDP C. If this is not possible, then the RySG would support the Hybrid Policy	RySG	The WG noted that as a result of its conversations with the GNSO Council it considers it within its scope to develop a policy proposal to address change of registrant. Some expressed support for the RySG position, while others also noted that it would be important to ensure if there would be two separate	<b>Further consideration of this issue as the WG continues its deliberations.</b>

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	approach suggested on Page 25 of the Initial Report.		policies for change of registrant and change of registrar that there would not be any conflict or contradictions between the two.	
10.	The RySG supports the third option which permits the registrant to opt out of the 60 day restriction on an inter-registrar transfer after a change of registrant. It is the view of the RySG that this option as outlined in the “possible” Step 5 of the proposed change of registrant process on page 23 would be most effective if both the Prior and New Registrants are required to affirm their desire to opt out.	RySG	<p>The WG noted that it considered that any sort of 60 day restriction, would also contain a voluntary opt-out process, and if both parties opted out, the lock could be removed. However, the WG noted that further discussion would be required to determine how this would work in practice, e.g. prior Rt can opt out. New Rt, how could they be able to opt out until the transfer occurs? (New Rt may be unknown)</p> <p>The other question that would need to be answered is whether there is a security benefit here?</p> <p>In order to address some of these issues, the WG is considering limiting IRTP to same Rt on both sides. And separating Change of Rt is what the WG is considering ( Change</p>	<p><b>WG decide whether to adopt this. Should both parties be allowed to opt out of 60 day transfer restriction? Should there be a 60 day transfer restriction.</b></p> <p><b>Further consideration of this issue as the WG continues its deliberations.</b></p>

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			<p>of Rr can also change the Rt)</p> <p>Additional clarification was provided by the RySG that their comment related to the change of control for the name. If both Registrants are agreeable, both may opt out of the 60 day window.</p> <p>The WG noted that a change of control occurs before change of Registrar. RoR will have all previous Rt information to perform confirmation and waive the restriction. It was noted that the assumption of previous Rr will always know Rt is not correct. Losing Rr may not know who the new Rt may be.</p> <p>It was suggested that the approval of change of control, checkbox for opt out only gathered from both parties once the change of control is approved.</p> <p>It was noted that the terminology of “lock, restriction,</p>	

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			<p>hijack protection” may be confusing the process. Important that new and old Rt are opting out of a hijack protection mechanism.</p> <p>Some also noted that providing an opt out of a policy is not a good practice. The policy should be predictable and apply to everyone: do we have a transfer lock or not.</p> <p>Some suggested that the reason for opt out was a compromise of security and simplicity. It was noted that this may force a larger conversation about locks that do not exist.</p>	
11.	In cases where the domain name is registered to an organization or company instead of an individual, the registrant may no longer be employed by the organization which could complicate the process by which the Prior and New Registrants affirm their desire to opt out of the 60 day restriction on inter-registrar transfers. It was suggested that in these cases, an authorized representative of the organization or company be permitted to provide their election to opt-out.	RySG	The WG noted that this is a common occurrence. Individual listed as Rt, is no longer with the Organization. Move to company or individual account. Individual submit documentation acting on behalf of process. It was suggested that the procedure used by GoDaddy could be used as an example.	<p><b>Clarification within report that the authorized party (person or organization) is the only legal entity that can implement a change of control. IE.Registrant or authorized representative.</b></p> <p><b>Further consideration of this issue as the WG continues its deliberations.</b></p>

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			<p>It was noted that there might be confusion in that community does not understand distinction between Change of Registrar vs. Registrant.</p> <p>Laws vary across jurisdiction, which must be taken into consideration. Legally defensible documentation between individual and entity. It was noted that local laws take precedence over ICANN policy.</p> <p>In follow up conversations on the mailing lists, various registrars shared their companies' policies in relation to this issue.</p>	
12.	Since the registrant and administrative contact email addresses are used as a method to validate the legitimacy of a transfer request, it is recommended that the Note on page 23 defining the change of registrant as an update to the Primary Contact Method (among other updates) be revised to specifically indicate an update to the Registrant and / or Administrative Contact email address.	RySG	<p>See comment #5.</p> <p>The WG agreed that the Primary Contact method is not clearly defined.</p>	<p><b>See comment #5.</b></p> <p><b>Revisit the use of this on page 23 of Report.</b></p>
13.	Relating to the second note on page 24 of the	RySG	WG agrees with this comment	<b>Further consideration of this</b>



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	Initial Report, the RySG supports and strongly recommends the use of the AuthInfo code as the Change of Registrant Credential to validate the authorization of the Registrant to effect the change. The original intent of the AuthInfo code was its use to authenticate ANY type of domain update, i.e. transfers, name server changes, registrant changes, etc. However, while it may be used for any types of updates to a domain name, Registries and Registrars may need to do additional development to implement its use to authenticate other types of updates beyond its current implementation as a mechanism to authenticate transfers. Given this, should this recommendation receive wide support and ultimately be approved, both Registries and Registrars must be afforded adequate time to implement such changes.		<p>of Authinfo. Authinfo code is referred to as domain name password in CC TLDs. WG agrees with adequate timeframe to implement, and guidance should be created for implementation. (Example, authinfo code should not be preserved in change of Rt. Develop best practice).</p> <p>It was noted that most transactions on .com and .net, which are Thin WHOIS. Only entity to see Authcodes are the Rr, not other third parties.</p> <p>It was suggested that it may not matter that Ry is Thick or Thin. Only time Ry wants to know is when Rr changes.</p> <p>It was noted that it ties to the length of time for which a Authinfo code is valid. If we treat it as a Password, then WG should look at this closer, vs token that expires.</p>	<b>issue as the WG continues its deliberations.</b>
<b>14.</b>	The ALAC similarly supports all efforts to formally define the process by which the registrant of record can be changed, with implicit safeguards to	ALAC	Acknowledged support of WG efforts. The WG noted it is open to the idea of separate policy or	<b>None</b>

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	inhibit hijacking. The ALAC does not have strong views as to whether this needs to be a separate consensus policy or not, but the overall results and benefits to registrants should not be diminished by this decision.		not.	
15.	The more restrictions you have on a process like change of registrant, the fewer the uptake of ccTLD registries is in practice. The WG may also want to consider what the effect may be on the gTLD market space.	Public Workshop Prague	High-level description of opportunities and concerns to determine which practices work and which ones do not. Reiterate caution to this WG, just because it works in ccTLD space, it may not translate to gTLD space.	None
16.	It is difficult to distinguish between correcting spelling mistakes or ownership changes (e.g. changing from James to Jim might be the same person, but it could be also someone completely different).	Public Workshop Prague	Fuzzylogic problems. For example , the WG noted the case of name change is not necessarily a change of Registrant. It would need to be clarified at what point does this really occur.  The WG also discussed the frequency of updates; how often do they happen? If frequent activity, further consideration should be given to confirmation requirements, as the WG does not wish to complicate it for user.	None

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			<p>Further consideration should also be given to whether it concerns a benign change of name versus real change of control.</p> <p>The WG noted that there are primarily three sensitive fields: first name, last name and organization. The WG noted that email address is also important, but not necessarily part of change of control. At the same time some noted that change of email address is neither a simple change. Some noted that certain routine changes such as changing "James" to "Jim" or "Incorporated" to "Inc." might get caught up in the policy. As a fall back measure, certain registrars always remove any locks that were triggered by changes of this sort. The WG noted that there is no right or wrong to dial up or dial down sensitivity of changes as one can be fooled by false positives. However, when these occur, it</p>	

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			would make sense to insert human being into process. It was noted that legal name changes does get more complicated, and should not be designated as simple change. For example, some ask for ID to demonstrate new name.	
17.	How are corporate changes affected by this policy, e.g. changes from Inc. to LLC or changes as a result of merger / acquisition?	Public Workshop Prague	Refer to comment 11 for any possible actions.  Legal entity equivalent change.	None
18.	When you change house or telephone number, you also need to provide proof of ownership so it is not unreasonable to ask for a similar confirmation in the context of change of registrant.	Public Workshop Prague	WG noted that keyword is authorization as also noted in previous considerations of comments. In addition, further examples were shared on the mailing list on current processes used by registrars.	None
19.	If a domain name registration account is compromised, the hijacker can easily opt-out of any restrictions that the WG may put into place.	Public Workshop Prague	Acknowledged. Refer to comment 11 for any actions.	None
20.	The WG may need to consider an exception process for certain circumstances such as, for example, UDRP where the standard process of transferring a domain name after a UDRP is changing the owner name and then it is transferred out.	Public Workshop Prague	Good use case example, where establishing change of control against hijacking protections. Any new policy out of this WG is referred to UDRP providers. Any restriction created would be over-ridden by UDRP processes.	None

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21.	Why not make mandatory for registrars to offer one or more optional ways of locking a domain name against transfers after element changes like Go Daddy has been doing it and other registers are doing it by introducing manual processes or different ways of protecting their customers in a way that the registrar must give their registrant an option to lock a domain name but the registrant if he does not choose to go for the - that option the domain can be transferred quickly.	Public Workshop Prague	<p>Rr should offer more protections to Rt. This is what the WG is trying to accomplish. However, mandatory and optional is confusing.</p> <p>Turn locking idea around, default should be open, and then give Rt option to lock. Buy extra protection, manual process to unlock the name.</p> <p>WG agreed to explore this option further.</p> <p>It was also noted that IRTP-B has new recommendation contains new restrictions on locks. Debatable on new policy requirements</p>	<p><b>WG to review process</b></p> <p><b>Further consideration of this issue as the WG continues its deliberations.</b></p>
22.	The WG may want to consider how the proposed policy aligns with the recently adopted change to the IRTP (which has not been implemented yet) which will require that a domain name registration is unlocked within 5 business days following the request of a registrant.	Public Workshop Prague	From IRTP-B; Any trigger of lock must be removed @ 5 days after request by Rt.	<b>None</b>
<b>Recommendation #2:</b> the WG recommends Section 2 of the IRTP be revised to insert the following section: 2.1.4 Once obtained, an FOA is valid for (45 or 60 <sup>1</sup> ) calendar days, or until the domain name expires, or until there is a Change of Registrant, whichever occurs first.				

<sup>1</sup> The WG has not decided yet on the exact timeframe and would welcome community input.

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23.	We support such limit and actually have one in place already. Time limits should be multiplications of whole months (30, 60, 90 days etc.), which are easier for registrants to understand and remember, as opposed to fractions of months (i.e. 45 days).	Michael Shohat	Commentor believes it should be time limited and duration. Do not see event driven limitations of FOA.  Acknowledged by WG	None
24.	The RySG supports a shorter period (such as 30 calendar days, or until the domain name expires or there is a change of registrant, whichever occurs first) for an FOA to be valid based on the intent that the existing FOA is to be initiated and maintained by the Gaining Registrar to document the authorization of the registrant or administrative contact for a transfer to the Gaining Registrar. Any issues that may delay the successful completion of a transfer authorized by the FOA, such as the unlocking of a domain name or obtaining an AuthInfo code, should be able to be resolved within a 30 calendar day period.	RySG	FOA – one is obtained in advance. Assume change of Rt; how does gaining Rr know? Losing Rr may not know that it should expire, but visibility is absent.  The WG noted that EPP and other things expire., there is no reason why FOAs should not expire.  1) Current FOA, no requirement to expire 2) History of FOA, authorize a transfer  Unsure if FOA is helping; may have to review AuthInfo code in process. Determine distinction between FOA & AuthInfo code.  Some raised the question whether AuthInfo code is	<b>WG will review Transfer process and how AuthInfo codes and FOA influence the transfer process as well as the process difference between Change of Rt &amp; Change of Rr</b>

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			<p>implemented universally.</p> <p>It was agreed to ensure that WG refers to note within Recommendation 3.</p> <p>EPP codes are standard to EPP stack. Rotation expiry syntax and other aspects of the codes are customizable by each Registry.</p> <p>WG must discuss process and delta WRT to Change of Rt vs. Change of Rr (WG discuss order)</p>	
<b>Recommendation #3:</b> the Standard FOA is enhanced to support FOAs that have been pre-authorized or auto-renewed by a Prior Registrant who has chosen to opt out of this time-limiting requirement after having received a standard notice as to the associated risks. This enhancement would introduce a modified FOA, which would serve exclusively as a notification to the Prior Registrant that their pre-authorized domain transfer had occurred. The implementation of this recommendation should be accompanied by the appropriate security measures to protect Registrants from hijacking attempts using pre-approval as the attack vector. The WG is planning to discuss the details of such security measures in further detail in the next phase of its work.				
25.	Our stand on this issue depends on the details to be elaborated at a later stage. But basically, we'd recommend to avoid exceptions to rules, if the rules are simple and make sense.	Michael Shohat	WG agrees with Michael. Two fundamental difference of conditions. 1) limited lifespan vs 2) never expire	None
26.	This recommendation seems to relate more to a change of registrant than a change of registrar. The RySG is of the opinion that it would be more	RySG	It was noted that the aftermarket standpoint is that a change of Rt and change of Rr	None

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	appropriate to address this need in the context of a change of control policy.		often occur simultaneous.  RySG: may misunderstood recommendation. Extent to avoid exception to rules.	
<b>Recommendation #4:</b> The WG recommends that all gTLD Registry Operators be required to publish the Registrar of Record's IANA ID in the TLD's thick WHOIS. Existing gTLD Registry operators that currently use proprietary IDs can continue to do so, but they must also publish the Registrar of Record's IANA ID. This recommendation should not prevent the use of proprietary IDs by gTLD Registry Operators for other purposes, as long as the Registrar of Record's IANA ID is also published in the TLD's thick Whois				
27.	Yes. There seems to be consensus on this in the WG as well.	Michael Shohat	No response.	None
28.	The RySG supports Recommendation #4 relating to Charter Question C which recommends that all gTLD Registry Operators be required to publish the Registrar of Record's IANA ID in the TLD's WHOIS. However, the RySG recommends the removal of the designation of "thick" in the WHOIS reference as the Registrar of Record information would be available in all versions of WHOIS.	RySG	No comments, WG agrees and will acknowledge this distinction in the recommendation.	<b>WG will remove "Thick" specification from recommendation.</b>
29.	The RySG supports a modification to this recommendation to also stipulate that all gTLD Registry Operators, existing and future, shall have the option to utilize and publish proprietary IDs so long as they also publish the IANA ID in their TLD's WHOIS.	RySG	RySG – want to make sure that new TLD that any Operator still have the option to publish proprietary ID. These ID still have a purpose and usefulness  The WG noted that there is no conflict with recommendation as long as IANA IDs are published across the board. The	None



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			note exists within the existing recommendation	
30.	As with any recommendation that would require development effort and modifications to systems to implement, the RySG notes that Registries must be afforded adequate time to implement Recommendation #4 so as not to negatively impact existing development roadmaps and cycles.	RySG	Should WG ask what an adequate time should be?  It was noted that this will vary from Ry to Ry. Historically, modifications use a six month window.  WG agrees to provide latitude.	<b>WG will designate adequate window for implementation within the recommendation.</b>
31.	The ALAC supports the requirement to have all gTLDs use the IANA Registrar IDs (in addition to any proprietary ones if desired).	ALAC	WG acknowledged approval.	<b>None</b>
32.	One of the things that surprised me is that EPP never defined registrars as an object to be queried. so it occurred to me that it would make sense to have this option because obviously in a registry database, registrars are first class objects so they exist and can be queried through (?), but there is no way to query for them through EPP.	Public Workshop Prague	The WG noted with interest this suggestion, but does not consider it part of the WG's scope to make any recommendations in this regard.	<b>None</b>