

Change of Registrant (COR)

TPR Group 1(b): Part II

Meeting #122



ICANN79 TPR Session 1 Debrief

Proposed Updates to 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, or organization, or any change to the Registered Name Holder’s** 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) **[unless the RNH previously opted-out of these notifications]** 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 ✓

CLARIFYING QUESTION: Does Prelim Rec 3.4 contradict Prelim Rec 3.3, or is 3.4 an exception?

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



Prelim Rec 3.4(a): 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) **[unless the RNH previously opted-out of these notifications]**.

IN SHORT: CLARIFICATION OF UPDATED NOTIFICATION ✓



Prelim Rec 3.4(b): When a **material** change to the Registered Name Holder's email address occurs, the **Registrar MAY send the CORD notification to the RNH's new email address**.

IN SHORT: CLARIFICATION OF UPDATED NOTIFICATION ✓

CLARIFYING QUESTION: When, if ever, MUST a RNH receive a CORD notification?

Group 1(b): (Change of Registrant) Draft Rec. 3.4 Recap

Recap of Current Understanding of Opt Outs



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.**

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.

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.**

Group 1(b): (Change of Registrant) Draft Rec. 3.4 Recap

Recap of Current Understanding of Opt Outs



Changing Registrant Data	Registrant Name	Registrant Organization	Registrant Email Address
CORD Notification triggered*?	✓	✓	✓
(*unless) Opt Out applicable?	✓	✓	✓

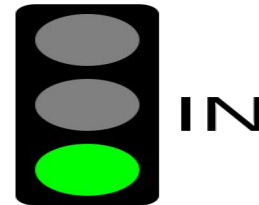
Assumption: CORD Notification OPT OUT applies to all CORDs: RNH name, org, & email

Group 1(b): (Change of Registrant) Draft Rec. 3.4 Recap

Recap of Current Understanding of Opt Outs



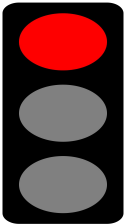
1. Customer registers domain name
2. Registrar offers opt-out of Change of Registrant Data Notifications (with clear explanation of consequences)
3. Registrant does NOT opt out of notifications
4. Email is updated.
5. Registrar is required to send CORD notification to Prior Registrant [email] following the change of email address



Group 1(b): (Change of Registrant) Draft Rec. 3.4 Recap

Recap of Current Understanding of Opt Outs



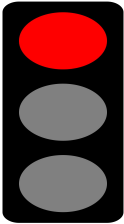

1. Customer registers domain name
2. Registrar offers opt-out of Change of Registrant Data Notifications (with clear explanation of consequences)
3. Registrant OPTS OUT  OUT
4. Email is updated
5. **NO NOTIFICATIONS REQUIRED to be sent to Prior Registrant**



Group 1(b): (Change of Registrant) Draft Rec. 3.4 Recap

Recap of Current Understanding of Opt Outs



1. Customer registers domain name
2. Registrar offers opt-out of Change of Registrant Data Notifications (with clear explanation of consequences)
3. Registrant OPTS OUT  OUT
4. Email is updated
5. **NO NOTIFICATIONS REQUIRED to be sent to Prior Registrant** 
6. Registrar **MAY** be required to send a RAPS (RDDS Accuracy Program Spec) verification to **NEW Registrant email**



Group 1(b): (Change of Registrant) Draft Rec. 3.4 Recap

Is a CORD notification required?

Prior Registrant

(registrant name, org, and/or email in RDDS immediately prior to change)

New Registrant

(registrant name, org, and/or email in RDDS immediately after change)

MAYBE

(If opted out, NO NOTICE REQUIRED)



NO CORD notification required

For email changes: MAYBE a RAPS notification IF new email has not been verified already, and IF Registrar verifies by email (rather than phone)

Short answer: **No, not guaranteed if the previous COR requirements around notifications are removed and OPT OUT option is enabled.**

Poll 1 Questions:

MUST the RNH be allowed to **OPT OUT** of CORD notifications pertaining to changes of: **1) RNH email address?** **2) RNH name?** **3) RNH organization?**

YES – the RNH MUST be allowed to opt out of CORD notifications informing them when a change of RNH (*email address*) (*name*) (*organization*) has occurred

NO – the RNH MUST NOT be allowed to opt out of CORD notifications informing them when a change of RNH (*email address*) (*name*) (*organization*) has occurred

Poll 2 Question:

When a change to the Registered Name Holder's email address occurs...

- 1.) the Registrar **MAY** send the CORD notification to the RNH's *new* email address
- 2.) the Registrar **MUST** send the CORD notification to the RNH's *new* email address

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



Prelim Rec 3.5: The Registrar ~~is not prevented from~~ **MAY send** 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 [optional] 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 (i)** when a domain name is initially registered **AND (ii) when a Change of Registrant Data occurs.** 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



ICANN79 TPR Session 2 Debrief

Proposed Update to Group 1(a) Draft Rec 17

Proposed Update to Group 1(A) Prelim Rec 17

 **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. [...]

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



 **Small Group Redlined Prelim Rec 17:** Registrars **MUST** apply a 30-day post-change of registrar [restriction] 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.~~

..
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.

Proposed Update to Group 1(A) Prelim Rec 17

ADVANTAGES

- Flexibility for registrars to implement in a way suitable for different business needs
- Allows customers who may need to move a name before the end of 30 days the ability to do so

RISKS

- In the event of account compromise or fraudulent activity, 30-day post inter-registrar transfer restriction allows improper transfers to be reversed between registrars – this removes that protection
- Lack of clear definition for Established Relationship leaves wide latitude for potentially bad-acting registrars to allow inter-registrar transfers indiscriminately
- 30-day restriction was the argument in the Initial Report and response to public comments to justify eliminating other security features – lessening the restriction will require strong rationale for public comment
- Currently-proposed definition creates compliance enforcement concerns

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.