

IRTP Part C – Public Comments Review Tool – Initial Report
Updated 14 August 2012

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
General Comments				
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.	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. Lastly, the report could benefit from a clearer overview describing the change of registrar and registrant processes.	ALAC	<u>The WG acknowledges statement about supporting the WG efforts.</u> <u>General Comment to be expanded later. Establishing a clearer process will flush out difference of Rt vs. Rr.</u> <u>Which parts of the process that we can document vs the difference across Registrars</u> <u>WG will attempt to document the common portion of the process. Documenting all</u>	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.

Comment [bac1]: Circle back to this action. Are there previous work products to leverage from IRTP-A; 7 Aug Mikey submitted 1st visual draft

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			<p><u>processes will be too complicated.</u></p> <p><u>Possible sub-team to document process. WG Acknowledges this needs to be performed.</u></p> <ul style="list-style-type: none"> - <u>Change of Registrar</u> - <u>Change of Registrar</u> 	
<p>Recommendation #1 – 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.</p>				
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.	<u>None</u>
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	Michael Shohat	The WG agrees that any process should be as lightweight as possible and not unnecessarily complicate things and notes that	Further consideration of the proposed policy and suggested restrictions for a change of registrar immediately following

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	after IRTPs, and there should be no mutual locks, since this has been shown to confuse registrants and complicate registrar implementation unnecessarily.		in the current proposal there is only one use case for which additional security measures are proposed.	a change of registrant.
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).	Further consideration of this issue in light of the comments received (#45, #56 and #112) as the WG continues its deliberations.
6.	In addition to a change of name, a change of	Public	See comment #4	See comment #54

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	address should also be considered as a change of registrant.	Workshop Prague		
7.	The WG may want to consider how to fix mistakes (e.g. a spelling mistake when a change of 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?	Public Workshop Prague	The WG agreed that this is also an issue that will need further consideration as it further deliberates and refines its recommendation for a change of registrant policy.	Further consideration of this issue as the WG continues its deliberations.
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).	Further consideration of this issue as the WG continues its deliberations.
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	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	Further consideration of this issue as the WG continues its deliberations.

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	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 approach suggested on Page 25 of the Initial Report.		support for the RySG position, while others also noted that it would be important to ensure if there would be two separate 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><u>Any sort of 60 day restriction, would contain a voluntary opt-out process, and if both parties opted out, the lock could be removed.</u></p> <p><u>Prior Rt can opt out. New Rt, how could they be able to opt out until the transfer occurs? (New Rt may be unknown)</u></p> <p><u>Is there a security benefit here?</u></p> <p><u>Current WG process, limiting IRTP to same Rt on both sides. And separating Change of Rt is what the WG is considering (Change of Rr can also change the Rt)</u></p> <p><u>RySG – 7 Aug</u></p>	<u>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.</u>

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			<p><u>Change of control for the name. Both Registrants are agreeable, both may opt out of the 60 day window.</u></p> <p><u>Confusion, change of control occurs before change of Registrar. RoR will have all previous Rt information to perform confirmation and waive the restriction.</u></p> <p><u>Assumption of previous Rr will always know Rt is not correct. Losing Rr may not know who the new Rt may be.</u></p> <p><u>Approval of change of control, checkbox for opt out only gathered from both parties once the change of control is approved.</u></p> <p><u>Terminology of "lock, restriction, hijack protection" may be confusing the process. Important that new and old Rt are opting out of a hijack protection mechanism.</u></p>	

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			<p><u>The 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.</u></p> <p><u>Reason for opt out was compromise of security and simplicity. May force larger conversation about locks that do not exist.</u></p>	
11.	<p>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.</p>	RySG	<p><u>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. Perhaps borrow from GoDaddy.</u></p> <p><u>Confusion in that community does not understand distinction between Change of Rr vs. Rt.</u></p> <p><u>Doing Business As – Laws vary across jurisdiction. Must be taken into consideration. Legally defensible documentation between</u></p>	TBD

Comment [bac2]: James take action to go to Godaddy and review internal process and share with WG.

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			<p><u>individual and entity.</u></p> <p><u>Seek consensus among WG on Change of Rt and Rr. Perhaps community can be confused by splitting these apart.</u></p> <p><u>7 Aug – Difference between Rt is a person vs. an organization. JB will continue homework. “fuzzy logic”</u></p> <p><u>RD: Different opt out in this case, given individual vs. organization.</u></p> <p><u>BK: Relates to original opt out and not that different in this case.</u></p>	
12.	<p>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.</p>	RySG	<p>See comment #45.</p> <p><u>Primary Contact method is not clearly defined.</u></p>	<p>See comment #45.</p> <p><u>Revisit the use of this on page 23 of Report.</u></p>

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13.	<p>Relating to the second note on page 24 of the 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>	RySG	<p><u>WG agrees with this comment 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).</u></p> <p><u>Most transactions on .com and .net, which are Thin WHOIS. Only entity to see Authcodes are the Rr, not other third parties.</u></p> <p><u>It may not matter that Ry is Thick or Thin. Only time Ry wants to know is when Rr changes.</u></p> <p><u>Ties to length of time on which a Authinfo code is valid. If we treat it as a Password, then WG should look at this closer, vs token that expires.</u></p>	TBD
14.	<p>The ALAC similarly supports all efforts to formally define the process by which the registrant of record can be changed, with implicit safeguards to</p>	ALAC	<p><u>Acknowledged support of WG efforts. Open to the idea of separate policy or not.</u></p>	None

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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.			
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	<u>High-level description of opportunities and concerns to determine which practices work and which ones do not.</u> <u>Reiterate caution to this WG, just because it works in ccTLD space, it may not translate to gTLD space.</u>	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	<u>Fuzzylogic problems. For example the case of name change is not a change of Registrant. At what point does this really occur.</u> <u>Frequency of updates, how often do they happen? If frequent activity, should think about confirmation requirements. Don't wish to complicate it for user.</u> <u>Benign change of name versus real change of control.</u>	TBD

Comment [bac3]: JB will research internal process to determine frequency.

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			<p><u>Three sensitive fields. First name, last name, organization</u></p> <p><u>Email address is also important, but not necessarily part of change of control. Email address is not a simple change.</u></p>	
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	<p><u>Refer to comment 11 for any possible actions.</u></p> <p><u>Legal entity equivalent change.</u></p>	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	<u>Keyword is authorization.</u>	
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	<u>Acknowledged. Refer to row 11 for any actions.</u>	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	<p><u>Good use case example, where establishing change of control against hijacking protections.</u></p> <p><u>Any new policy out of this WG is referred to UDRP providers.</u></p> <p><u>Any restriction created would be over-ridden by UDRP processes.</u></p>	None
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	Public Workshop Prague	<u>Rr should offer more protections to Rt. This is what the WG is trying to accomplish.</u>	<u>WG to review process</u>

Comment [bac4]: Review 14 Aug

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	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.		<p><u>However, mandatory and optional is confusing.</u></p> <p><u>Turn locking idea around, default should be open, and then give Rt option to lock. Buy extra protection, manual process to unlock the name.</u></p> <p><u>WG should explore this option.</u></p> <p><u>IRTP-B has new recommendation contains new restrictions on locks. Debatable on new policy requirements</u></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		
Recommendation #2: 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 ¹) calendar days, or until the domain name expires, or until there is a Change of Registrant, whichever occurs first.				
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	Michael Shohat		

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

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	understand and remember, as opposed to fractions of months (i.e. 45 days).			
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		
<p>Recommendation #3: 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.</p>				
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		
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 appropriate to address this need in the context of	RySG		

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	a change of control policy.			
Recommendation #4: 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		
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		
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		
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		
31.	The ALAC supports the requirement to have all	ALAC		

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	gTLDs use the IANA Registrar IDs (in addition to any proprietary ones if desired).			
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		