4.3.8 Registry/Registrar Standardization

- *4.3.8.1 Explanation of Subject*

  The Registry-Registrar Agreement (RRA) is the agreement between a registry and a registrar. The contents of the RRA are not entirely dictated by ICANN and may vary from registry to registry. The New gTLD Program, nor the 2007 Final Report sought to establish absolute requirements for the RRA, though there are some provisions in the base agreement that do establish consistent requirements that registries must adhere to when dealing with any ICANN-accredited registrars who have entered into its RRA, including:

  - o Provision of non-discriminatory access to its registry services
  - o Provision of advance written notice of any price increases, including those related to Qualified Marketing Programs
  - o Notification of the purpose for data collected about any personally identifiable information collected by the Registry Operator
  - o Etc.[1]

- *4.3.8.2 Questions and Concerns Related to Subject*

  DG Members noted that RRAs can vary from registry to registry, and with a growing population of registries, the increasing variability will make it more challenging for registrars. Instituting some additional measures for RRA standardization may be helpful. Most of the specific concerns were related to non-discriminatory treatment or access to registry services and included:

  - o Requiring the provision of RRA in languages other than English as a non-binding reference copy
  - o Response time requirements for Registries to accreditation requests
  - o Sunrise notice requirement expanded to availability of complete accreditation documentation and agreements at the time of the sunrise notice to allow timely accreditation
  - o Registry requirements to disclose all promotional programs offered to registrars.
  - o More transparency in contracting (NDAs, RRA, side letters, etc.)
  - o Removal of mandatory pre-registration TMCH notices to registrants

  The issues identified here could possibly be discussed in concert with discussions related to section 4.3.5 on Registrar Non-Discrimination, or the categories could be combined.

- *4.3.8.3 Relevant Guidance*

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[1] Base agreement Ibid

- o   Description of Agreements & Policies on icann.org - https://www.icann.org/resources/pages/agreements-policies-2012-02-25-en

- *4.3.8.4 Rationale for Policy Development*

  As noted above, the contents of the RRA are established by the registry, not ICANN, although there are certain requirements placed on registries via the registry agreement. If there is community support to establish additional standardization of requirements within RRAs, it could be considered in the context of the base agreement. However, the subject may be beyond the scope of a potential PDP-WG for New gTLD Subsequent Procedures, which is presumably focused more narrowly on New gTLDs.