

# At-Large Expired Registration Recovery Policy Workspace

Comment Close Date	Statement Name	Status	Assignee (s) and RALO(s)	Call for Comments	Call for Comments Close	Vote Announcement	Vote Open	Vote Reminder	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
18.11.2012	<a href="#">Expired Registration Recovery Policy</a>	<a href="#">Adopted</a> 14Y, 0N, 0A	<a href="#">Alan Greenberg</a> (NARALO)	27.11.2012	30.11.2012 00:00 UTC	30.11.2012 18:00 UTC	30.11.2012 20:00 UTC	05.12.2012	06.12.2012	07.12.2012	Steve Gobin <a href="mailto:steve.gobin@icann.org">steve.gobin@icann.org</a>	AL/ALAC/ST/12 12/1

\* Status will be confined to the following terms: Drafting, Commenting, Voting, Adopted, Rejected, Suspended, No consensus, No statement, To Be Confirmed (TBC), Other

Comment/Reply Periods (*)		Important Information Links
<b>Comment Open:</b>	11 October 2012	
<b>Comment Close:</b>	<del>11 November 2012</del> Extended to 18 November 2012	
<b>Close Time (UTC):</b>	23:59	<a href="#">Public Comment Announcement</a>
<b>Reply Open:</b>	<del>12 November 2012</del> Extended to 19 November 2012	<a href="#">To Submit Your Comments (Forum)</a>
<b>Reply Close:</b>	<del>30 November 2012</del> Extended to 7 December 2012	<a href="#">View Comments Submitted</a>
<b>Close Time (UTC):</b>	23:59	Report of Public Comments

Brief Overview			
Originating Organization:	ICANN Registrar Relations Department		
Categories/Tags:	Top Level Domains, Policy Processes, Contracted Party Agreements		
Purpose (Brief):	ICANN is opening a Public Comment Period for the draft Expired Registration Recovery Policy. Members of the Internet Community are asked to provide feedback on the proposed document. The proposed Policy is based on recommendations from the Generic Names Supporting Organization Council related to Post-Expiration Domain Name Recovery ("PEDNR")		
Current Status:	The Generic Names Supporting Organization Council ("GNSO") initiated a Policy Development Process in May 2009, which resulted in the submission of several policy and process recommendations to the ICANN Board of Directors, which the Board approved on 28 October 2011. ICANN staff developed this proposed, draft Policy in consultation with an Implementation Review Team convened by the GNSO.		
Next Steps:	ICANN will review the submitted comments and, where appropriate, incorporate suggested modifications into the Policy. Once finalized, the Policy will be implemented and made effective for all gTLD registrars and registries.		
Staff Contact:	Steve Gobin	Email:	<a href="mailto:steve.gobin@icann.org">steve.gobin@icann.org</a>

Detailed Information
<b>Section I: Description, Explanation, and Purpose</b> <p>The <a href="#">Registrar Accreditation Agreement</a> between the registrars and ICANN contains a number of provisions outlining the obligations of registrars to communicate the details of their deletion and auto-renewal policies to new registrants. However, because of diverse registrar business practices in the way registrations are handled after they expire, some registrants might not fully understand their available options for recovering domain names post-expiration. Many registrars currently offer post-expiration grace periods of varying lengths, during which registrants can renew expired names. Similarly, manygTLD registries and registrars offer registrants a redemption service, allowing registrants a certain amount of time to redeem names after they are deleted.</p> <p>The proposed Expired Registration Recovery Policy is intended to help align registrant expectations with registrar practices by establishing certain minimum communications requirements and making renewal and redemption of registrations uniformly available in prescribed circumstances. When the Policy is finalized, ICANN will create educational materials in consultation with interested stakeholders to help registrants properly manage their registrations.</p>
<b>Section II: Background</b> <p>At the request of ICANN's At-Large Advisory Committee, on 5 December 2008, ICANN published an <a href="#">Issues Report</a> [PDF, 422 KB] on the topic of Post-Expiration Domain Name Recovery. The Generic Names Supporting Organization Council ("GNSO") initiated a Policy Development Process in May 2009, which resulted in the submission of several <a href="#">policy and process recommendations</a> to the ICANN Board of Directors. The ICANN Board approved the recommendations on <a href="#">28 October 2011</a>, directing staff to implement this policy.</p>
<b>Section III: Document and Resource Links</b> <p><a href="#">Draft Expired Registration Recovery Policy</a> [PDF, 94 KB]</p>
<b>Section IV: Additional Information</b>

None

*(\*) Comments submitted after the posted Close Date/Time are not guaranteed to be considered in any final summary, analysis, reporting, or decision-making that takes place once this period lapses.*

## FINAL VERSION TO BE SUBMITTED IF RATIFIED

[Please click here to download a copy of the PDF below.](#)



[ALAC Statement on the Expired Registration Recovery Policy.pdf](#)

## FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The PEDNR PDP recommended that information about renewal fees and how a registrar will contact a registrant should be readily made available on the registrar web site (Rec. 5 & 6). It was the clear intent of the recommendations that this apply to ALL registrants.

Paragraphs 4.1 and 4.2 of the ERRP (<http://www.icann.org/en/resources/registrars/consensus-policies/errp/draft-policy-11oct12-en.pdf>) require, among other things, that if a registrar operates a web site, certain information must be clearly displayed there. Paragraphs 4.1.2 and 4.2.3 require that a reseller, if one is used, must similarly display this information.

It is the understanding of the ALAC that the belief within the PEDNR WG was that all provisions of the RAA that applied to registrars must be enforced by registrars on resellers (for those who use them). Since that has now proven to be false (<http://forum.icann.org/lists/draft-errp-policy/msg00004.html>) it is imperative that either sections 4.1.2 and 4.2.3 of the proposed ERRP not be omitted, or the ERRP wording otherwise be adjusted to ensure that it covers websites operated by resellers.

The ALAC understands that registrars might be reluctant to include terms that have not been fully vetted during the PDP process, but the two paragraphs in question are identical in impact to the existing 3.12.5 and should have no unforeseen consequences not already in the current RAA.

Without these two paragraphs, there is no obligation for a registrar to ensure that a reseller displays this information and a significant percentage of registrants, those who deal with resellers, may be deprived of this information. The access to this information that the PDP was attempting to ensure is no longer guaranteed, and the registrar, by subcontracting services to a reseller, has effectively been relieved from fulfilling these RAA obligations. This calls into question the value of the immense time and energy that the community puts into developing PDP Consensus Policy Recommendations and indeed the effectiveness of the entire RAA. Resellers are responsible for a large percentage of gTLD registrations, particularly those by individual users, and they should be afforded the FULL protection of their rights under the RAA.