



# GNSO Council Meeting – 23 July 2009

## Agenda Background Information

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### **Inter-Registrar Transfer Policy Part B PDP WG Charter**

#### **What is the GNSO Council deciding on today?**

The GNSO Council will decide today on the Charter for the Inter-Registrar Transfer Policy (IRTP) Part B Policy Development Process (PDP) Working Group. This PDP, which was initiated at the last Council meeting in Sydney (24 June 2009), concerns three issues related to undoing domain name registration transfers and two issues related to registrar lock status. The Charter was briefly discussed at the last meeting, but it was decided that additional information should be included relating to the involvement of the ICANN Compliance Team in this PDP. This information has now been included in the updated Charter that will be voted upon at this meeting.

#### **Why is this important?**

The Inter-Registrar Transfer Policy (IRTP) is a consensus policy that was adopted in 2004 to provide a straightforward procedure for domain name holders to transfer domain names between registrars. As part of an overall review of this policy, a number of areas have been identified that require further clarification or improvement. Enhancements of the IRTP would be beneficial to the community in general, particularly for registrants, as well as those parties (gTLD registries and registrars) who are obligated to comply with the policy provisions.

#### **How can I get involved?**

Following the adoption of the working group charter a call for volunteers will be launched. Please monitor the GNSO announcement web site (<http://gns0.icann.org/announcements/>) or contact the GNSO secretariat ([gns0.secretariat@gns0.icann.org](mailto:gns0.secretariat@gns0.icann.org)) to be added to the IRTP Part B mailing list.

#### **Where can I find more information?**

You will be able to find more information on the IRTP Part B Wiki which has been created to facilitate collaboration and sharing of information (see [https://st.icann.org/irtp-partb/index.cgi?irtp\\_part\\_b](https://st.icann.org/irtp-partb/index.cgi?irtp_part_b)).



## Background Information

The Inter-Registrar Transfer Policy (IRTP) is a consensus policy that was adopted in 2004 to provide a straightforward procedure for domain name holders to transfer domain names between registrars. As part of an overall review of this policy, a working group identified issues for improvement and clarification, and then categorized all the issues. In one category, a policy development process (PDP) focused on clarifying the reasons for denial of a transfer. The other issues fell into five PDP categories, labeled Parts A through E, to be addressed sequentially. The request for an issues report to address IRTP Part B, was adopted by the GNSO Council in April 2009. The IRTP Part B issues report (see <http://gns0.icann.org/issues/transfers/irtp-report-b-15may09.pdf>) addresses three issues on undoing transfers and two issues related to registrar lock status (see proposed charter for further details).

The following charter is under consideration:

The Working Group shall consider the following questions as outlined in the issues report and make recommendations to the GNSO Council:

- a) Whether a process for urgent return/resolution of a domain name should be developed, as discussed within the SSAC hijacking report (<http://www.icann.org/announcements/hijacking-report-12jul05.pdf>); see also (<http://www.icann.org/correspondence/cole-to-tonkin-14mar05.htm>);
- b) Whether additional provisions on undoing inappropriate transfers are needed, especially with regard to disputes between a Registrant and Admin Contact (AC). The policy is clear that the Registrant can overrule the AC, but how this is implemented is currently at the discretion of the registrar;
- c) Whether special provisions are needed for a change of registrant when it occurs near the time of a change of registrar. The policy does not currently deal with change of registrant, which often figures in hijacking cases;
- d) Whether standards or best practices should be implemented regarding use of a Registrar Lock status (e.g. when it may/may not, should/should not be applied);



- e) Whether, and if so, how best to clarify denial reason #7: A domain name was already in “lock status” provided that the Registrar provides a readily accessible and reasonable means for the Registered Name Holder to remove the lock status.

To inform its work, the WG should pursue the availability of further information from ICANN compliance Staff to understand how elements of the existing Inter-Registrar Transfer Policy that are applicable to the above questions are enforced. The WG should also request compliance Staff to review any policy recommendations it develops and provide advice on how the recommendations may best be structured to ensure clarity and enforceability.

Working Group processes:

While the development of Guidelines for Working Group operations are still to be developed the guidelines at the following link will apply to this WG:

[https://st.icann.org/gnso-council/index.cgi?working\\_group\\_process](https://st.icann.org/gnso-council/index.cgi?working_group_process)

Milestones

- WG formed, chair & Council liaison & staff coordinator identified = T
- Initial Report: T + 170 days
- First comment period ends: T + 190 days
- Preliminary Final Report: T + 220 days.

Note: If the WG decides that a change is needed to the milestone dates, it should submit a revised time line to the GNSO council for approval