Inter-Registrar Transfer Policy Part B PDP
Transcription
Tuesday 15 December 2009 at 15:00 UTC

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http://audio.icann.org/gnso/gnso-irtp-b-20091215.mp3
On page:
http://gnso.icann.org/calendar/index.html#dec
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Participants on the Call:
Michele Neylon – RrSG – chair
Paul Diaz – RrSG
Tim Ruiz - RrSG
Chris Chaplow - CBUC
Berry Cobb – CBUC
Anil George – IPC
Kevin Erdman – IPC
Mikey O'Connor - CBUC

Staff:
Marika Konings
Glen de Saint Géry

Apologies:
James Bladel – RrSG
Matt Serlin – RrSG
Barbara Steele - RySG

Michele Neylon: Could we have a roll call please?

Glen de Saint Gery: Yes, certainly Michele. Good morning, good afternoon everybody. We have on the call today Michele Neylon who is the chair of the IRTP Group, Kevin Erdman from IPC, Berry Cobb from the Business Constituency, George - Anil George from the IPC and Chris Chaplow from the Business Constituency. And for staff we have Marika Konings and Glen de Saint Gery. Thank you Michele, over to you

Michele Neylon: All right. Thank you. Good afternoon or I would - good morning and good evening and whatever. How we all this afternoon?

Chris Chaplow: Fine, thank you.

Michele Neylon: Okay. In terms of turnout today I gather from the conversation we were having before that we started recording this that there's a clash with a couple of meetings at the moment which is why our turnout is so bad.

Marika, which meeting is this clashing with today?

Marika Konings: This is Marika. There is a meeting -- let me just check the official name of that -- of the High Security TLD Program Advisory Group. And I've...

((Crosstalk))

Marika Konings: ...already spoken with the person that's responsible for organizing that meeting and asked him if, you know, going forward if he can please avoid this slot and any other GNSO working groups that have members in common. So I've already shared with him the details of those days and times that we normally have our calls. So hopefully this will only be today that clash.

Michele Neylon: Right. I think that's a short-term group as well, isn't it? I mean it was just - if I'm...

Marika Konings: No.

Michele Neylon: ...not mistaken it was something that was called together for just a couple of meetings or something?

Marika Konings: Well, no, I think they need to deliver something by Nairobi but what I understood from (Craig) is that they do have some quite some work that they need to do so...

Michele Neylon: Oh, okay.

Marika Konings: ...they are looking at, you know, biweekly if not weekly calls as well of that group. But I think they are going to discuss that actually at today's meeting and determine what is required and when and how often they should meet.

Michele Neylon: Oh, okay. Fair enough. Perfect. I see Paul Diaz connecting as well just now.

Paul Diaz: Thank you. Sorry I'm late.

Glen de Saint Gery: Yes.

Michele Neylon: You are forgiven. Just don't do it again or else we'll make you stand in the corner. We have apologies from Matt Serlin, (Mike Hughconnor), James Bladel and one other person.

Marika Konings: Barbara Steele.

Glen de Saint Gery: And Barbara Steele.

Michele Neylon: Barbara Steele, thank you.

Glen de Saint Gery: Yes.

Michele Neylon: Okay. Marika would you just let us know as soon as you get a chance anyway if there's going to be problems with this timeslot in terms of clashes. If we need to look at rescheduling or whatever, then obviously we prefer to do that sooner rather than later.

Marika Konings: Yes. And I apologize for not being aware of this conflict. I only realized as well when (Mike) actually sent the email of his apologies to this group which I think I saw this morning.

And immediately after that I contacted my colleague who is responsible for organizing the other meeting and strongly advising him next time to check in with us just to make sure that there are no conflicts as there are a number of members that we have in common with this group and as well with other GNSO working groups.

Michele Neylon: Well it's not your fault, it's his fault. Blame your col - I blame your colleague, not you because we were here first. Anyway, okay, moving on now that we've finished bitching and moaning about other people (right) (unintelligible). Okay.

The agenda we have today is to continue looking at the public comments periods grid and the constituency/stakeholder statement stuff. Does anybody have any other matters that they wish to raise at this time before we plow into those?

Marika Konings: This is Marika. One other thing would be to look at the schedule going forward. I mean it can be done on a (point four) confirm the next meeting but just so that we make sure that we confirm a date for after the holidays as I presume, you know, based on our normal schedule we wouldn't be meeting next week and I presume people don't want to meet between Christmas and New Year's either.

Michele Neylon: Well if people want to meet between Christmas and New Year's, they may do so but I won't be involved. I'm not going to be available. Okay, looking at post-Christmas the - what days would it be? The 5th I think of January is the next Tuesday after Christmas unless I'm mistaken.

Marika Konings: Correct.

Glen de Saint Gery: That's right.

Michele Neylon: Unless anybody has any reason not to, I would suggest that we look at having the next meeting on the 5th of January because obviously we're not going to have one on the 29th.

Chris Chaplow: Chris here. Michele, the only thing is we've got them already booked in a two-week cycle. I suppose it's not critical, is it? But it just...

((Crosstalk))

Michele Neylon: Oh, well...

((Crosstalk))

Chris Chaplow: ...makes it a little bit easier.

Michele Neylon: Well the only problem is if we skip - okay, we can't go for the 29th because that's being realistic most people are going to be doing the family thing. And even if we don't have families we'll have hired one just for the interim. The next one after that then would be the - if we skip the 5th then we don't have anything again until the 12th.

((Crosstalk))

Marika Konings: This is Marika. And another issue that we might want to discuss I don't know now or maybe in the beginning of January. I mean if we want to have some kind of draft document or some kind of initial status update by Nairobi, you know, we might want to consider at some point as well stretching to weekly meetings in order to get some more stuff done.

I mean some of the other working groups are now coming to closure like (ICIF) hello(unintelligible) and things like that so the question would be as well what if people have the time to maybe at some time consider switching to weekly calls. Our people can think...

((Crosstalk))

Marika Konings: ...on that over the holidays as well if they want to. I don't need an answer on that now.

Michele Neylon: Okay. Well, I mean, just something which is worth considering. What do people feel about moving towards having weekly meetings?

Chris Chaplow: I'm personally okay. Chris speaking.

Michele Neylon: Okay.

Berry Cobb: I'm fine with it. This is Berry.

Michele Neylon: Berry.

Paul Diaz: Same with Paul, no problem.

Michele Neylon: Okay. One of the things that Marika and I were discussing I think it was yesterday, sorry I've lost all track of time so I don't know whether it's day or night half the time. It was yesterday I was talking to you Marika, wasn't it?

Marika Konings: Yes, that's right.

Michele Neylon: Thank you Marika. One of the things that we were discussing yesterday was looking at timelines in terms of actually producing something tangible out of this process so that your Tuesday afternoons aren't a total waste of time.

The GNSO Council meeting schedule I think through until after Nairobi has been posted already with the deadlines for documents and everything else. So if we want to get something in to - even if it's just kind of a rough draft or whatever, we need to kind of meet certain deadlines in order for that to be

feasible. So where was the deadline thing? What were the dates on that again Marika? You might have them to hand.

Marika Konings: I don't have them at hand but I think...

((Crosstalk))

Michele Neylon: That's okay.

Glen de Saint Gery: I look it up Michele. Give me two minutes.

Michele Neylon: That's okay. I have them here. I can probably pull them up. It's just my - I'm just on my slower desktop machine here. What the hell has it gone to?

Marika Konings: Just on a general note, if we want to have a community discussion in Nairobi, I think the deadline is 15 working days beforehand the document needs to be - or ideally needs to be available for people to review. But that's specifically the thing at Nairobi.

Michele Neylon: Okay. For Nairobi we'd need to have something in by about the 15th of February from what I'm seeing here. I've got three dates on the...

Woman: That's right.

Michele Neylon: ...spreadsheets.

((Crosstalk))

Michele Neylon: I don't know what those three dates refer to, but I presume it's something to do with the Nairobi meeting, 6th, 7th and 10th March. What happened to the 8th and 9th? Glen?

Glen de Saint Gery: Yes?

Michele Neylon: What happened to the 8th...

Glen de Saint Gery: The 6th and 7th are the days on which we have our working sessions, the GNSO working sessions.

Michele Neylon: Is that the weekend? The weekend before the...

((Crosstalk))

Glen de Saint Gery: That's the weekend and the 10th will be the day of the council meeting.

Michele Neylon: Okay. So basically - all right. Okay. So that's specific...

Glen de Saint Gery: Okay?

Michele Neylon: ...to the GNSO meetings. Yes, yes, yes, yes, that's much clearer. Sorry. Okay, thank you. Yes...

((Crosstalk))

Glen de Saint Gery: And basically the date for all that says the 15th of February.

Michele Neylon: Okay. Perfect. Right. So would - do we - would it be reasonable to expect us to have something to work with in Nairobi or are we being unreasonable in aiming for that?

((Crosstalk))

Marika Konings: This is Marika. If I could just add something on, you know, having something for Nairobi could be as well just an outline of the discussions we've had and possibly some ideas of suggestions that we've discussed on each of these questions to maybe have a (borrowed) discussion with the community.

I mean that could be - instead of having maybe, you know, a finalized initial report, you know, and take it out of public comment at the same time, it might be something more of a first draft of the initial report. So there already can be some discussions if people feel that might be useful for further deliberations of the group.

Michele Neylon: Okay. Anybody else?

Chris Chaplow: Yeah, Chris speaking. I think it would be desirable for us to table something, wouldn't

Michele Neylon: The thing from my perspective is if we don't start looking and putting some kind of deadlines, this is just going to go on forever.

Chris Chaplow: That's right. And also if we're on a two-week schedule, we've only got after today then, three meetings before the 15th of February.

Michele Neylon: Well I think we need to revise the two weeks - the two-week meeting concept anyway after Christmas. And maybe if we discuss that after Christmas rather than trying to make a decision today.

((Crosstalk))

Michele Neylon: I think we do need to look at that. I mean think about as a kind of a takeaway from this is to consider, okay, after Christmas can we move towards having weekly meetings or something along those lines?

Somebody else mentioned on a different working group yesterday the idea of trying to proactively discuss topics by the mailing lists. The problem with that I think is that quite a few of us have other - what's that word I'm looking for? Hold on. It begins with an R. Oh, yeah, responsibilities. So that might not work too well.

Any thoughts people? No? Okay. Well maybe we can just kind of follow this up towards the end. Right. So Marika could you continue with the grid please?

Marika Konings: Yes, of course, Michele.

Michele Neylon: Thank you.

Marika Konings: We left it last time at Issue C (where it says), "Special provisions are needed for change of registrant when it occurs near a time of a change of registrar. The policy doesn't currently deal with the change of registrant which often figures in hijacking." And a comment made there was that any kind of changes such as registrant change should be followed by a cooling-off period which should be no longer than ten days.

Michele Neylon: Okay. Any comments on this?

Paul Diaz: Michele, it's Paul.

Michele Neylon: Yeah.

Paul Diaz: Or Marika, I don't recall the exact post but any sense where they came up with a number like ten days? Why 10 as opposed to the 30, 45, 60? I mean just it seems like a number picked out of thin air.

Marika Konings: I don't know. I would need to look back to the original comments. I can just speculate that maybe the current (passage) where some have 60 days was considered too long and maybe ten days seems more reasonable. But again, I'm just speculating here.

Paul Diaz: Yeah. That's all I'm asking for too. It's just, you know, seems one extreme versus another.

Michele Neylon: Okay. I mean just realistically when it comes to timelines, what do people think are good times to look at? I mean is ten too short? Too long? What are people's thoughts on it in general? I'm not saying specifically in relation to this particular comment, just in general terms.

Paul Diaz: I'll offer Michele. It's Paul again. I would think ten is on the short side just because if you mean ten calendar days, what does that mean for business days, getting in touch with people? If there's something that needs to be resolved, sorted out and the ten-day period especially with calendar days starts the clock ticking it can be difficult getting in touch with someone whose information is not accurate. I mean we all can imagine.

    I don't necessarily have an opinion, you know, how much time is needed but ten seems short and considering all things in the ICANN realm, the amount of time given the only thing that's less than ten days would be (add) grace period. But typically you have much longer timeframes to work in...

((Crosstalk))

Michele Neylon: Okay. Now can I be a nasty swine? Not that whether you say yes or no is going to make any difference to what...

((Crosstalk))

Michele Neylon: ...I'm going to say anyway.

((Crosstalk))

Paul Diaz: Chairman's prerogative.

Michele Neylon: Oh, totally. Let's say for example in the - one of the things that has come up time and time again is in relation to hijacking of domains. So if for example I

were to hijack networksolutions.com, which I'd know you'd say is impossible, but if I were to somehow manage to hijack networksolutions.com, would you be willing for me to retain possession of that domain name for longer than ten days?

Paul Diaz: No. Of course I'm following you but let's think about this particular issue. The question is put forward to us in our charter question. If special provisions are needed for change of registrant, okay, when it occurs near the time of the change of registrar. Okay, so at this point we've not seen a hijacking take place.

Michele Neylon: Okay.

Paul Diaz: The charter question is asking us, all right, you have gotten into an account. You have changed registrant information to some email that you can control and then initiate a transfer request. And this very often sets off red flags because it's suspicious...

Michele Neylon: Okay.

Paul Diaz: ...and it could factor into a hijacking attempt.

               Yeah, so it hasn't happened yet, the question becomes should registrars for security purposes have the ability to freeze that account for a set period to make sure that it's not some mischievous activity?

Michele Neylon: Okay.

Paul Diaz: Right. The question is, how long - what is reasonable to freeze the account? If it's a legitimate circumstance, the counter-argument that's often given is that, hey, it's somebody who had not really focused on their account. It's come very close to renewal time, they realized they need to take advantage and they want to switch to a different registrar and all these things happen.

I know I can speak for Network Solutions, we have a process where even if we've frozen the account, the registrant can call into customer service, providing a couple pieces of information demonstrating they are who they really say they are, they can get that lock removed and the transfer will be allowed to move forward.

That's how we do it. It's not how everybody does it and that could be in less than ten days. So if it's a legitimate case, the person calls, they demonstrate their bona fides and everybody's happy.

In the event that it's some mischief, somebody's gotten into an account, changed the admin because they were intending to try and hijack and whatnot, yes, sometimes you have a very dedicated social engineering crook that may try. But for the most part that security measure, that lock, will protect the legitimate registrant who is probably totally unaware of the attempt on his domain.

Michele Neylon: Marika.

Marika Konings: Yes, this is Marika. I just looked back to the original comment and basically the person is saying that, "I would however prefer to see lower delays than 30 days. I think that one week or up to ten days would be better." And (unintelligible) his reason for stating seven or ten days basically.

Michele Neylon: Does anybody else have any thoughts on this? I mean, okay, I know it's a bit - I mean the other thing as well - okay, I'll rephrase this. First thing is, I'll pick on Paul. Paul, does Network Solutions track the number of - how can I phrase this - the number of potential incidents that your internal policy may have avoided?

Paul Diaz: I will say probably. The data is not available publicly, let's put it that way.

Michele Neylon: Then could you if I were to - I mean the thing is this, as things stand at the moment there seems to be an issue with - there's a perceived issue with some policies that registrars have put in place in order to protect registrants. The problem is that we don't seem to have a huge amount of data on this, okay.

And it's kind of like you might say, "Well this is preventing something," but the counter-argument is that somebody's saying, "Well you're holding on to my domain for ten days." I mean is that policy of yours, is it clearly stated on your Web site or how does somebody find out about it and what - how is that communicated?

Paul Diaz: The details of what we do because of what we're trying to do it's a security measure it's not spelled out in great detail. Customer service is there 24/7 toll free, email-based, you know, however folks need to prefer to get in touch. And the process will be explained to them at that time so that again for legitimate people they can work through it.

Data that I've seen - internal data and I'm sorry it's proprietary. We won't go into any detail publicly on how many cases but the mechanism we have in place which has been refined repeatedly over time has been quite effective in protecting legitimate folks.

And again our policies are such that for those who do have a need it may have tripped a flag and we put the freeze but they can legitimately demonstrate they are who they say they are and have the right to the registration, they can have that lock undone and move their name out. And again, all that will be explained by customer service and often it can be affected in very short order.

Michele Neylon: Okay. Anybody have any other thoughts or comments?

Berry Cobb: This is Berry. I guess I just have a quick question, trying to really understand the Issue C question in general. Let's put aside all of the possibilities for abuse that we're trying to correct here.

I guess my question is, you know, how often would a legitimate person out there be making an update to their registrant - or that there is a change of registrant within a short timeframe that all of the sudden they're going to change a registrar as well? Or can somebody give me a real-world example of what's going on here?

Paul Diaz: Yeah. Was that Berry?

Berry Cobb: Yes, this is Berry. I'm sorry. Thank you.

Paul Diaz: Berry, no problem. It's Paul again. My example that I offered is actually quite common that the true registrant it's - the domain name is coming up for renewal and, you know, sort of at the 11th hour they realize, "Whoops, I have to renew." They go into the account and they want to make changes and they also want to transfer the name to a new registrar and they're trying to do this right at the end just before the renewal deadline takes place.

What you'll often find is that a name might have originally been in the name of somebody in the technical side of the organization and they now want to change it to, you know, somebody else. Again, we can work with them and get that - work that out when it's legit. But there are plenty of people that are tracking valuable names that see opportunities like this and we'll try to gain the system, take advantage and steal the name away.

Berry Cobb: Okay. Good. Thank you. Yeah, I do appreciate the - I'm going to call it a best practice from your guys' perspective that there is this manual method that I could turn off the locks and still complete my transaction.

I guess the only thing that I'm starting to see out in the community is, you know, there's these communications out to the registrants that, you know, is asking you to update and verify your WHOIS. And if that does happen to fall right about the time that I am going to renew my domain, then it kind of becomes as somewhat of a - I'll just kind of say forced if you will that I need to go update my changes.

And typically when I do it I'll go through and for the sake of being comprehensive, like when I add new domains to my account there might need to be a change in like my 866 phone number or, you know, some people will choose instead of using their actual name, they'll put domain admin instead of their actual name to try to use a hint of privacy if you will.

I guess that kind of forces the lock without them knowing it but I would certainly agree that if there is any kind of policy set forth here, then we would definitely want to associate the best practice of allowing some sort of manual way to unlock it for the legitimate aspect. Thank you.

Michele Neylon: Anil.

Anil George: Thank you. I was just thinking - yeah, I'm not sure what the correct number of days would be but it sounds like, you know, in some instances as Paul was saying they're able to take care of it in a relatively quick manner. But I guess we have to think about registrars that are not able to do that or may not have processes in place.

So we probably have to consider all sorts of entities that are a mixed bag. And for them in bad situations, you know, ten days may not be enough. And maybe it has something to do with allowing them to lock it for a period and then remove it when it's understood that the right registrant is going to be - or registrar is going to maintain the...

Michele Neylon: Okay. I see somebody else there in the queue. Chris I think it was and then Paul.

Chris Chaplow: Yes. So the unlocking obviously it's easier for a registrar to satisfy themselves or come up with some necessary documentation that they need to satisfy themselves. It gets more complicated for us in actually defining a policy, doesn't it?

But actually what I wanted to just ask or think about is in the legitimate buying process, I'm assuming that in most cases we're looking at the change of a registrar. So is it normally done - the change of registrant is done before the change of registrar or vice versa?

Michele Neylon: Do you mean...

((Crosstalk))

Michele Neylon: Do you mean in terms of an auction process or what are you talking about?

Chris Chaplow: Well it might be an auction or it might be just two parties deciding to sell a domain from one to another.

Michele Neylon: Okay.

Chris Chaplow: So having agreed the deal as it were, the next step has either got to be change of registrant or change of registrar. Which comes first? Which would normally come first?

Michele Neylon: Either.

Chris Chaplow: And is one - is that balanced either or is normally one way or the other or is it....

Michele Neylon: I mean I can only speak from my own personal experience. I've seen some places where they do - where it's one. I've seen others where it's the other and others where you could choose. I don't' know if anybody else wants to make any comments on that. Anybody else? Has anybody else bought any domains from the aftermarket or sold them?

Paul Diaz: Well our experience as registrars -- this is Paul again -- (unintelligible) what you describe Michele that unfortunately it's not predominantly one or the other, it's a mixed bag of both.

Michele Neylon: I can see reasons why both okay - why it's good because it's (fluid), personally as a buyer. Chris...

Chris Chaplow: Yeah, as a buyer, I mean I haven't bought many, but I think I would prefer to change registrar first and get the domain into my account and then try and change the registrant details. That's just my feeling.

Michele Neylon: Okay. I've been - okay, from my perspective as both a registrant and a registrar I'm - I mean no offense to Paul, but if I pick up a domain that happens to be registered with Network Solutions I'm hardly going to leave it there unless I have to. I'm obviously going to move it to my own accreditation. Paul anyway you were next in the queue.

Paul Diaz: Sure. And just to follow on, you know, I totally agree with you Michele. I mean we do the same. We have clients that simply want to consolidate portfolios. It's understood. I mean that's why we have a free market like this that people can move to the registrar of their choice.

I think you have to remember of course that in the case of a domain name transaction, whether it's to sell or an auction what have you - you know, unless you have a lot of confidence and a lot of faith in the person that you've acquired the name from, getting the name in your - under your control to

begin with to change the registrant contact information will probably precede a change of registrar.

Otherwise you're dependent on that selling party to move the name to the registrar of your choice for you. And if people have put up a lot of money, they're probably not going to be willing to do that. They want to have control. But, again, there are various examples.

The only reason I raised my hand, I wanted to go back when we were - to Anil's point when we were talking about timelines and whatnot, please also understand one of the reasons I think ten days is probably too short is that like we have to do in the case of a breach, if we get notified of a bad WHOIS contact information, registrars sometimes - even in our on own records, the only thing we have to go on, emails bounced, phones aren't answered, so we have to send snail mail to a - to the registrar asking them to correct.

The same sort of thing might occur here if the - in the case of a change if we try to reach out to the registrar, if we can't get through to them, the only thing we may have on file is a mailing address. And if you have to use the postal service, in particular if that individual lives in a country other than the country of origin for the registrar, you know, ten days is simply not going to be enough time to get the letter out there, get them to respond, and send it back in.

So it's just a thought, again, for whatever the timeframe here is, ten may be too little, you know, the higher end we can debate as part of the Working Group.

Michele Neylon: Okay. Any other thoughts on this? Hello. You've all gone very, very quiet. I know that Paul is a very good interlocutor, but seriously guys come on. Don't be afraid to query him. No. Okay.

In terms of the - of developing policy then, do we think that at this juncture those of us who are on this call, do we think that something needs to be put

in there about changes of registrant data prior to a transfer? Does something need to be in the policy or is the current policy okay as it is? Hello.

Marika Konings: I have my hand up.

Michele Neylon: Oh, sorry, it's just - it's gone terribly quiet. Go ahead, Marika.

Marika Konings: I mean, I don't have a, you know, a view or an opinion on that question you just asked whether, you know, there should be a specific change in the policy. But I was just wondering as well as we've been talking as well and alternative answer to this question might relate to the means and, you know, speed by which legitimate registrants can unlock domains after they've been locked in these kinds of instances. So I wonder as well if this question could possibly be addressed as part of Questions D and E that relate to best practices around registrar locks. Just an idea.

Michele Neylon: Okay. Okay, then. Anybody have an - oh my God, all the hands went up. I'll take Paul, then Anil, no, I'll take Anil then Paul. Sorry. Anil, please.

Anil George: (Unintelligible) I would think because we've been charged with really examining this issue of hijacking, this is a problem that occurs in real life. It seems that it occurs because perhaps certain procedures are not in place or could be in place. I mean, I guess we can debate what those procedures should be, but it sounds like we should think about what would be ways or procedures that could hopefully minimize the occurrence of this event. And the fact that it's occurring would suggest that we need to look at procedures as an important part of that process.

Michele Neylon: Okay. Paul.

Paul Diaz: Yeah, I completely support what Anil just said. Anything we do here let's always remember to address one issue, that we don't create loopholes and

security concerns. We don't want any unintended consequences coming out of the Working Group's efforts.

I had two thoughts here. One, addressing Marika's points about the timeframes to unlock, of course the existing rules do talk about the mechanism that exists cannot be any more cumbersome. And I'm blanking on the exact language, but there is something in the policy already. I question, you know, in cases where registrars are making it very, very difficult to remove a lock, to me that then becomes a compliance issue. I don't know if we necessarily need to create additional verbiage because there is something in the existing rules.

And as far as issues, you know, C, do we need to specifically address registrar. We have something of a chicken and egg issue here, I think, in that one of our charter questions also talks about should admin be raised up to the same level as registrant.

And we kind of have to think that through and come to a consensus. Because if that's the case then, you know, admin and registrar would have to be specifically cited. If we only cite registrar then I guess that implies we're going to maintain the status quo vis-à-vis the more important or the highest authority in terms of control over a name.

I don't necessarily have a view on that, but I'm just looking at our charter questions and it seems we can't get to one without first addressing the other.

Michele Neylon: Okay. Anybody else have any thoughts on this? (Tim), you can come out of the corner now. It's okay.

(Tim): Thanks. Sorry about that.

Michele Neylon: Just don't do it again. We're very upset. We thought, oh my God, like, oh God, they have deserted us, what are we going to do? The world is no longer spinning on its axis.

My designer informs me that his cache has rebooted his laptop. Okay. Right. I'm just looking at the current policy. The - hold on a second, where is this? Is it in - where is the section about - could somebody remember which section it is where you can - the reasons for denying transfers? Which section is that again? Applications, evidence of fraud, oh yeah, denial, evidence of fraud.

So would the existing evidence of fraud argument hold true in this at the moment if there's a change of registrant or does something specific need to be added, I suppose is the question.

Man: I'm sorry, would you say that again, Michele?

Michele Neylon: Sorry, no I'm just looking - I'm looking at the existing policy documents for the transfer of registrations between registrars. Now without getting into the entire admin versus - the admin contact versus the registrant contact, just in terms of reasons for denial of a transfer, there are a specific set of rules there. And as Marika pointed out those - the entire thing with the locked statuses which comes into play. Or should we look at the locked statuses first, more directly?

Okay. Well, okay, we'll move on then. Marika, could you move on to the next bit please?

Marika Konings: Yes. So the next bit is Issue D, whether standards or best practices should be implemented regarding user registrar locked status. An example given, when it may, may not or should not be applied. And the first comment there is that any discussion should be in line with the current protocols as registrar lock was using RRP, which has been superseded by EPP.

And if I can recall (unintelligible) that the person provide some more technical detail as to why I think the current statuses that are being used are not correctly - are not in line with EPP. But I'd have to refer that to someone that's more familiar with EPP to probably explain it in further detail.

Michele Neylon: Okay. Anybody have any thoughts on this? No. Okay. Oh, (Tim), sorry, (Tim), I didn't see you. (Tim)...

((Crosstalk))

(Tim): ...I was a little bit slow getting my hand up. Yeah, you know, that just my thought would be that, you know, while - or it might be - there may be some things that the group might consider, but what we wouldn't want to do is limit registrars' ability to be innovative.

And I think if you look around, especially at some of the - at least some of the more well-known registrars, and I'm sure other registrars are doing the same thing, but they, you know, have implemented various security types of services of their own that help to secure and lockdown or protect domain names from being hijacked or changed fraudulently or whatever. And I think that those have value and I wouldn't want to take away that ability or the ability of registrars to differentiate themselves.

So just kind of throwing those caveats in there as anything being considered as far as, you know, limitations on how a lock might be used.

Michele Neylon: Okay. Chris is asking a (unintelligible) question. I can't remember what RRP stands for. Could somebody please tell me what RRP stands for?

Man: I think Registry Registrar Protocol, I think.

Michele Neylon: And EPP is exens - oh God, Extensible Provisioning Protocol, which is a way of - how can I say - it's a way for cert - for registrars to communicate with

registries and it's basically sending loads of XML messages backwards and forwards. That's how registrations and updates are handled these days.

Man: Thank you.

Marika Konings: And - this is Marika. I'm just looking back at the original comment and you're suggesting that a more appropriate term would be to speak about client transfer prohibited status value?

Michele Neylon: Okay, so it's the actual value in WHOIS that he's referring to specifically, is it?

Marika Konings: If I understand him correctly, I think his indicator is under EPP you can have different statuses that appear in the, like, client is prohibited and, you know, just an example. So I think he - I think the point he's trying to make is that we're talking about within that context you can have different kinds of locks that have different purposes and different meanings.

So what I think is right instead of registrar locks, seems to imply a (unintelligible) that there's only one kind of lock, while I think the point he's trying to make is actually on the EPP you have different categories that are used in different cases depending on the scenario that is involved. And I hope Paul is going to...

((Crosstalk))

Michele Neylon: Okay, Paul, would you - have you...

((Crosstalk))

Paul Diaz: I think Marika is absolutely dead on. I - my guess with this person, if we had the ability to reach back out to them, anybody who's talking about technology and protocols is a well-informed customer and, you know, as a member of the group, I'd really like to hear more about what their thinking was.

But I think that part of what they're probably saying here is also that stick with the locks that exist in the protocols, not some - something that particular registrars made up. They call it there own super duper lock and it's not - it's unique to that particular registrar.

I mean, a criticism we've heard in other Working Groups is the existence of cert - some registrars having their own internal processes to lock down a name. And there's no way for anybody on the outside to understand does a lock even exist because you don't see it in EPP. You don't see it in the registry's output.

Michele Neylon: Yeah.

Paul Diaz: It's all internal. It's behind the - behind their wall, so to speak. And my guess is that that's part of what they're getting at here. Use only the locks that exist in the protocol, not these internal one offs.

Michele Neylon: Okay, very good. Just - I would just speak to that as well. I mean, one of the problems we've seen as a registrar is exactly what Paul has indicated where the computers in the background that actually handle all this stuff can't see, as it were, that a domain is locked because the registrar hasn't actually used a lock that exists within EPP.

So instead of our system rejecting the registra - the transfer request within say, oh I don't know, say 20 minutes of the per - of the registrant ordering us, it could take, I don't know, 24 hours maybe for the intern - for the system with all the messaging and everything else to come back and say, well, actually that transfer can't go through. And so that is a bit of a problem.

So anybody else have any other thoughts on locks in that respect?

(Tim): Yeah, this is (Tim).

Michele Neylon: Go ahead.

(Tim):   Sorry, I had to leave my computer, so I couldn't raise my hand. You know, in regards to that, I think though that the we want to be - well, what my opinion is is just we might want to be cautious about trying to formulate policy around that because, you know, we call it a lock but, I mean, it's really not. I mean, it's just a, you know, registrar's internal processes that are, you know, dealing with requests in its own particular way and it might be that it's denying requests or limiting how certain things can be done by a registrar for who knows what reason.

I think the focus should be - and so if trying to define what that lock is or how that's going to be a part in policy, you know, would be, I think, next to impossible. So I think instead what we want to do is focus on behaviors and, you know, the behaviors that we need to see or that we want to limit, and not so much on, you know, this concept of, you know, a private lock by a registrar; because that's all over the map, and I think it would be hard to even define, let alone try to formulate a policy to limit it.

Michele Neylon: Okay. I might have to disagree with you, (Tim), but that's just me.

(Tim):   You know, we can call it - what would we call it? We call it a registrar - internal registrar lock. But maybe I call it something different and so I just ignore it...

((Crosstalk))

Michele Neylon: Well (unintelligible), as far as I...

((Crosstalk))

(Tim):   ...is what I'm concerned about.

Michele Neylon: Well, the problem I have personally is that if I do a WHOIS look up on a domain name and I don't see a lock of some description in WHOIS for that domain name, then it looks like it's unlocked and that I either as the registrant and/or as the registrar should be in a position to transfer the domain. So it goes back to a case of transparency.

(Tim): Yeah, but we - giving you an example, let's say that, you know, I've had credit issues with a particular customer and so as far as I am concerned if he wants to continue to deal with me, you know, there's certain things I'm going to require.

Now if he wants to go to another registrar and, you know, deal with them and transfer the domain name, you know, we might let that happen. But until he does something like that, you know, if he wants to renew within our system, we might limit his ability to do that. Is that a lock? You know, I don't know. I don't, you know, consider it a lock.

((Crosstalk))

(Tim): I consider it as our protection, you know. But that's what I was talking about, is that when you try to define this lock what you have to focus more on is the behavior and not, you know, trying to define what an internal registrar lock is.

Michele Neylon: (Kevin).

(Kevin): Yeah, that - your discussion sort of raised a question in my mind along the lines of, you know, what we were discussing in terms of what a lock is supposed to be and supposed to do. Because we have, you know, in the UDRP context a pretty well-defined situation with what happens to domains while the dispute's in progress until its resolution.

And it seems to me that since there's already a process that's analogous to what we're looking at here, that it might make sense to try to, you know, use a similar mechanism, whatever that mechanism is. Even if it, you know, it's implemented, you know, a thousand different ways, that we have, you know, like he was saying the behavior defined of what we want to have happen in this period, regardless of whether we call it a lock or a shutdown or whatever.

(Tim):   Yeah, and that's - this is (Tim) again. That's all I was saying. I'm not questioning whether there should be some limitations. I'm just saying that as we talk about those, we just want to look at them in terms of behavior and not try to define things that I think may be undefinable.

Michele Neylon: Okay. (Kevin), are you - have you got anything further on that or is your hand just up from before?

(Kevin):   Oh yeah, sorry, I haven't turned it off yet.

Michele Neylon: That's okay. That's okay. Marika, do you want to have a look at the next one, please.

Marika Konings: Yes, of course. Next comment says that the use of the lock status should not be limited, but it should be possible for registrants to change status online.

Michele Neylon: I don't understand that comment. That's my immediate reaction. What's the - what does that mean exactly?

Marika Konings: My interpretation was that he is of the opinion that a registrant at all times should be able to change the status online and it should not limit people who - ability to do that.

Michele Neylon: Oh, okay. So use of status boxes should not be limited and it should be possible for registrants to change status online. It's the (box) that confused me.

((Crosstalk))

Marika Konings: Yeah, instead of trying to limit registrars use of the status...

((Crosstalk))

Michele Neylon: Okay.

((Crosstalk))

Marika Konings: ...I think it would be better to make sure that registrant and customers have the possibility to change the status online through their respective registrars.

Michele Neylon: Okay. I'm sorry, it was the box that confused me, Marika. Any - Paul?

Paul Diaz: Yeah, yeah. Thanks, Marika. And you just added a very important clause that doesn't appear in the spreadsheet now. Change the status through the registrar, correct? We're not talking about opening up the ability for end users to start changing EPP statuses, correct?

Marika Konings: Correct.

Paul Diaz: Okay, because, I mean, there would be one of those enormous unintended consequences. I mean, folks, they - if, you know, I don't think - we definitely don't want to recommend giving folks the ability to start dealing with registries directly.

Berry Cobb: This is Berry. I think that's more along the lines of Pandora's Box.

Paul Diaz: Absolutely agree.

Marika Konings: I'll add that clarification to the next version.

Michele Neylon: Okay. Anything further on that one guys? No. All right. I think we've got time just to have a look at one more before we call this a day. And actually I think we'll be calling it a year, won't we? Next one there, please, Marika.

Marika Konings: Next comment says that each status value can be associated with a message which might be used to provide as an explanation for the basis that enabled this status value. And if I recall (while) I think you made the point that as an EPP had many different options, perhaps status (unintelligible) but it might help to have that information displayed in WHOIS, and so registrants or end customers actually know why their domain is being locked. And I think we need...

((Crosstalk))

Michele Neylon: Okay.

((Crosstalk))

Marika Konings: ...to (point out) that's actually not being used but that technically it shouldn't be too difficult to link the status to the value and add a message.

Michele Neylon: (Tim). (Tim).

(Tim):   Yeah, sorry. I was talking away on mute. So that - really an EPP, you know, there are various different lock statuses and they each have a description, so I wonder are they talking about clarifying those or putting their actual reason instead of just a description.

                    I'm just throwing out some questions, I guess, but, you know, I don't clearly understand what they're looking for. Or if they may even be aware that EPP already displays a description of the lock, you know, like client renew

prohibited, client transfer prohibited, you know, there's - each one has a different description. I think it's like four of them or something.

Marika Konings: This is Marika. I'm just read, you know, the sector or the paragraph that (unintelligible). I would also like to point out in EPP each status value can be associated with a message in any language a language tag can be provided alongside the message explaining the reason of the status. This message is optional and seems to be seldom used. But it could be useful...

((Crosstalk))

Marika Konings: ...useful for the registrars to provide it as it would give an explanation for the basis that enabled the status value. And...

((Crosstalk))

Michele Neylon: Okay.

((Crosstalk))

Marika Konings: ...this would enable the registry and/or ICANN to immediately assess if the statuses are used for valid purposes and in accordance with development polices if registrars are required to file the message with a valid reason.

(Tim): Okay...

Man: I see.

(Tim): ...so maybe we could find out if - what I don't know is - I didn't know that was available and if it is then I wonder if we did use it if it would actually show up in WHOIS. That may be a good question for the registries.

Michele Neylon: It will show in WHOIS for a thick registry. It - I don't think it will show for a thin one. Let me just check something here. I'm logged into VeriSign at the moment just to see what the hell it's doing. No actually it does show in the thick one as - in the thin one as well.

((Crosstalk))

Michele Neylon: It looks like...

((Crosstalk))

Man: ...the same EPP status.

Michele Neylon: Because the five statuses available are client transfer prohibited, client hold, client delete prohibited, client renew prohibited, and client update prohibited.

(Tim):   And each of those have a - have an optional field that would display with a - that we could put a reason in or something like that. I think.

Michele Neylon: I can't see - I'm looking at the VeriSign name store manager and I don't see any option to do that there. But then again I think that would be de - if it's for a thin registry we put - we as the registrar would probably have to do it. I'm not too sure about the thin ones. It's something worth looking at anyway. And at least we can actually look and be -give an informed - have an informed opinion on it.

(Tim):   Right, right. Just so that as we discuss it or consider it, we understand what the implementation implications are.

Marika Konings: And things to look at, it might be worth asking Barbara, because I recall in an article Part A Working Group they actually had a colleague of hers taking it through EPP and, you know, I think he was involved in developing the protocol for that. So he might be a person that can provide better information

as to how does it work and how does it (unintelligible) would be implementable at the registry level as well.

Michele Neylon: Well, I'm just being terribly boring and actually just logging in to - I've logged in to the Afilias registrar backend just to actually see what a thick registry was giving. There's no option for a description beside the status. So I could set the status on a domain, but I don't have any way of adding any extra messages in that I can see. No, there's not - there's no option for that. There's no way to add anything. There's nothing.

All I can do is I can manipulate the basic objects. I've no way of adding in any notes or anything, which would appear in WHOIS. So unless they change something on their end, I can't see how you'd do it. But obviously somebody from the registries might be able to correct us on that.

(Tim).

(Tim): Sorry, I'll put it down.

Michele Neylon: Okay. I - we've reached the top of the hour, so I think we might want to call this a year. I was going to say call it a day, but as it's - we're not going to be meeting again until the New Year, can we call it a year because I'm awfully happy.

Now the question we were discussing earlier was in relation to the next meeting. So Chris - based on what Chris was saying, what will the next date be. It would be the - we're skipping the 29th, so the option is to either go with the 5th or the 12th. We'll continue on our two day cycle - on our two week cycle then the next meeting will be the 12th of January.

Man: Correct.

Michele Neylon: So is everybody happy with us going for the 12th or do we want to move the (unintelligible)?

Man: I'm okay...

((Crosstalk))

Woman: If we really want to get something, you know, ready by Nairobi, I would actually advocate meeting on the 5th.

Michele Neylon: Okay.

Berry Cobb: This is Berry, I second that and as well especially if we're going to be moving forward with weekly meetings, so then it removes the two week cycle.

Michele Neylon: Okay. Does anybody have any objections to moving to a weekly meeting cycle with the first meeting being the 5th of January, 2010?

Man: No.

Michele Neylon: Okay. Last call for objections. Okay. Working on the basis that you've not - that you guys have no objections or have not voiced then we will move to weekly meetings in 2010 with the first one being on the 5th of January. And Marika and her colleagues and staff will - are going to check to make sure that we don't have too many conflicts with other meetings.

                  So if I don't speak to any of you, have a very nice Christmas, Hanukah or whatever it is that you're celebrating wherever you are, and if you're really boring and not celebrating anything, enjoy doing that too, and I'll speak to you all in 2010.

Man: Thank you.

((Crosstalk))

Man: Have a good one.

((Crosstalk))

Man: Have a good...

((Crosstalk))

Man: Thanks, Michele.

((Crosstalk))

Woman: Thanks.

((Crosstalk))

Glen de Saint Gery: Michele, this is Glen.

((Crosstalk))

Michele Neylon: Yes.

((Crosstalk))

Glen de Saint Gery: I've put those on the calendar so that they are there. Everybody can see them.

Michele Neylon: Perfect.

((Crosstalk))

Woman: Can I request that also send out a notice to the IPP group when the next meeting is and with the proposal that we're going to switch to weekly meetings for those that are not on the call (unintelligible) as well and can object if they really...

((Crosstalk))

Glen de Saint Gery: I'll do that. It will go out with the MP3 recording.

Woman: Great, thank you.

Michele Neylon: Okay, thank you very much.

Woman: Thanks, Glen.

Michele Neylon: Okay, and I'll speak to some of you later this evening I believe.

Woman: Yes.

Woman: Yes.

Woman: Yes.

Man: Okay.

Man: (Unintelligible).

Woman: Bye.

Michele Neylon: All right. Bye bye.

Man: Bye.

END