



PROTECTIONS FOR REGISTRANTS

ICAN Public Forum
Cairo
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Protection of Registrants Projects

- Registrar Accreditation Agreement Amendments
- Registrar Data Escrow
- Terminated Registrar Procedure
- Registry Continuity / Failover
- Contractual Compliance Program



RAA Amendments



Registrar Accreditation Agreement

- Community consultation process produced 15 proposed amendments – significant input from IPC, ALAC
- Public comment period completed on proposed amendments, summary is available at <http://forum.icann.org/lists/raa-consultation/>
- Advice sought from GNSO and ALAC (received)
- Amendments can be adopted by a mechanism described in the contract



Four Categories of Amendment

- Enforcement Tools
 - Graduated sanctions
 - Provision for audits
 - Group liability
- Registrant Protections
 - Escrow of data underlying proxy registrations
 - Reseller compliance
- Promoting stable & competitive registrar marketplace
 - Operator training
 - Address accreditation by purchase
- Agreement modernization

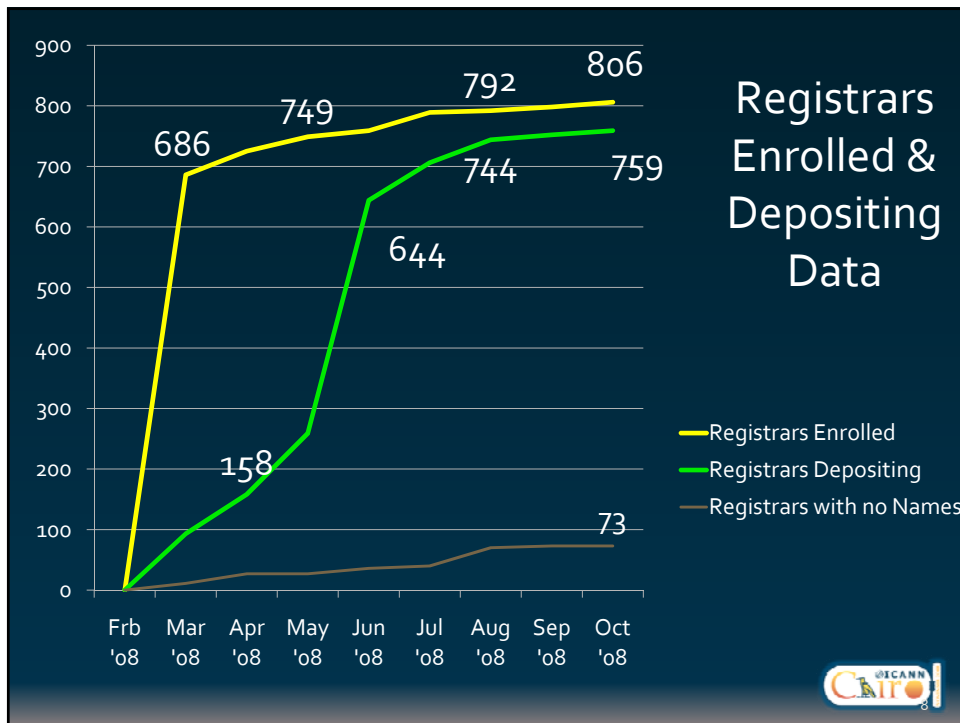


Registrar Data Escrow



Registrar Data Escrow

- ICANN is enrolling all registrars with domain names under management in the data escrow program
- Over 95% of all gTLD registrations are enrolled in this program, with registration information on deposit at an approved escrow provider
- ICANN provides escrow services through Iron Mountain
- Third Party Provider, NCC Group, has also been approved
- Audit procedures have been developed; will start within months



Registrar Data Escrow

- 855 registrars have elected a data escrow provider (either Iron Mountain or NCC Group)
- 806 registrars have executed enrollment agreements
- 759 registrars are making routine deposits
- 73 registrars are not obligated to participate as they have no names
- Compliance efforts underway for registrars that have not enrolled according to schedule



Registrar Transition Procedure



Terminated Registrar Transition Procedure

- Purpose: To facilitate transition of gTLD registrations of de-accredited registrars
 - Terminated registrars in good standing may propose a successor
 - If no proposed registrar approved, a Request for Information is posted on ICANN website in order to find an appropriate recipient registrar
- Has been used 6 times since June 2008
- Formally approved by ICANN's Board on 1 October 2008



Registry Continuity / Failover



gTLD Registry Continuity Planning

- As part of protections for registrants, ICANN completed a gTLD Registry Continuity Plan in consultation with ccTLD and gTLD registries, SSAC and other technical experts
- The plan seeks to provide protection for registrants by:
 - Ensuring adoption of “best practices”
 - Provide a mechanism for the transfer of names under management in the event of registry failure
- Testing of the plan will continue



Registry Continuity in New gTLDs

- An emphasis in the evaluation criteria and scoring on:
 - Contingency planning
 - Financing of continued operations
 - Continuity planning & technical capacity
 - Data escrow
- Pre-delegation check on certain operational elements
- Draft registry agreement contains:
 - Improved Registry Data Escrow Specification
 - Draft Registry Interoperability, Continuity & Performance Specification



Contractual Compliance Activities



Contractual Compliance Communications

- Monthly Compliance Newsletters
 - Responses to Questions Posed at UDRP Compliance Workshop in Paris
 - Whois Data Accuracy Study Update
 - Why Domain Name Issues are Not Always a Matter of Contractual Compliance
 - Consumer Complaint Escalation Procedure
 - Compliance Enforcement Actions
 - Registrar/Registry Audit Activities
- Semi-annual reporting on compliance audits, results and actions taken as a result



Enforcement Actions (Q2 2008)

Action Taken by ICANN	Reason for Action	Total
Notice of Breach	Whois Non-Compliance	2
Notice of Breach	Financial Non-Compliance	89
Notice of Termination	Financial Non-Compliance	3
Notice of Termination	Conviction of Officer	1
Re-Accreditations Denied	Failure to Escrow Data	2



Whois Data Investigations

- Whois Data Accuracy Study
 - in collaboration with the National Opinion Research Center
- Registrar Privacy/Proxy Registration Services Study
 - to Assess the extent to which registrants are using Privacy/Proxy registration services
- Whois Data Problem Report System (WDPRS) Redesign
 - ICANN currently investigating the results of reports
 - measuring effectiveness of registrars in investigating complaints

