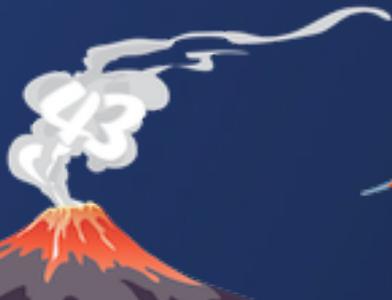


Contractual Compliance @ ICANN

An Overview for Newcomers

11 March 2012



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11-16 March 2012

Agenda

- What is contractual compliance?
- How we ensure and enforce registry and registrar compliance
- Why it matters?



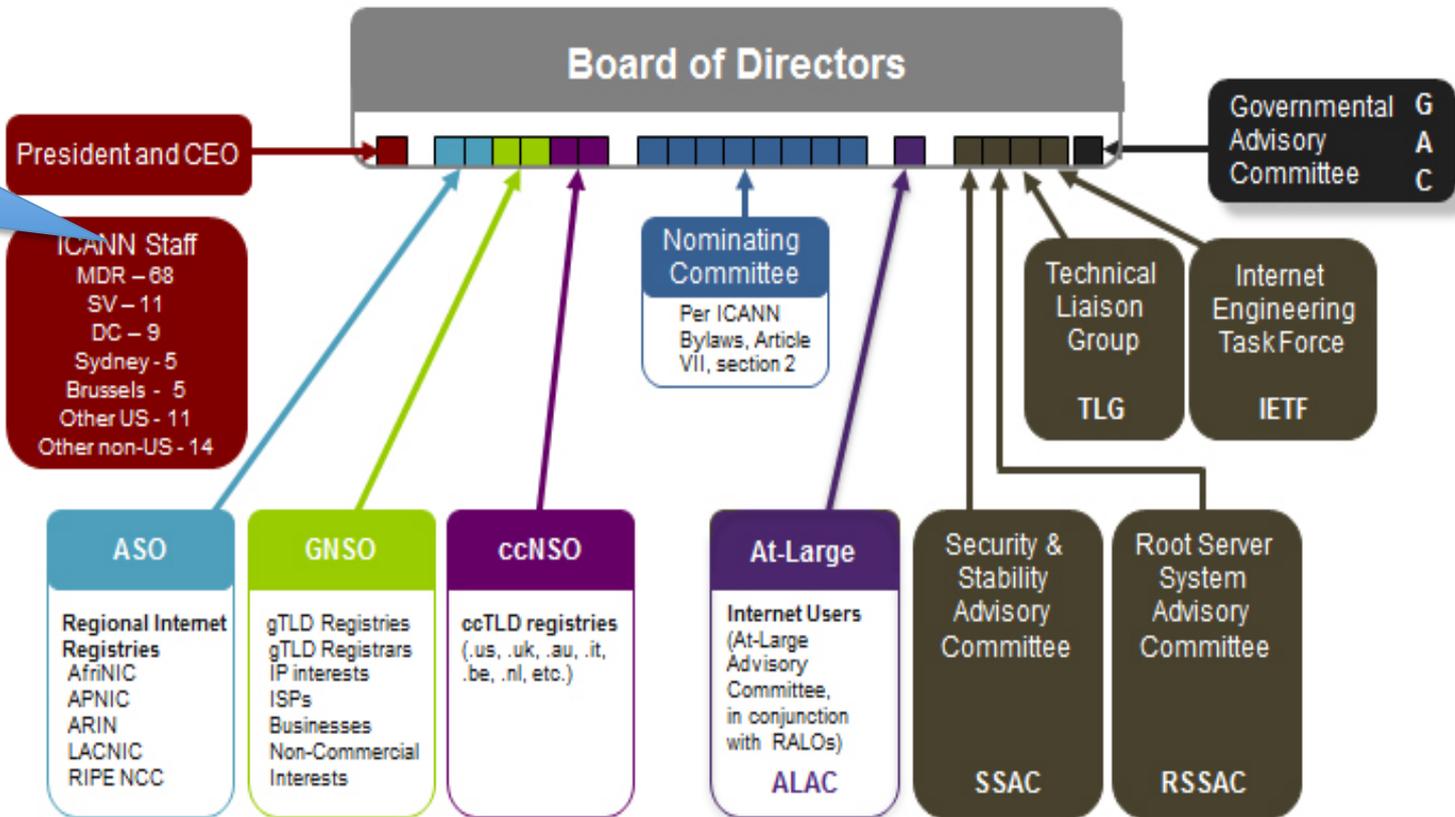
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ICANN Organization Structure

ICANN Multi-Stakeholder Model

Contractual Compliance



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Compliance Organization

- 12 members (4 NEW members since ICANN Meeting #42)
- English, French, Arabic, Mandarin, Spanish, Urdu and Hindi
- Organization
 - Head of Compliance (1)
 - Registrar and Registry Compliance (9)
 - Risk and Audit Management (1)
 - Performance Measurement and Reporting (1)



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What is contractual compliance?

- ❑ Use CONTRACT as a COMPLIANCE tool
 - ❑ Contracted parties adhere to:
 - ✓ a set of rules;
 - ✓ a standard of performance
- set out in a CONTRACT



Registrars

- Companies that register domain names
- 1010 Registrar Accreditation Agreements - RAA
 - 2009 RAA - enhanced protections for registrants and increased level of accountability for registrars
 - 2001 RAA is an older contract
 - 8 Consensus Policies
- Link to: [Accredited Registrar Directory](#)



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Registry Operators

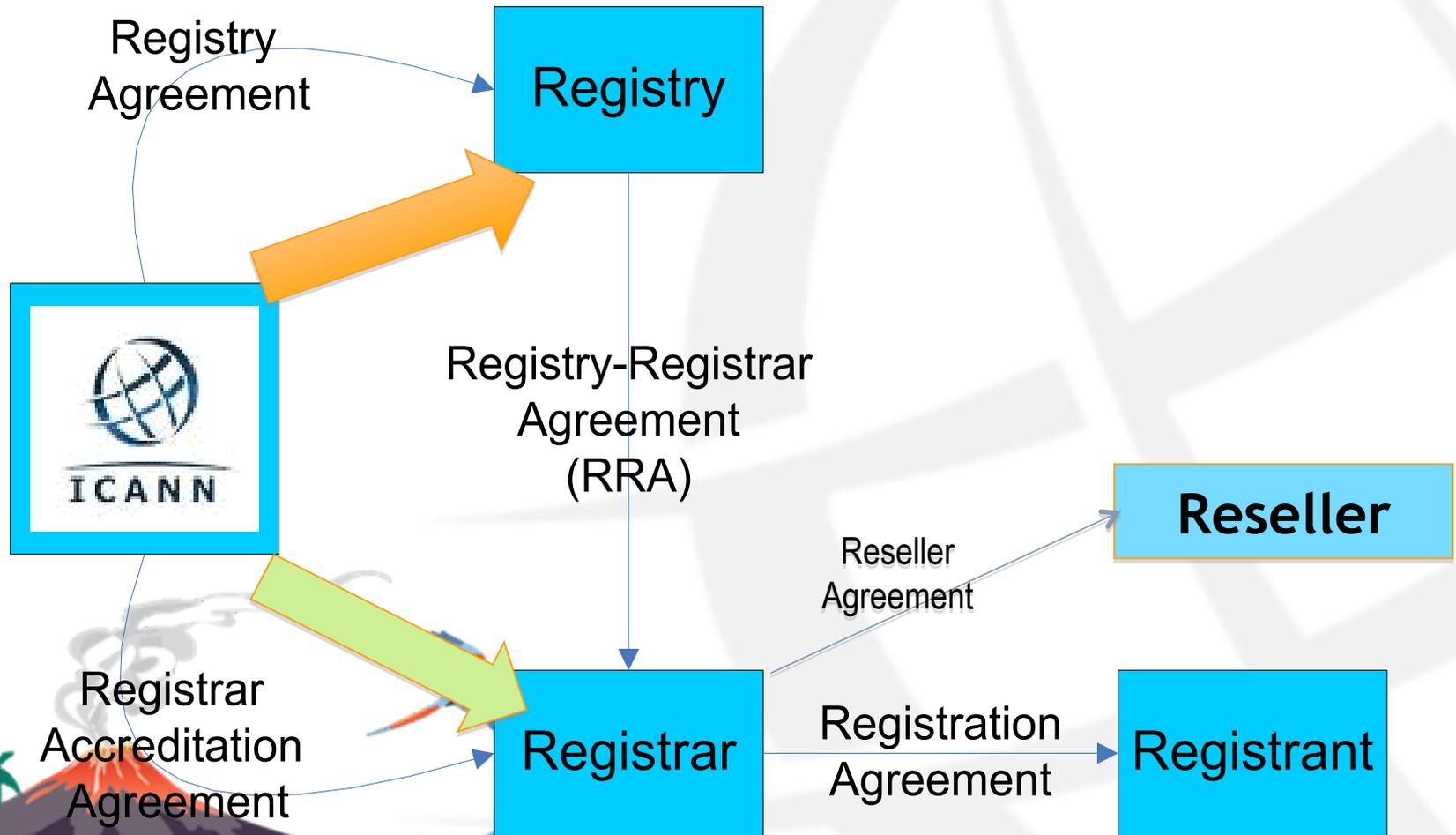
- Companies that keep the master file for all domain names that end in a particular suffix
- 18 Registry Agreements
 - 21 TLDs - for ex: .com, .net, .org
 - 15 registry operators - some operators manage more than one TLD
 - Agreements are slightly different
 - 10 sponsored agreements
 - 8 unsponsored agreements

Link to: [Registry Listing](#)



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Contractual Relationship Overview



Registrar Accreditation Agreement (RAA)

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Our Vision, Mission and Approach

ICANN's Vision

One World. One Internet.



Contractual Compliance's Vision

To be a “**trusted**” Contractual Compliance service provider

ICANN's Mission

To coordinate, at the overall level, the global Internet's systems of unique identifiers, and in particular to ensure the stable and secure operation of the Internet's unique identifier systems.



Contractual Compliance's Mission

To preserve the security, stability and resiliency of the Domain Name System and to promote consumer trust

ICANN's Approach

Open and Transparent
Equitable Treatment



Contractual Compliance's Approach

Prevention through collaboration
Transparency through communication
Enforcement

Agenda

- ✓ What is contractual compliance?
- ❑ How we ensure and enforce registry and registrar compliance
- ❑ Why it matters?



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Contractual Compliance Model

Culture of Compliance

1. Bottom-up
2. Multi-stakeholder

**FORMAL
RESOLUTION**

**INFORMAL
RESOLUTION**
Inquiries & Warnings

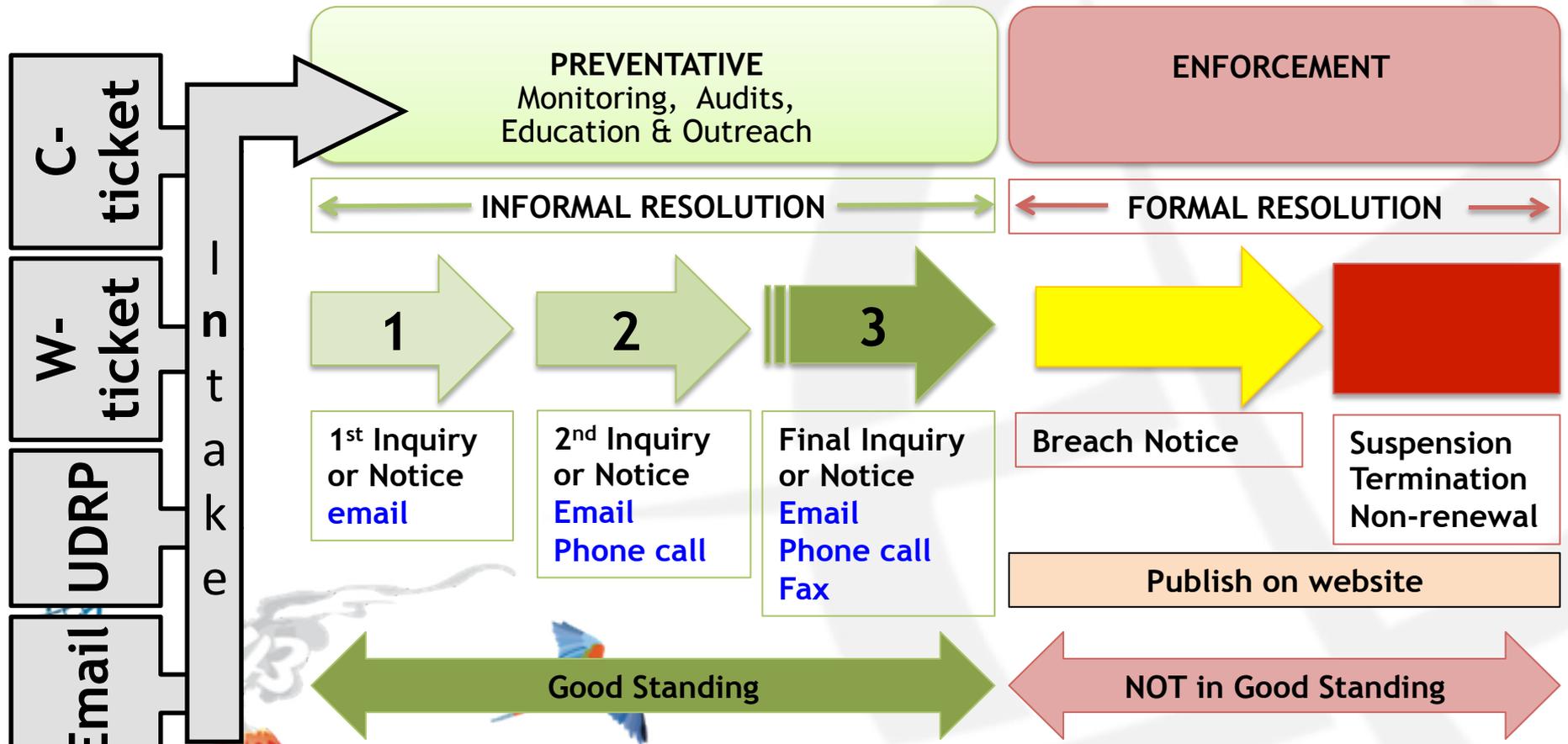
PREVENTATIVE ACTIVITIES
Monitor, Audit,
Education & Outreach

Annual Self-assessment
Industry Best Practice



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Overall Compliance Process



Three-Year Plan

1. **Strengthen program and operation** (Core Operation)
2. **Establish performance measures and improve reporting** (Transparency and Accountability)

2011

Assessment Phase

Stabilize operations
Assess people, processes and tools
Develop improvement plan
Begin implementation of plan

2012

Transformation Phase

Grow staff in number and expertise
Standardize operations
Rollout internal collaboration tool
Plan and develop global metrics

2013

Future Phase

Continuous Improvement
Consolidate Contractual Compliance Systems
Rollout Annual Audits

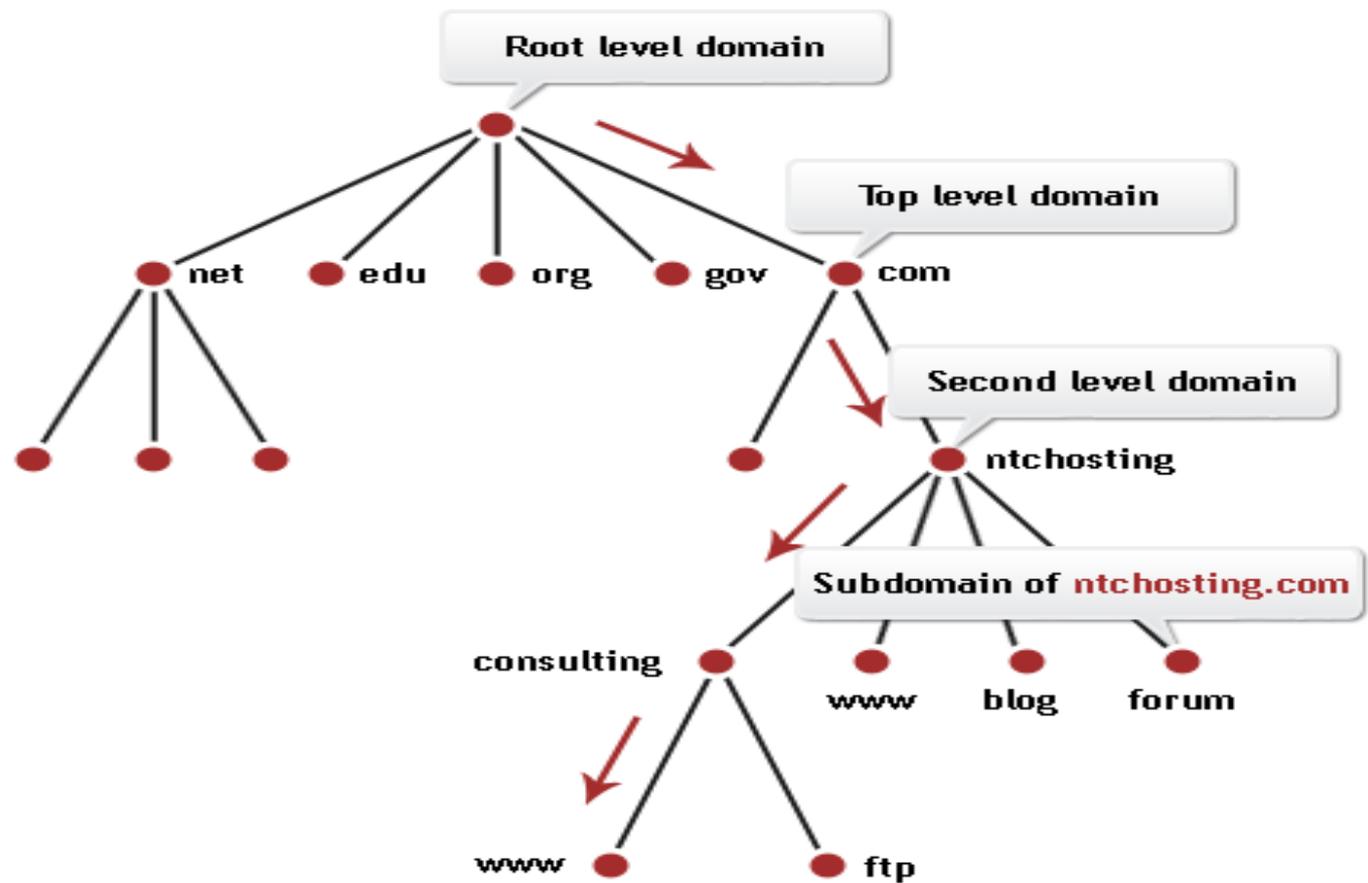
Agenda

- What is contractual compliance?
- How we ensure and enforce registry and registrar compliance
- Why it matters?



Why it matters?

Imagine
life
without
the
Internet?



Everyone is affected



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Domain Registration Issues

- Trademark disputes
- WHOIS inaccuracies
- Transfer issues
- Reseller issues
- Registration restrictions

Please note: RAA does not address issues arising from domain aftermarket activities



Domain Use Issues

Generally are dealt with by law enforcement or consumer protection agencies

Examples:

- Website content
- Spam
- Phishing
- Malware
- Cybercrime



RAA does not allow Contractual Compliance to:

- Address content on websites
- Suspend domain names
- Transfer domain names
- Take over a registrar's operations
- Immediately terminate a contract without first taking remedial efforts
- Access a registrar's domain name database



ICANN Consensus Policies

1. Uniform Domain Name Dispute Resolution Policy

- A fast, cost effective mechanism to resolve cybersquatting claims
- Neither registrar nor ICANN are parties to proceedings
- ICANN's role is to ensure registrars implement UDRP decisions

2. WHOIS Data Reminder Policy

- Intended to improve WHOIS accuracy
- Registrars' obligation is to send an annual reminder to registrants

3. Inter-Registrar Transfer Policy

- To provide domain portability and better consumer choice

4. WHOIS Marketing Restriction Policy

- Registrars to provide third party bulk-access to WHOIS under an agreement and set maximum annual fees chargeable by registrars at \$10,000
- Prohibit use of WHOIS data for certain marketing purposes



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ICANN Consensus Policies

5. Restored Names Accuracy Policy

Requires registrars to place “Registrar Hold” status on a domain name until the registrant has provided updated and accurate Whois information under certain circumstances

6. Expired Domain Deletion Policy

Requires registrars to delete domain names if registrants do not consent to renewal after 2nd renewal reminder, barring extenuating circumstances

Requires registrars to post on their websites renewal fees and policy

7. Registry Services Evaluation Policy

Process and criteria for evaluating new registry services proposed by a registry operator

8. Add Grace Period Limits Policy (AGP)

Intended to curb domain tasting

Compliance Data Oct 2011 - Feb 2012

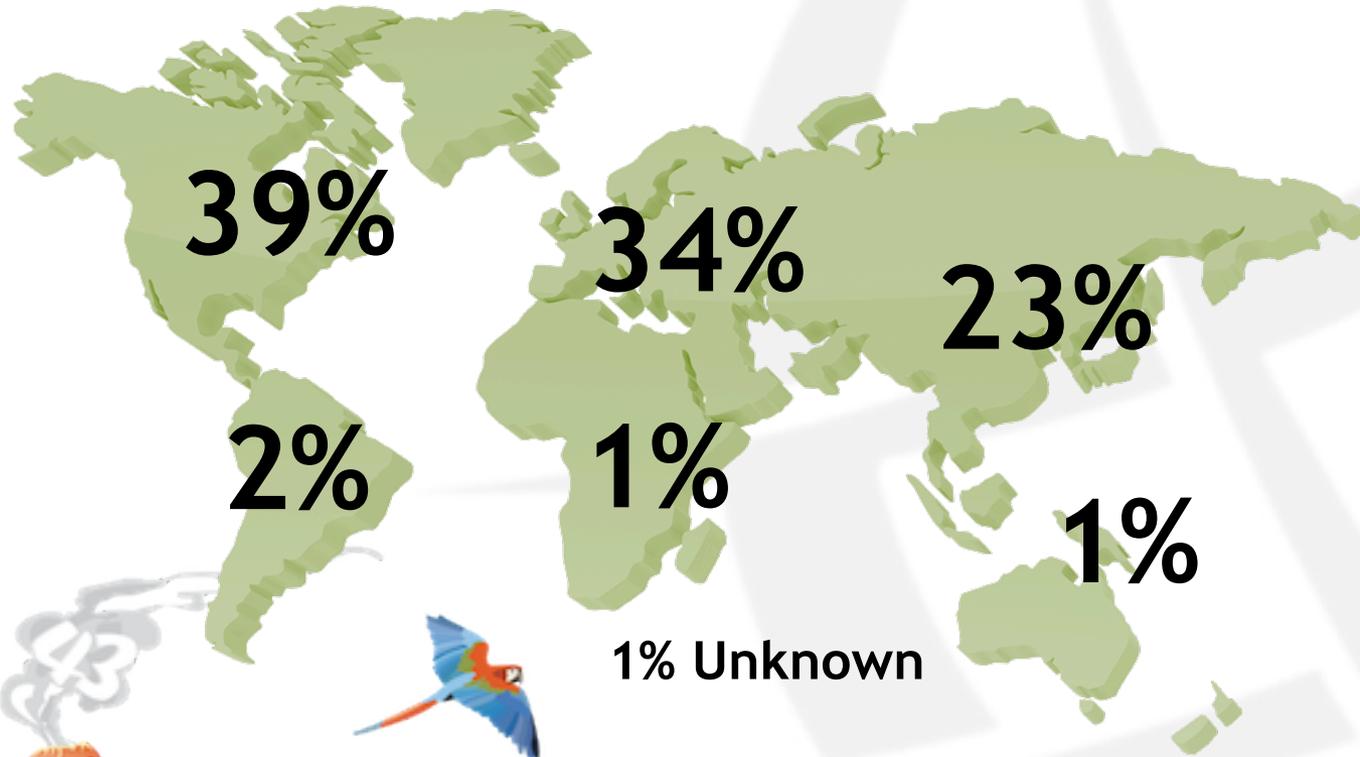


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Compliance issues across the globe

Oct 2011 - Feb 2012



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Compliance Activities - T2

**16,778
Complaints
Received in T2**

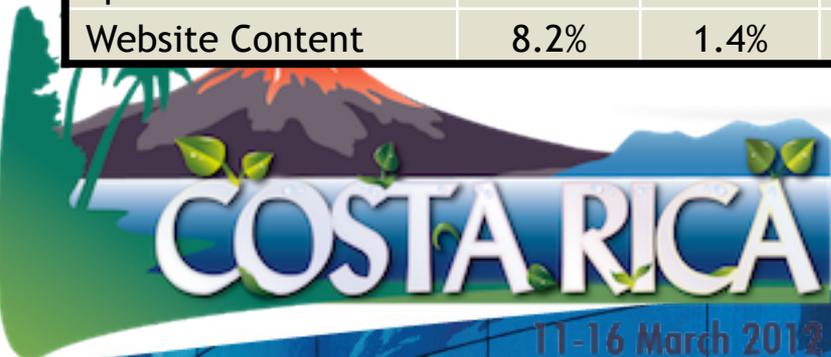
Oct 2011 - Feb 2012	All Complaints Received by Type	Quantity
Prevention	Customer Service	4,279
	Data Escrow Audit	420
	Data Escrow Miss	45
	Transfer	2,184
	UDRP	221
	WHOIS Access	29
	WHOIS Inaccuracy	9,597
	Law Enforcement	3
	Total Complaints	16,778
Enforcement	Breach	2
	Suspension	1
	Terminated/Non-Renewal	0



Customer Service Complaint Breakdown - T2

Complaint Type	Asia	Europe	North America	Oceania	South America	Africa	N/A Region	T2 Total
CCTLD	-	-	0.7%	0.4%	-	-	98.9%	100%
Contact Update	2.3%	1.4%	2.8%	-	-	-	93.5%	100%
CPanel	29.4%	2.9%	17.6%	-	2.9%	-	47.1%	100%
DN Dispute	5.8%	3.9%	16.9%	.4%	-	-	73%	100%
Domain Renewal	10.5%	3.4%	8.2%	.7%	-	-	77.2%	100%
Financial Transaction	10.4%	4.2%	16.7%	-	2.1%	-	66.7%	100%
Inquiries @ICANN	-	-	-	-	-	-	-	100%
Name Password	16%	-	24%	4%	-	-	56%	100%
Ownership Transfer	17.7%	4.1%	19%	.7%	.7%	-	57.8%	100%
Redemption	8.2%	6.1%	20.4%	-	-	-	65.3%	100%
Registrar Service	7.3%	2.5%	6.2%	.4%	-	-	83.6%	100%
Reseller Provider	4.7%	4.7%	11.7%	-	-	-	78.9%	100%
Spam Abuse	13.2%	4.5%	25.5%	-	-	-	56.8%	100%
Website Content	8.2%	1.4%	15.5%	.5%	-	-	74.4%	100%

4,279 complaints

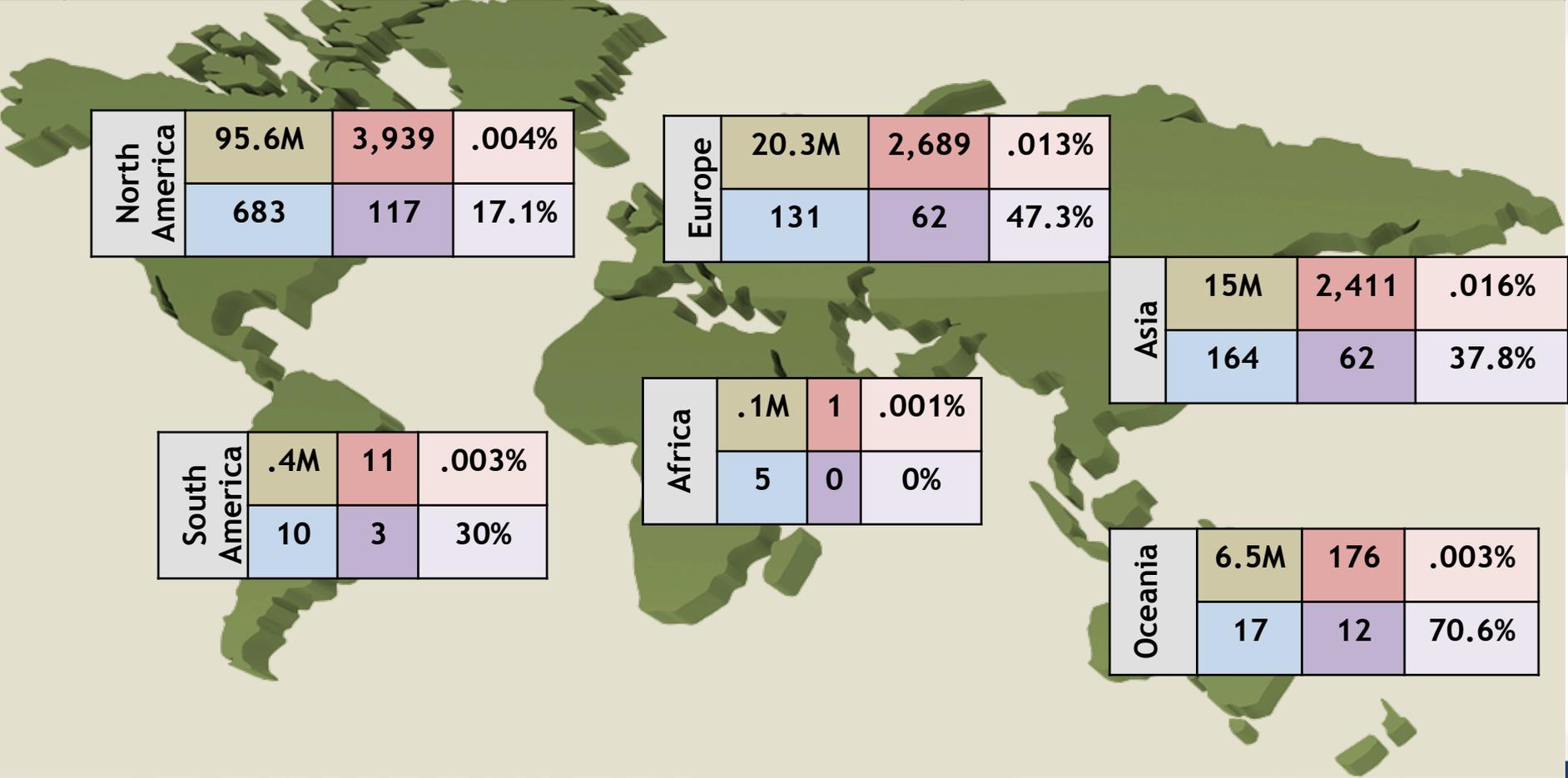


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Registrar Demographics - Complaint Volume vs. Domain volume & registrars- T2

LEGEND	Oct 2011 Domain Volume/Million	# Complaints	% Complaints per Domain Volume
	# registrars per region	# registrar w/ Complaints	% Unique registrars with complaints per region



Registry Compliance & Locations

Registry operators reported 100% compliance regarding:

- ✓ DNS Availability
- ✓ WHOIS Availability
- ✓ Equal registrar access to the Shared Registration System

No complaints received regarding denial of bulk access to zone file
All registries submitted monthly transactions reports



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Questions & Feedback

Please send your feedback to
Compliance@icann.org

Subject

[ICANN 43 Costa Rica Compliance Feedback]



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Thank You



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Registrar Demographics - Complaint Volume vs. Domain volume &

- Africa had .1 million domains sponsored by 5 registrars. There were .001% complaints for all Africa domains and zero % of 5 registrars has complaints filed against them.
- Asia had 15 million domains sponsored by 164 registrars. There were .016% complaints for all Asia domains and 37.8% of 164 registrars has complaints filed against them.
- Europe had 20.3 million domains sponsored by 131 registrars. There were .013% complaints for all Europe domains and 47.3% of 131 registrars has complaints filed against them.
- North America had 95.6 million domains sponsored by 683 registrars. There were .004% complaints for all North America domains and 17.1% of 683 registrars has complaints filed against them.
- Oceania had 6.5 million domains sponsored by 17 registrars. There were .003% complaints for all Oceania domains and 70.6% of 17 registrars has complaints filed against them.
- South America had .4 million domains sponsored by 10 registrars. There were .003% complaints for all South America domains and 30% of 10 registrars has complaints filed against them.