



Name Registration Issues

Public Forum

Lisbon

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RegisterFly Background

- A reseller for a number of years with a history of relatively high number of consumer complaints
- Obtained accreditation through purchase
- ICANN audit reduced complaints in mid-2006
- Recent complaints (late 2006) include: charge backs; unauthorised Whois changes; under-funded registry accounts, transfer policy violation
- According to a well-defined process:
 - Notice of breach sent 21 February
 - Notice of termination sent 16 March
 - Following plan defined in RAA

Working for Registrants

- Facilitating transfers
 - ICANN involvement on individual basis
 - Registrars working with RegisterFly
- Coordinated registry efforts to prevent deletions
- Escrowing data including that underlying proxy registrations
- Promoting understanding of ICANN's role as defined by the mission of ensuring stability & security and promoting competition & choice for consumers

Issues Arising from this Experience

- Requirement for escrowed data including a plan for proxy data:
 - Should/can proxy data be escrowed?
 - Should registrants using proxy service be advised of potential risk?
- Requirement for process/procedure for use of escrowed data:
 - Under what circumstances (e.g., in the case of “failing registrars”) can data be used or transferred before termination date?
 - To what extent can use or transfer of data be planned prior to termination date?
- Given ICANN’s mission: What is ICANN role in face of poor customer service that is not a violation of the RAA?



Name Registration Issues for Discussion

Purpose of Register Accreditation Policy and Agreement

- What is the primary purpose of the Registration Accreditation Agreement? Is it a compliance tool? If so how can it be strengthened to protect registrants?

Independent Rating of Registrars

- How should ICANN and/or the registrar constituency encourage a system that rates registrars according to customer service and performance and should this be available to registrants?

Affiliated Registrars / Group ownership

- Affiliated registrars have common ownership or control. What is the best mechanism for ICANN to hold affiliated registrars accountable for an affiliate's actions?

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Additional compliance enforcement tools

- Stronger compliance tools need to be included in any reform to the RAA. What are the options? Do they encompass liquidated damages? Should registrars be able to be suspended more readily? What are the mechanisms that enable timely action?

Transfer policy

- What elements of the transfer policy need to be reformed? Should registrants have an alternative to their current registrar for the issuing of auth codes and the unlocking of them? Should ICANN or another entity be able to do this?

Registrar operator skill testing

- How is it possible to assess registrar skills and to train registrars to a common standard of performance upon which registrants can rely?



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Accreditation by purchase

- It is possible for companies to 'avoid' accreditation application process by buying a registrar. How can abuse of this loophole be stopped?

Proxy registrations

- There needs to be an examination of proxy registrations in light of difficulties faced in registrar data recovery. What is the balance between privacy and disclosure?

Reseller liability under RAA

- What tools are needed to ensure better accountability by resellers to registrants?

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Registrar data escrow

- What data needs to be escrowed? If implementation needs to move faster, greater resource allocation is required. What resources are required to support the program?

Clarification of ICANN's responsibilities to registrants

- ICANN recently posted a guide for registrants on its website but additional consumer options (outside ICANN) should be identified for and provided to registrants. Is there a need for a new entity to assist customers and intervene on behalf of their concerns

Issues Summary

- Purpose of register accreditation policy and agreement
- Independent rating of registrars
- Affiliated registrars / group ownership
- Additional compliance enforcement tools
- Transfer policy
- Registrar operator skill testing
- Accreditation by purchase
- Proxy registrations
- Reseller liability under RAA
- Registrar data escrow
- Clarification of ICANN's responsibilities to registrants

Next Steps

- Consensus based discussion to address issues raised by recent events
- Release data escrow implementation plan
- Active prosecution of compliance issues available to ICANN under the current set of agreements
 - pros-i-kyoo-shuh: the perseverance in some task or pursuit, usually until it is finished or accomplished
- Report on progress at ICANN meeting in San Juan