



# **Registration Abuse Policies Working Group (RAPWG)**

## **Status Update**

October 2009

# Background

- Registries and registrars seem to lack uniform approaches to dealing with domain name registration abuse, and questions persist as to what role ICANN should play in addressing domain name registration abuse
- Issues report requested in September 2008 found: no uniform approach by registries / registrars to address abuse, no clear definition of abuse, many registry agreements explicitly allow registries to take down or terminate domain names for abuse, and number of registries do not have any provisions
- The Council launched pre-PDP RAP WG in Feb 2009

# Background

- Issues report recommends that further research would be needed to determine if and how abuse is dealt with, how abuse provisions are implemented and adhered to, and whether they are deemed effective in addressing abuse
- WG will address amongst others: what is the difference between registration abuse and domain name use abuse; what is the effectiveness of existing abuse policies; and which areas, if any, are suitable for GNSO policy development
- The GNSO Council will not make a decision on whether or not to initiate any PDP on registration abuse policies until the RAP Working Group has presented its findings

# Background

- As required by its Charter, the RAP WG provided a first status update to the GNSO Council on 2 June
- Status update outlined activities undertaken, which include the organization of a workshop on registration abuse in Mexico City; SSAC participation and collaboration; discussion on the scope and definition of registration abuse
- Since then, RAP WG has continued meeting on a bi-weekly basis.

# Work Completed

- WG developed a working definition of abuse, and a list of proposed abuses for examination.
- Discussions of definitions and scope: *registration* versus *post-registration* versus *domain use* issues.
- Sub-teams have been writing background and draft recommendations on these topics:
  - \* Uniformity of Contracts: sub-team has analyzed the abuse provisions in 22 representative registrar contracts.
  - \* cybersquatting
  - \* front-running
  - \* malware and botnet control
  - \* phishing / spam / malware

# Work to Come

- Uniformity of contracts: is uniformity desirable? Possible impacts? Etc.
- Fast-flux: GNSO Council Resolution of 3 September 2009 tasked RAPWG with examining whether existing policy may empower Registries and Registrars, including consideration for adequate indemnification, to mitigate illicit uses of fast-flux.
- Additional proposed topics to be discussed:
  - Pay-per-click abuses
  - Fake renewal notices (“slamming”) from resellers
  - Domain kiting
  - Possibly some WHOIS-related topics

# Work to Come

- Group may end up making various types of recommendations, which might include recommendations for:
  - PDPs
  - Voluntary best practices
  - Contract changes

# Challenges

- WHOIS: RAPWG has set aside discussions related to the WHOIS study areas already being examined by GNSO. (Use of proxy contact data, accuracy, etc: <http://gnso.icann.org/issues/whois/> ). Purpose of those studies is to obtain reliable data to inform future GNSO deliberations.
- People register domains for malicious or undesirable purposes. ICANN has a say in domain *registration* issues, but its power to make policy related to domain name *uses* is less clear. The scope, intent, and legal issues are thorny.
- WG charter is very broad. Lots of topics requires lots of work; difficult for the WG volunteers to give a deadline for completing the Initial Report.



# Going Forward

- RAP WG Open Meeting on Wednesday 28 October in Sapphire 4 at 14:00 local time
- WG members will continue to meet every two weeks.
- RAPWG Chair: Greg Aaron (*gaaron [at] afiliias.info*)
- Council Liaison: Mike Rodenbaugh



# Questions?

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