

Contractual Compliance at ICANN

Newcomers' Track
14 October 2012



Agenda

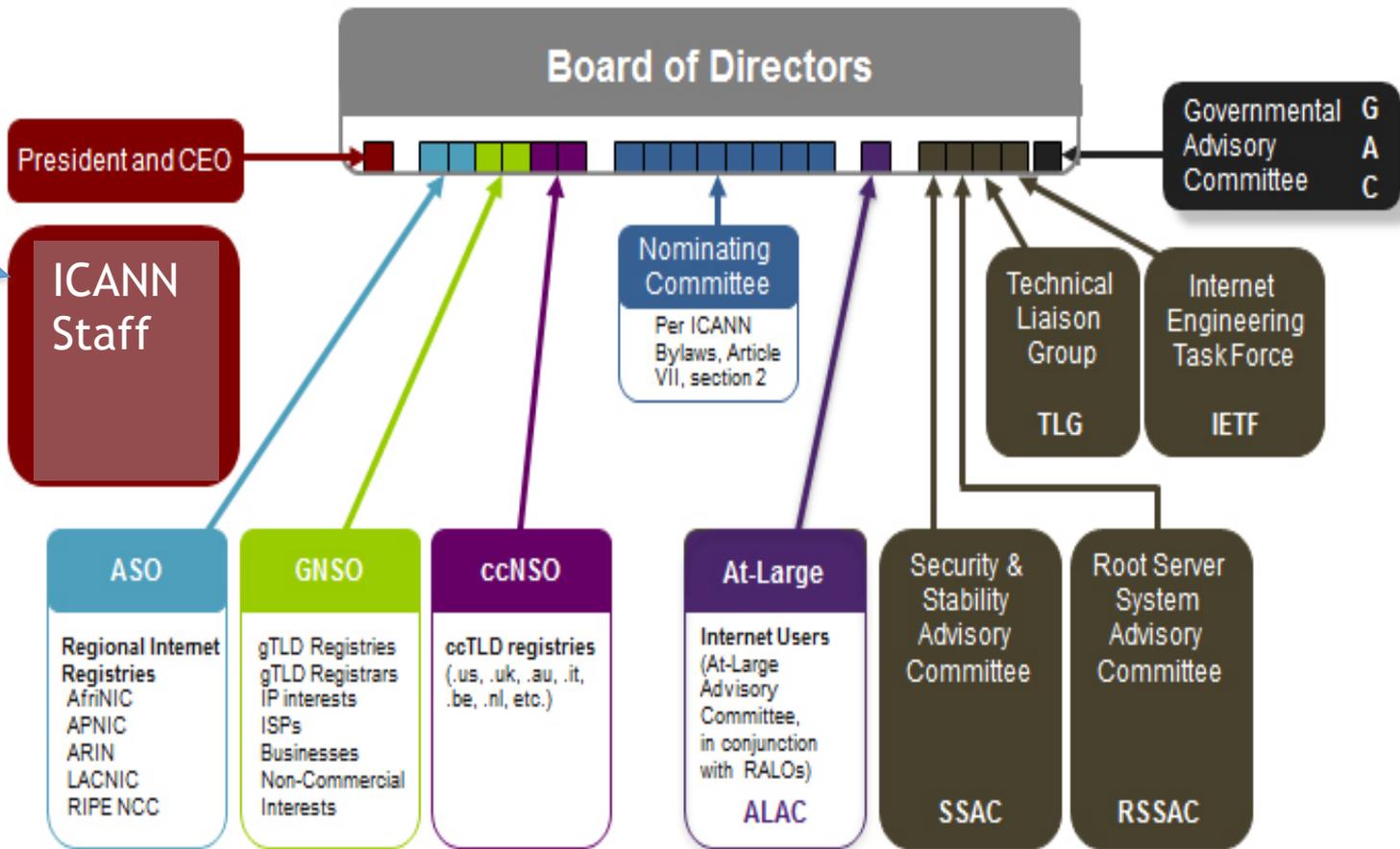
- ❑ Contractual Compliance Overview
- ❑ Compliance Update



ICANN Organization Structure

ICANN Multi-Stakeholder Model

Contractual Compliance



Contractual Compliance Team

- **Contractual Compliance reports to CEO**
- **3 additional team members since ICANN 44**
- **8 languages** - Arabic, English, French, Hindi, Korean, Mandarin, Spanish and Urdu
- **15 Staff members strong**
 - Head of Compliance (1)
 - Registrar and Registry Compliance (12)
 - Risk and Audit Management (1)
 - Performance Measurement and Reporting (1)

Link to Contractual Compliance Staff -

<http://www.icann.org/en/resources/compliance/staff>



Our Vision, Mission and Approach

ICANN's Vision

One World. One Internet.

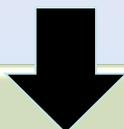


Contractual Compliance's Vision

To be a “trusted”
Contractual
Compliance
service provider

ICANN's Mission

To coordinate 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

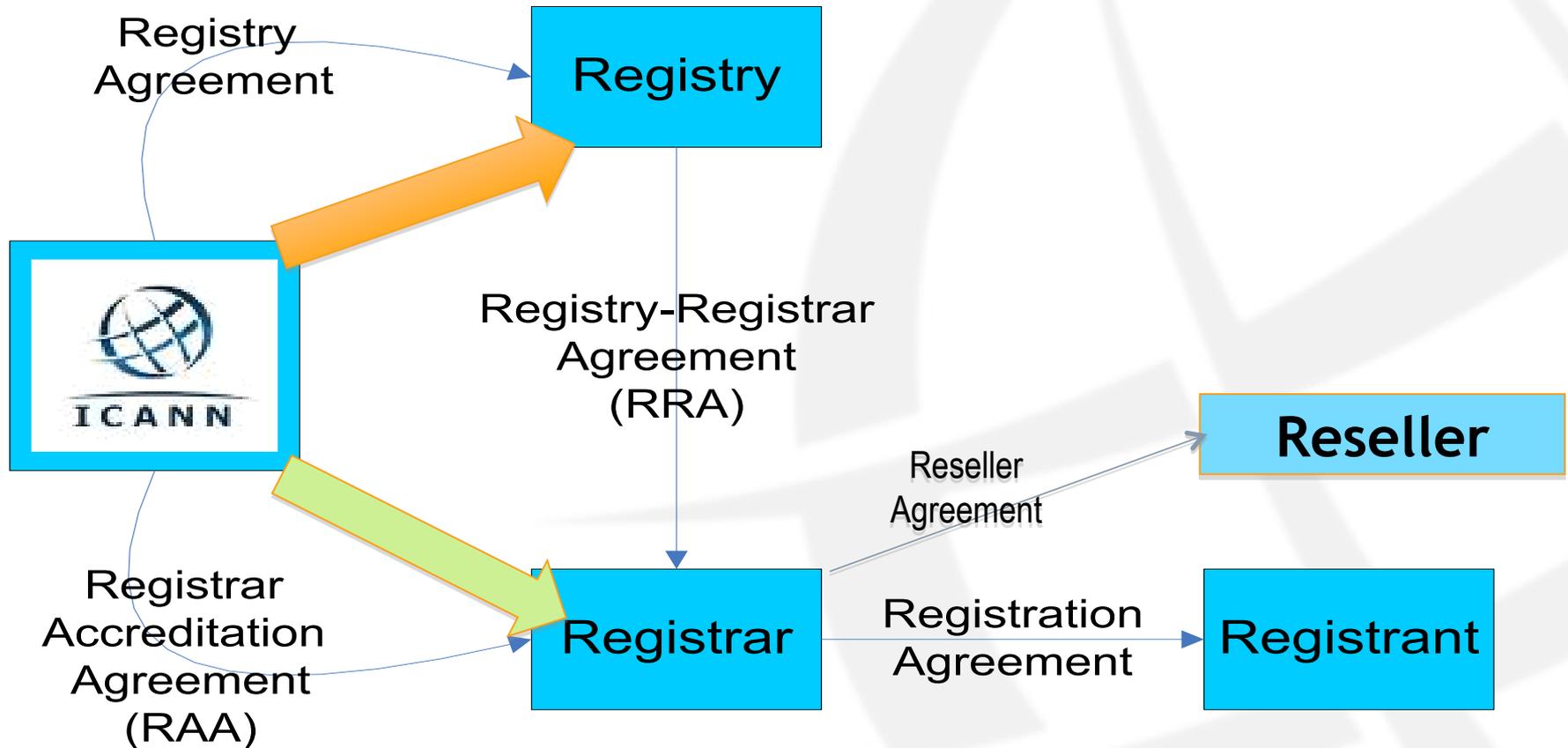
What is contractual compliance?



- Use CONTRACT as a COMPLIANCE tool
- Contracted parties adhere to:
 - ✓ a set of rules;
 - ✓ a standard of performance
- ICANN is NOT a government or law enforcement agency
- ICANN's authority is contractual



Contractual Relationship Overview



Registrars: register domain names (~ 1021)

Registry operators: keep the master file for all domain names that end in a particular suffix (22)

Registrant: registered name holder (legal domain name owner)



Contractual Compliance Model and Approach

Culture of Compliance

1. Bottom-up
2. Multi-stakeholder

FORMAL RESOLUTION

INFORMAL RESOLUTION
Inquiries & Warnings

PREVENTATIVE ACTIVITIES
Monitoring Audits
Education & Outreach

SELF-Assessment
Industry Best Practice

Enforcement

Non-Renewal,
Suspension,
Termination

Breach

Prevention

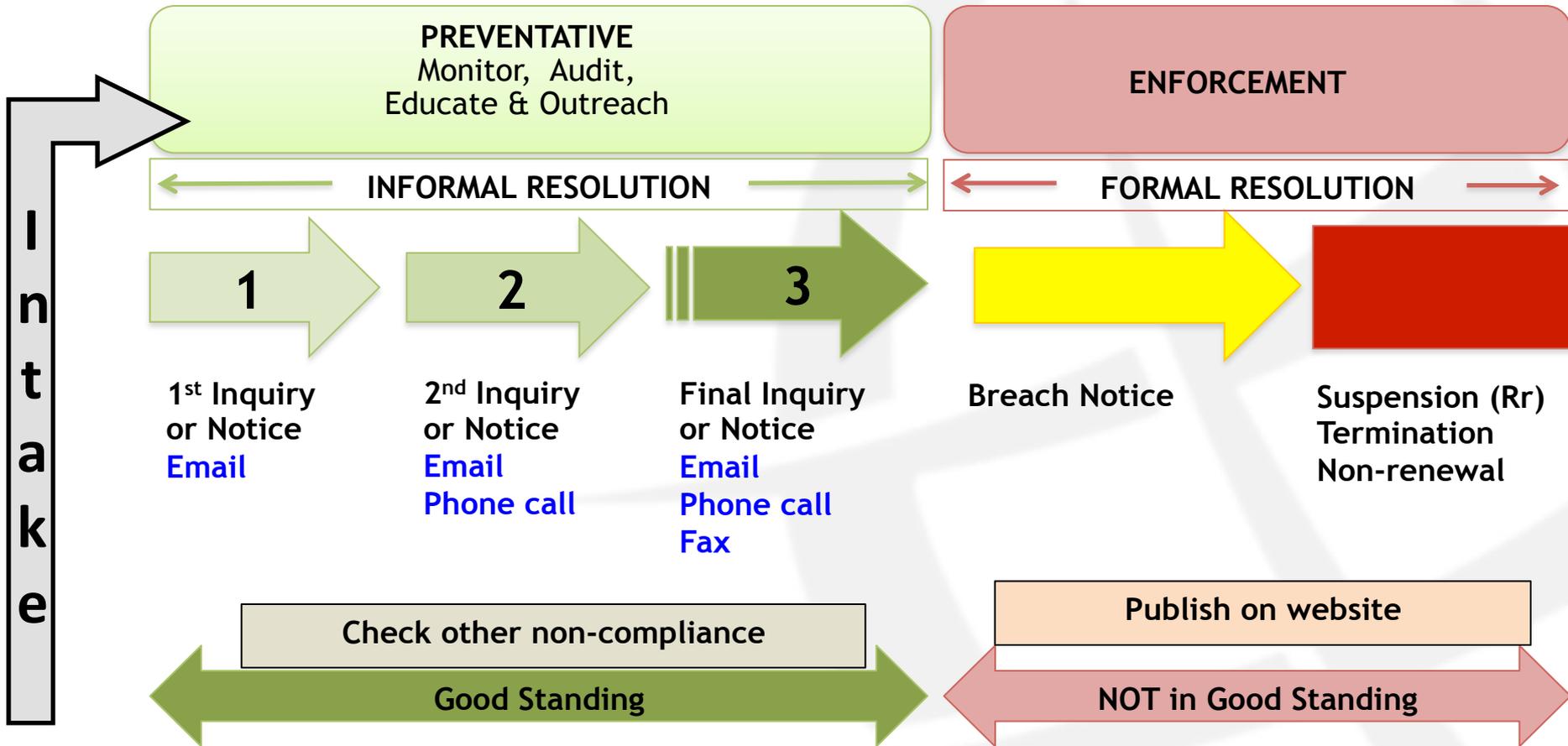
Final Inquiry

2nd Inquiry

1st Inquiry

Process

General Compliance Approach



Three-Year Plan

Strengthen program and operations (Core Operations)

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
Plan and develop

- Systems enhancements/process
- Global metrics
- Audit strategy
- Annual Compliance Report

New gTLD readiness

2013

Future Phase

Continuous Improvement

- Operations
- Plan for internal audit

Consolidate Contractual Compliance Systems

Rollout Annual Audits

New gTLD readiness (cont.)

Wednesday Outreach Sessions

Room Queen's Quay

2:00 - 3:15 Performance Measurement & Reporting

3:30 - 4:45 Contractual Compliance Audit Program



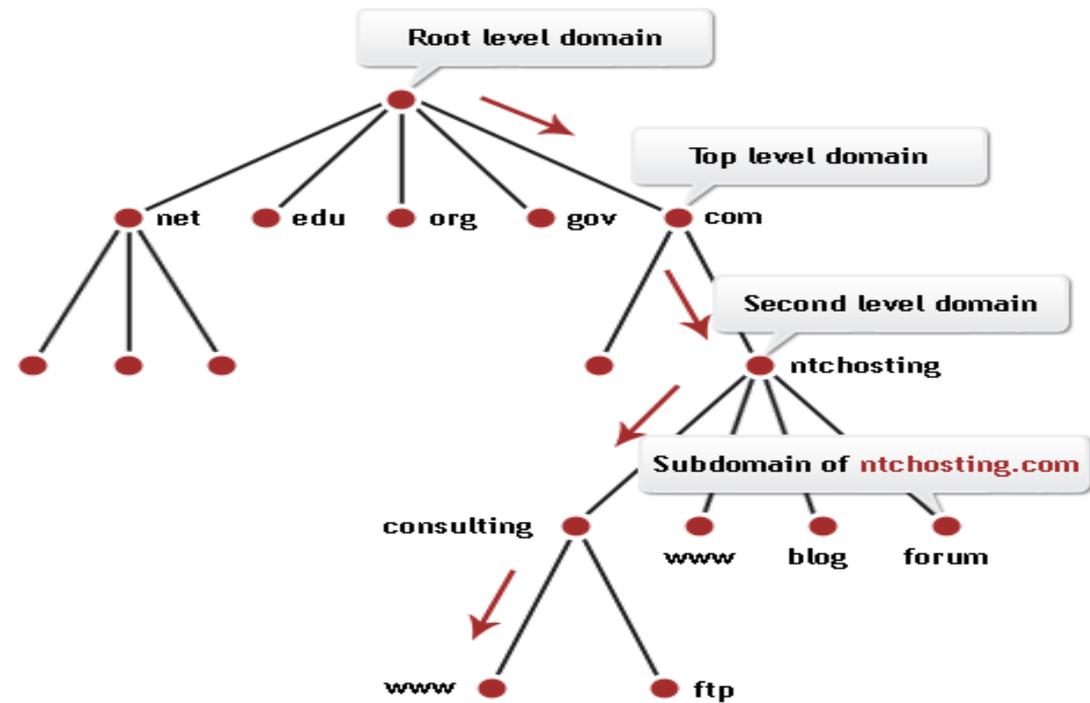
Agenda

- ✓ Contractual Compliance Overview
- ❑ Compliance Update



Why it matters?

Imagine
life
without
the
Internet



Everyone is affected



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

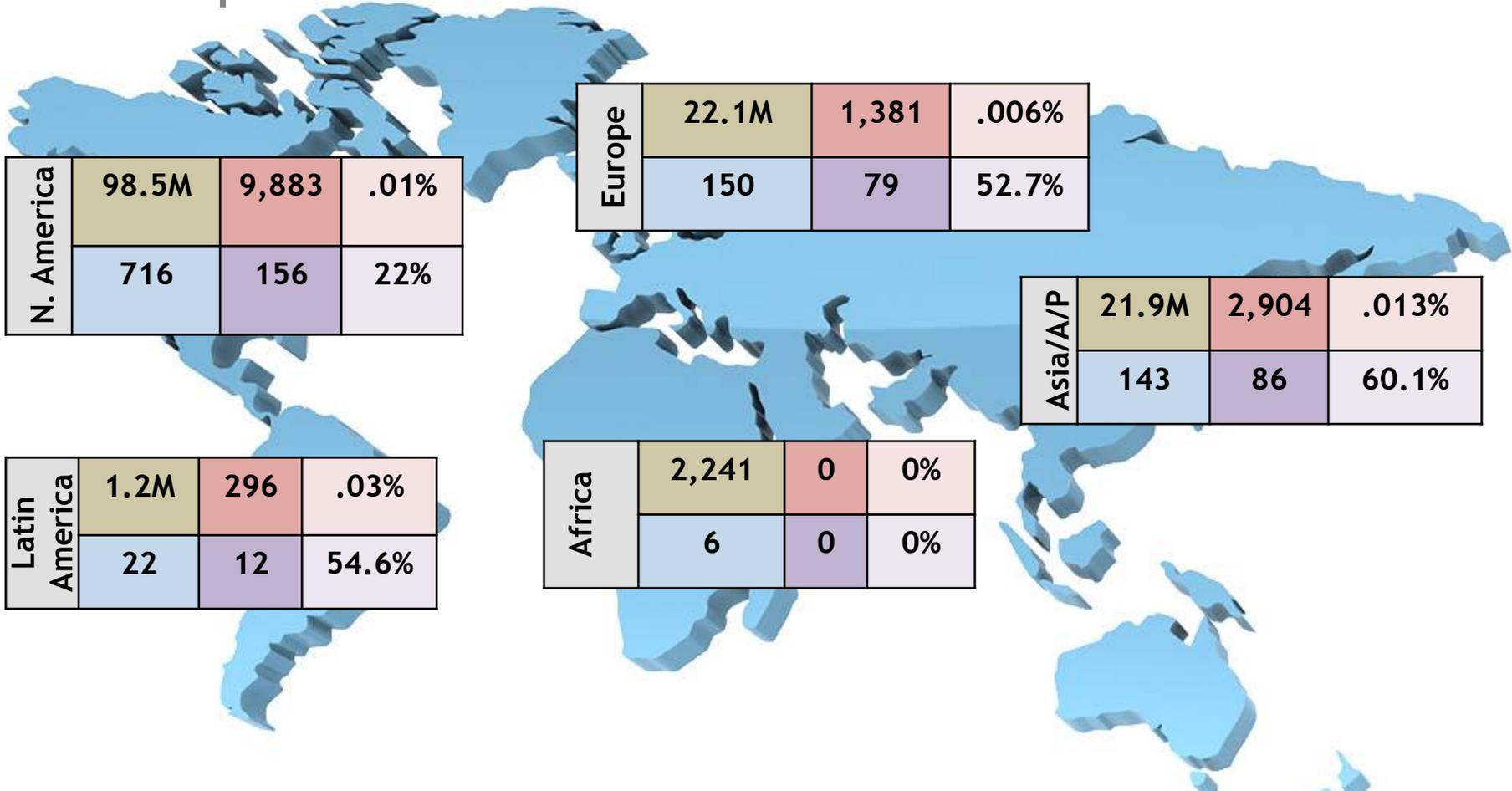
Examples:

- Website content
- Spam
- Phishing
- Malware
- Cybercrime



Complaints per Domain Volume

June - September 2012



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

Complaints by TLD Round

June - September 2012

- Data to measure complaints by TLD Round
- 16.7% of complaints not associated with TLD

Pre-ICANN	2000	2004
COM	AERO	ASIA
NET	BIZ	CAT
ORG	COOP	JOBS
	INFO	MOBI
	MUSEUM	POST
	PRO	TEL
		TRAVEL
		XXX

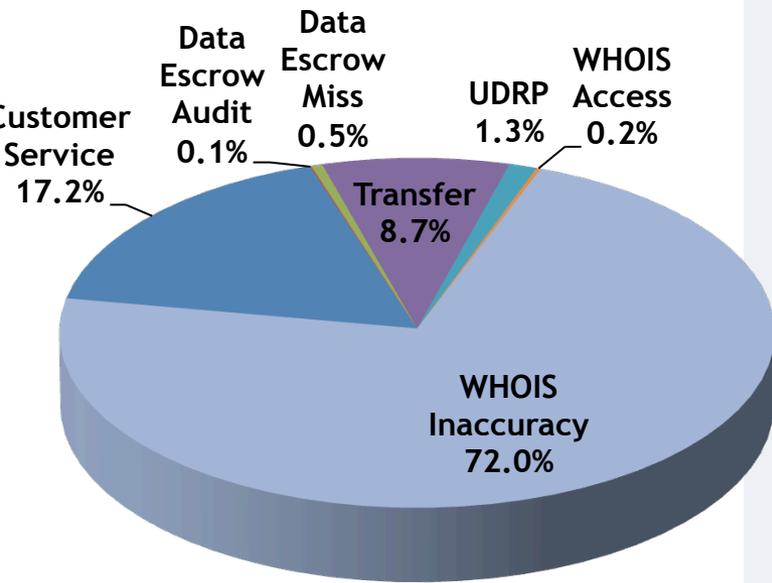
	Pre-ICANN	2000-round	2004-round	Unknown TLD	Total
Asia/Australia/Pacific	2,251	323	30	300	2,904
Europe	1,295	45	0	41	1,381
Latin America/Caribbean	273	13	0	10	296
North America	6,363	3,357	0	163	9,883
Unknown Region	1,426	507	22	2,669	4,624
Total	11,608	4,245	52	3,183	19,088



Complaint Types and Phases

June - September 2012

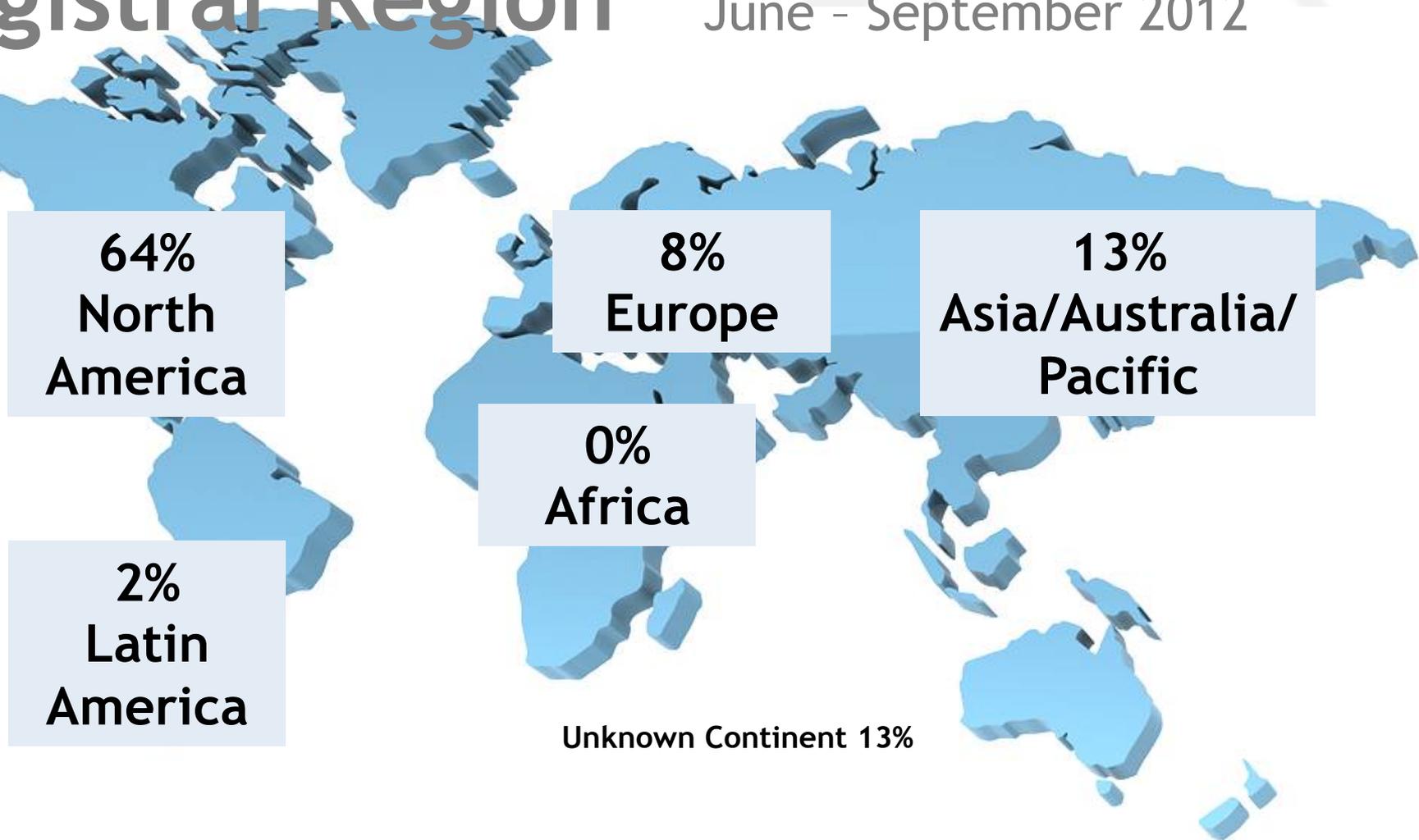
19,172 Complaints



	Jun-Sep 2012	All Complaints Received by Type	Quantity	
			Open	Closed
Prevention Phase		Customer Service	3,304	2,850
		Data Escrow Audit	15	14
		Data Escrow Miss	100	83
		Transfer	1,660	2,350
		UDRP	247	225
		WHOIS Access	39	28
		WHOIS Inaccuracy	13,806	8,395
		Law Enforcement	1	1
		Total Complaints	19,172	13,946
Enforcement Phase		Breach	11	9
		Suspension	0	
		Terminated/ Non-Renewal	3	3

WHOIS Inaccuracy Complaints by Registrar Region

June - September 2012



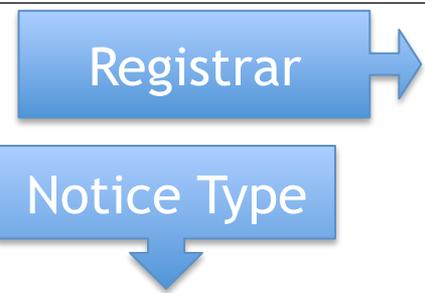
WHOIS Inaccuracy Complaints by TLD

June - September 2012

	asia	biz	com	info	mobi	name	net	org	Unknown TLD	Total
Africa		-	-	-	-	-	-	-	-	-
Asia/ Australia / Pacific		60	1,168	258	30	-	138	73	7	1,734
Europe		15	823	24	-	3	228	50	5	1,148
Latin America/ Caribbean		10	177	2	-	-	28	29	-	246
North America		26	4,319	3,314	-	1	860	287	10	8,817
Unknown Region	8	15	1,082	466	10	2	142	53	83	1,861
Total	8	126	7,569	4,064	40	6	1,396	492	105	13,806



Enforcement Activity - 2012 YTD



	AB Connect SARL 1378	Alantron Bilinsim Ltd Sti. 898	Alice's Registry, Inc. 275	Asadal, Inc. 632	DomainAllies.com, Inc. 709	eName Technology Co., Ltd 1331	Infocom Network Ltd. 1484	InTrust Domains, Inc. 653	Name For Name, Inc. 1103	Net 4 India Limited 1007	Pacnames Ltd. 103	Planet Online Corp. 815	Server Plan Srl 1460	Tucows.com Co. 69	Visesh Infotecnics Ltd./ Signdomains.com 249	Xin Net Technology Corporation 120	Ynot Domains Corp. 924	0101 Internet, Inc 816
Communicate contact data changes (RAA 5.11)																		
Escrow registration data (RAA 3.6)																		
Link to ICANN's registrant rights & responsibilities website (RAA 3.15)																		
Maintain registration data (RAA 3.4)																		
Pay accreditation fees (RAA 3.9)																		
Provide AuthInfo code (IRTP 5)																		
Provide communication records (RAA 3.4.3)																		
Provide evidence relied on for transfer (IRTP 4)																		
Provide Registrar Services (RAA 3.1)																		
Provide Whois Services (RAA 3.3.1)																		
Publish contact data (RAA 3.16)																		
Publish deletion, recovery and auto-renewal policies (RAA 3.7.5.5/6)																		
Respond to audits (RAA 3.14)																		
Additional concern-conduct re. UDRP & UDRP Rules																		
Maintain and provide communication records (RAA 3.4.2/3)																		



Cured
Not Cured
Terminated
As of Sept 30, 2012

TLD Census as of August 2012



Registry Compliance, Locations and Upcoming Contract Renewals

June - September 2012

- All registries submitted monthly transactions reports
- Registries reported:
 - ✓ DNS Availability at 100%
 - ✓ WHOIS Availability at 100% except for .PRO (missed June by ½ of 1%)
 - ✓ Equal registrar access to the Shared Registration System (SRS)
 - ✓ No complaints regarding denial of bulk access to zone file

Upcoming Registry Renewals

- .info - 31 December 2012
- .biz - 31 December 2012



Additional Resources

- About ICANN Contractual Compliance:
<http://www.icann.org/en/compliance/>
- Contact us at compliance@icann.org
- Whois Look Up: <http://www.internic.net/whois.html>
- Have a Problem? Dispute Resolution Options
<http://www.icann.org/en/dispute-resolution/>
- Report Inaccurate Whois Data, <http://wdprs.internic.net/>
- File a complaint about a registrar:
<http://reports.internic.net/cgi/registrars/problem-report.cgi>
- List of Approved Dispute Resolution Service Providers:
<http://www.icann.org/en/dndr/udrp/approved-providers.htm>



Thank You

