



# ICANN | 54

## *Dublin*



18-22 OCTOBER 2015





# Registrar Outreach

Contractual Compliance | ICANN 54 | 22 October 2015

# Agenda

- ⦿ Brief Update Since ICANN 53
  - ⦿ RAA Lessons Learned Summary
  - ⦿ Whois ARS Compliance Update
  - ⦿ Suspension Communication Update
  - ⦿ Communicating with Contractual Compliance
- ⦿ Questions & Answers
- ⦿ Additional Slides Provided in Appendix for your reference:
  - ⦿ Continuous Improvements Update
  - ⦿ Registrar Metrics Update
  - ⦿ Audit Activities Update
  - ⦿ Policy Efforts Update
  - ⦿ Process Guidelines & Clarification
  - ⦿ Additional RAA Guidelines & Reference

The background of the slide is a solid orange color. Overlaid on this is a stylized world map. The map is formed by a network of white dots of varying sizes, connected by thin white lines. The dots are more densely packed in some areas, particularly in North America and Europe, and more sparse in others. The overall effect is a digital, interconnected representation of the world's continents.

# **Registrar Accreditation Agreement Lessons Learned Summary**

# RAA Lessons Learned Summary

1

## **Whois Accuracy Program Specification**

Distinguishing between verification and validation

2

## **Abuse Reports Requirements**

Establishing investigative processes

3

## **Domain Renewal Requirements**

Sending timely reminders to registered name holder

4

## **Whois Format**

Whois output format as required by 2013 RAA

# 1. 2013 RAA: WAPS Validation

- ◉ Validation: ensure data is present and formatting is consistent with standards
  - ◉ “Standards” includes RFC 5322 (email), ITU-T E. 164 (telephone), UPU postal or S42 addressing templates (postal addresses) or equivalents for country or territory
    - ◉ Not websites or map applications (unless they rely on standards)
    - ◉ Not something obtained from RNH
- ◉ ICANN request registrars to specify the standards used for validation and validation results

# 1. 2013 RAA: WAPS Verification

- ⦿ Verification: to confirm or correct information
  - ⦿ Affirmative response verification by email:
    - ⦿ Receive email from registrant email address listed in Whois data, or
    - ⦿ Returning a unique code in a manner designated by the Registrar
  - ⦿ Affirmative response verification by telephone:
    - ⦿ Calling or sending an SMS to the Registered Name Holder's telephone number providing a unique code that must be returned in a manner designated by the Registrar, or
    - ⦿ Calling the Registered Name Holder's telephone number and requiring the Registered Name Holder to provide a unique code that was sent to the Registered Name Holder via web, email or postal mail.
- ⦿ Absent affirmative response verification within 15 days of trigger:
  - ⦿ Registrar must manually verify or suspend domain until verification occurs

# 2. 2013 RAA: Abuse Reports Requirements

## Section 3.18.1

- Registrars must:
  - Take reasonable and prompt steps to investigate and
  - Respond appropriately to ANY reports of abuse
- Reasonable steps may include:
  - Contacting the RNH of the domain(s)
- Appropriately varies depending on the facts and circumstances
- Whois data verification by itself is insufficient
- Court order is not required for registrar to investigate absent a specific local law or regulation provided to ICANN

VS

## Section 3.18.2

- Registrar must have dedicated abuse email and phone number in Whois output
- Reports of Illegal Activity must be reviewed within 24 hours by an individual who is empowered to take necessary and appropriate actions
- Reports can be from any applicable jurisdiction once reporter is designated by registrar's local government as an authority



## 2. Abuse Reports - ICANN Complaint Processing

- ⦿ ICANN confirms that reporter sent abuse report to registrar abuse contact before sending complaint to registrar
- ⦿ ICANN could request the:
  - ⦿ Steps taken to investigate and respond to abuse report
  - ⦿ Time taken to respond to abuse report
  - ⦿ Correspondence with complainant and registrant
  - ⦿ Link to website's abuse contact email and handling procedure
  - ⦿ Location of dedicated abuse email and telephone for law-enforcement reports
  - ⦿ Whois abuse contacts, email and phone
- ⦿ Examples of steps registrars took to investigate and respond to abuse reports:
  - ⦿ Contacting registrant
  - ⦿ Asking for and obtaining evidence or licenses
  - ⦿ Providing hosting provider info to complainant
  - ⦿ Performing Whois verification
  - ⦿ Performing transfer upon request of registrant
  - ⦿ Suspending domain

# 3. Domain Renewal Requirements

## Expired Registration Recovery Policy

- ⦿ Renewal reminders must be sent at required times to RNH
  - ⦿ Approximately 1 month (26-35 days) and 1 week (4-10 days) prior to expiration and within 5 days after expiration
  - ⦿ Required even if registration is on auto-renew
  - ⦿ Must be communicated in a way that does not require an affirmative action to receive the notice
  - ⦿ Can be sent to other email addresses *in addition to* the RNH email address
  - ⦿ Can be sent at other intervals *in addition to* those prescribed by the ERRP
- ⦿ For at least the last eight consecutive days after expiration that the registration is renewable, the DNS resolution path must be interrupted
  - ⦿ If traffic is re-directed to a parking page, it must say that the name expired and include renewal instructions
  - ⦿ If RAE renews name, DNS resolution path must be restored as soon as commercially reasonable

# 4. Common Whois Format Issues

- ⦿ Registry Domain ID: Key should display a value (available from the registry)
- ⦿ Registrar Abuse Contact Email and Registrar Abuse Contact Phone keys must display values
- ⦿ Updated Date, Creation Date, Registrar Registration Expiration Date, and Last update of WHOIS database keys must display time in UTC (as required by EPP RFCs 5730-5734, including "T" and "Z.")
  - ⦿ Example: 2009-05-29T20:13:00Z
- ⦿ Registry Registrant ID, Registry Admin ID, and Registry Tech ID keys should be left blank for "thin" or legacy TLDs in which these values are not available from the sponsoring registry
- ⦿ "DNSSEC: signedDelegation" must be shown when a Delegation Signer Resource Record (DS RR) is published in the DNS for the domain name being queried, otherwise "DNSSEC: unsigned" must be shown in all other cases.

A world map where the continents are defined by a complex network of white dots and thin white lines, resembling a global network or data flow. The background is a solid teal color.

# Whois Accuracy Reporting System Update

# Whois ARS Compliance Update

## Whois ARS Phase 1 – Syntax Validation

- ⦿ Compliance coordinated with Whois ARS team to ensure testing aligns with RAA/ICANN process
- ⦿ To be processed as Whois inaccuracy and Whois format complaints
- ⦿ Compliance will provide metrics at ICANN 55
  
- ⦿ Updated conversion utility to create compliance tickets based upon Whois ARS output to be deployed in mid October 2015
  
- ⦿ Phase 1 Report published at:  
<http://whois.icann.org/en/file/whoisars-phase1-report>
- ⦿ Phase 1 Webinar presentation at:  
<http://whois.icann.org/en/file/whois-ars-phase-1-report-webinar-powerpoint>

# Whois ARS Compliance Update

## Enforcing Contractual Obligations

- ⦿ Registrars must investigate and correct inaccurate Whois data per:
  - ⦿ Section 3.7.8 of 2009 and 2013 RAA and
  - ⦿ Whois Accuracy Program Specification of 2013 RAA
- ⦿ Registrars under 2013 RAA must use Whois format and layout required by Registration Data Directory Service (Whois) Specification
- ⦿ Whois inaccuracy and Whois format complaints created from Whois ARS data will follow the Contractual Compliance Approach and Process as published at <https://www.icann.org/resources/pages/approach-processes-2012-02-25-en>
- ⦿ Failure to respond or demonstrate compliance during complaint processing will result in a Notice of Breach (and published on icann.org)
- ⦿ ICANN will continue to give priority to complaints submitted by the community members

A world map where the continents are defined by a complex network of white dots and thin white lines, resembling a social or communication network. The background is a solid teal color.

# ➤ **Suspension Communication Update**

# Suspension Communication Update

## Updates to Registrar Suspension Process

- ⦿ Increase notification period to suspended registrar from 15 to at least 16 days to accommodate arbitration stay requests and respect business hours
- ⦿ By request from registries, ICANN is now notifying all registry operators when the suspension is posted on [icann.org](https://icann.org)
- ⦿ Benefits of this communication:
  - ⦿ Allow ICANN to provide registry operators with at least 72 hours notice of changes to implementing or removing a suspension
  - ⦿ Ensure all registry operators are aware of suspension of registrar which may be accredited or in process of being accredited to a TLD



# Communicating With ICANN

## Tips for communicating with ICANN Contractual Compliance

- ⦿ Whitelist emails from icann.org
- ⦿ Check that your mail servers are not blocking emails from ICANN
- ⦿ Reply to compliance notices ASAP and state what you are doing
  - ⦿ Ensure all questions are answered and documents provided
  - ⦿ But no later than notice deadline
  - ⦿ Early response allows for follow up and collaboration if insufficient
- ⦿ Do not change the subject lines in any way when responding to compliance notices
- ⦿ Make sure response + attachments are less than 4 MB size total

# Questions & Answers



## Send compliance questions

To: [compliance@icann.org](mailto:compliance@icann.org)

Subject line: ICANN 54 Registrar Outreach Session

### The ICANN 54 presentations are available at:

- The outreach page at this link

<https://www.icann.org/resources/compliance/outreach>

- The ICANN 54 Schedule page at this link

<http://dublin54.icann.org/en/schedule-full>

# Appendix

- Continuous Improvements Update
- Registrar Metrics
- Audit Activities Update
- Policy Efforts Update
- Process Guidelines
- Additional RAA Guidelines

# Continuous Improvements updates

## Improvements based upon community & contracted party feedback:

- ⦿ Add closure reason in closure notices sent to contracted parties
- ⦿ Additional template and closure reason updates to provide greater clarity

## Other improvements:

- ⦿ Update to UDRP complaint web form and templates to align with 31 July 2015 update to UDRP Rules
- ⦿ Update to Whois ARS import utility to create compliance tickets based upon updated Whois ARS report format
- ⦿ Software update to address a security vulnerability and feature improvements (parent/child tickets and enhancements to text format)

## Weekly file of registrar tickets

- ⦿ At 01:00 UTC on Sundays, system emails registrar a .csv of all complaints at least in 1st notice (and closed within 30 days) with current status
- ⦿ To request this file, email [registrar@icann.org](mailto:registrar@icann.org)

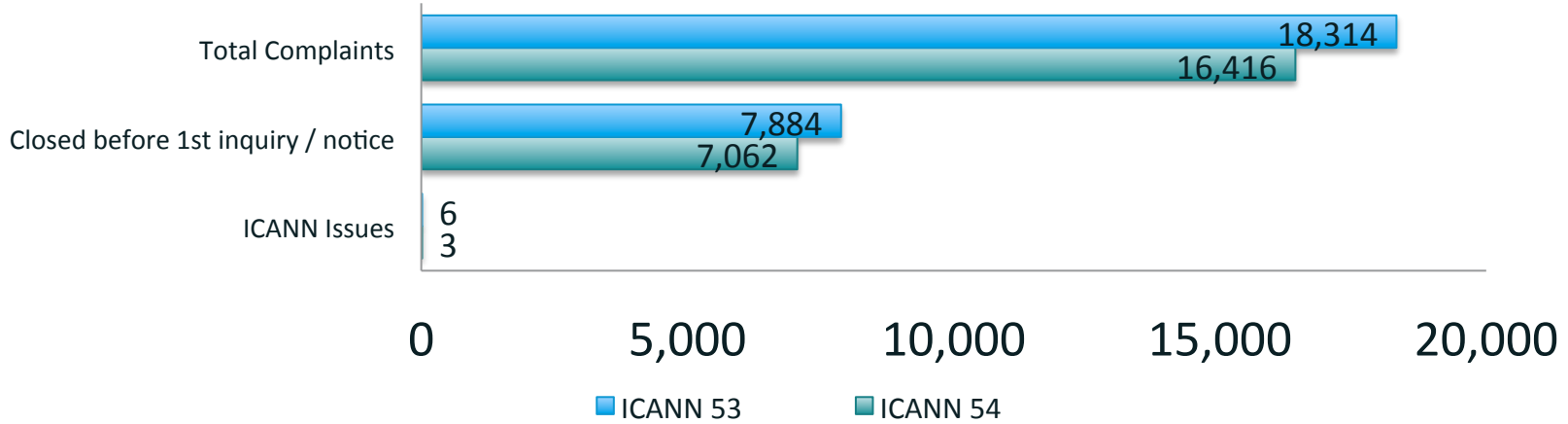
A world map where the continents are defined by a network of white dots and connecting lines, set against a teal background. The dots vary in size, and the lines are thin and white, creating a digital or network-like appearance of the globe.

# Registrar Metrics

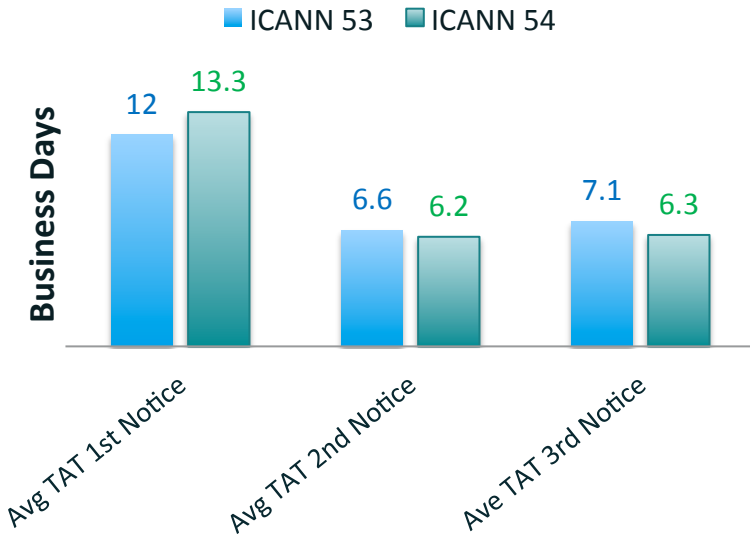
# Registrar Complaint Types in Detail

Registrar Complaints	Quantity		Closed before 1st inquiry / notice		ICANN Issue	
	ICANN 53	ICANN 54	ICANN 53	ICANN 54	ICANN 53	ICANN 54
WHOIS INACCURACY	14,006	12,421	5,514	4,577	2	1
TRANSFER	2,436	2,403	1,253	1,490	0	0
DOMAIN RENEWAL	362	269	161	123	0	0
WHOIS FORMAT	295	317	248	287	0	0
DATA ESCROW	200	145	0	0	3	1
DOMAIN DELETION	194	145	188	138	0	0
WHOIS SLA	175	111	186	111	0	0
ABUSE	142	176	84	99	1	0
WHOIS UNAVAILABLE	102	104	59	34	0	0
UDRP	81	86	59	58	0	0
FEES	75	13	2	12	0	0
CUSTOMER SERVICE	68	54	60	54	0	0
REGISTRAR CONTACT	40	41	17	22	0	0
REGISTRAR INFO SPEC	39	49	25	31	0	1
CEO CERTIFICATION	34	0	1	0	0	0
REGISTRAR OTHER	27	18	6	2	0	0
PRIVACY/PROXY	12	18	9	17	0	0
RESELLER AGREEMENT	8	2	0	0	0	0
WHOIS QUALITY REVIEW	7	37	0	0	0	0
FAILURE TO NOTIFY	6	5	6	5	0	0
DNSSEC, IDN, IPV6	5	2	6	2	0	0
Total	18,314	16,416	7,884	7,062	6	3

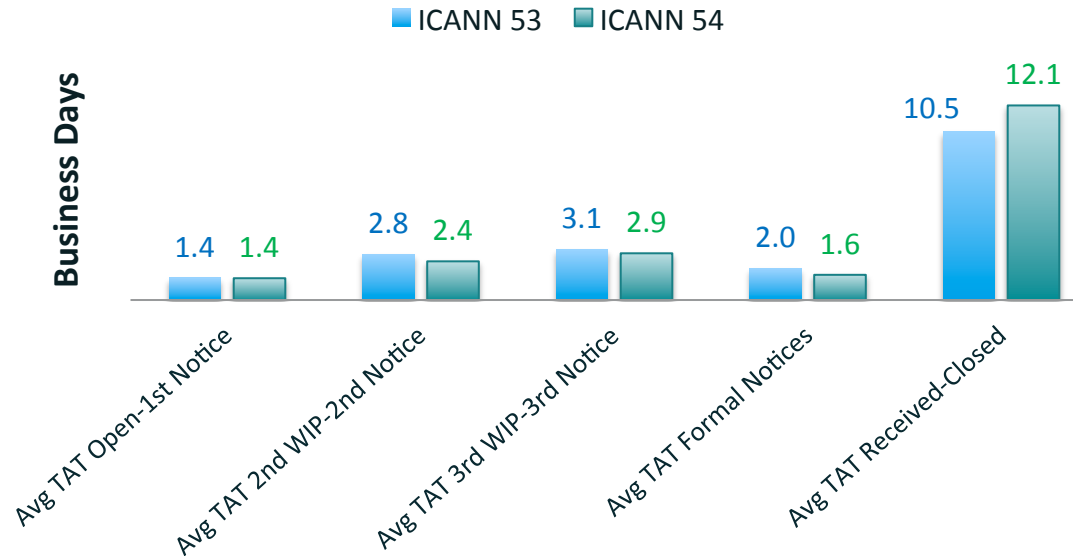
# Registrar Complaint Volume & Turnaround Time



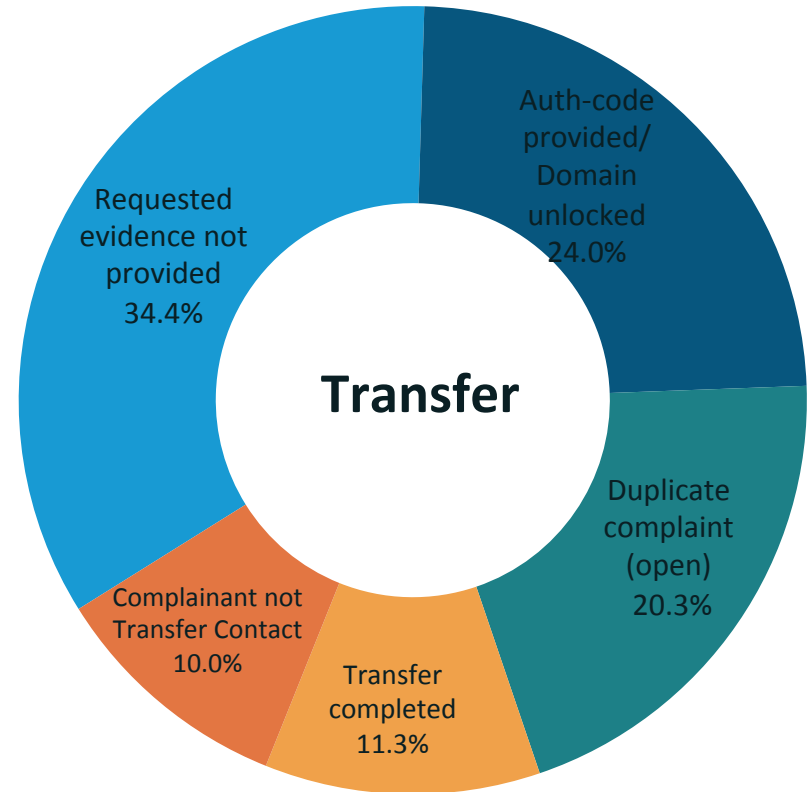
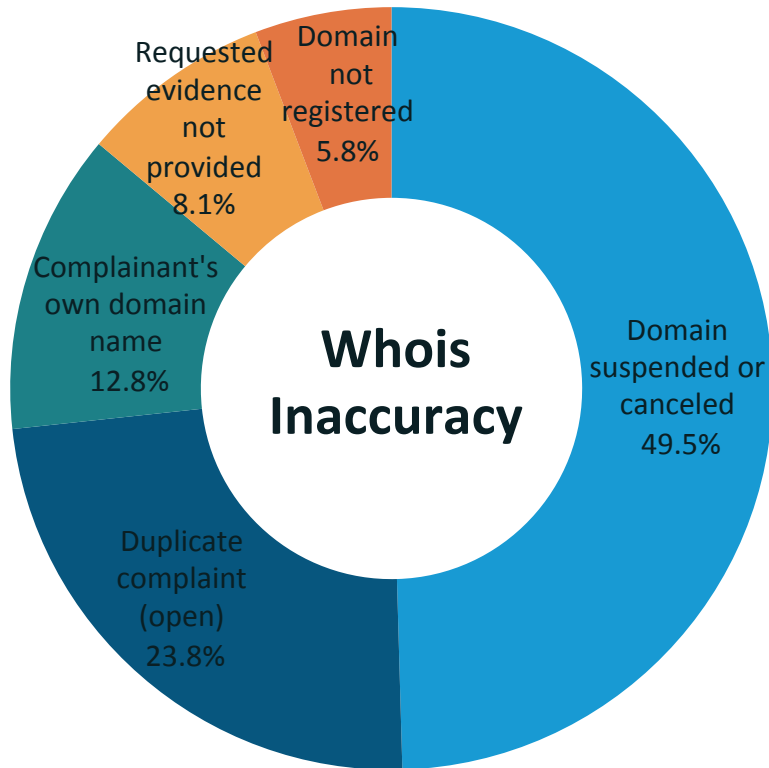
## Registrar Turn Around Time (TAT)



## Staff Turn Around Time (TAT)

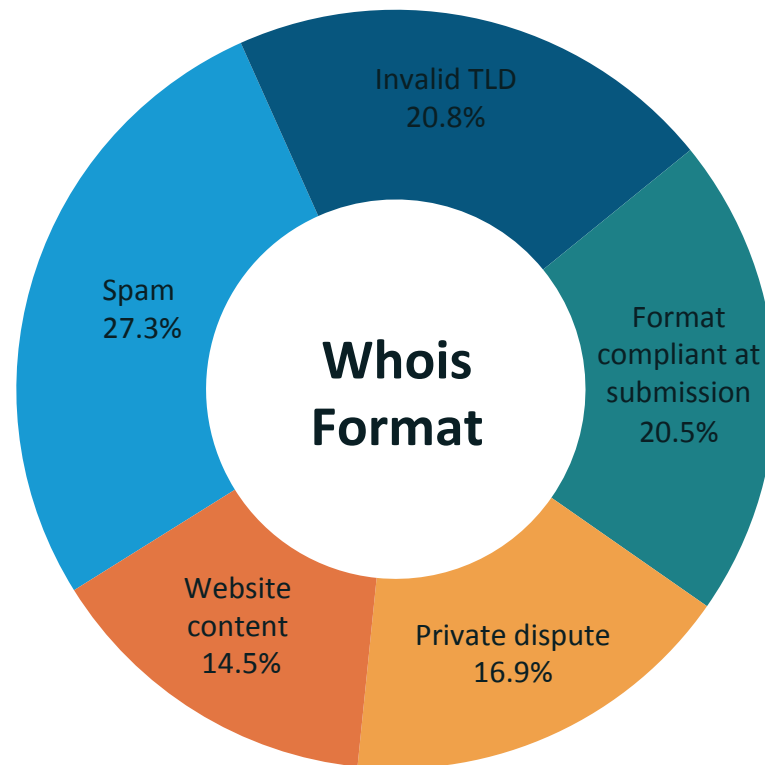
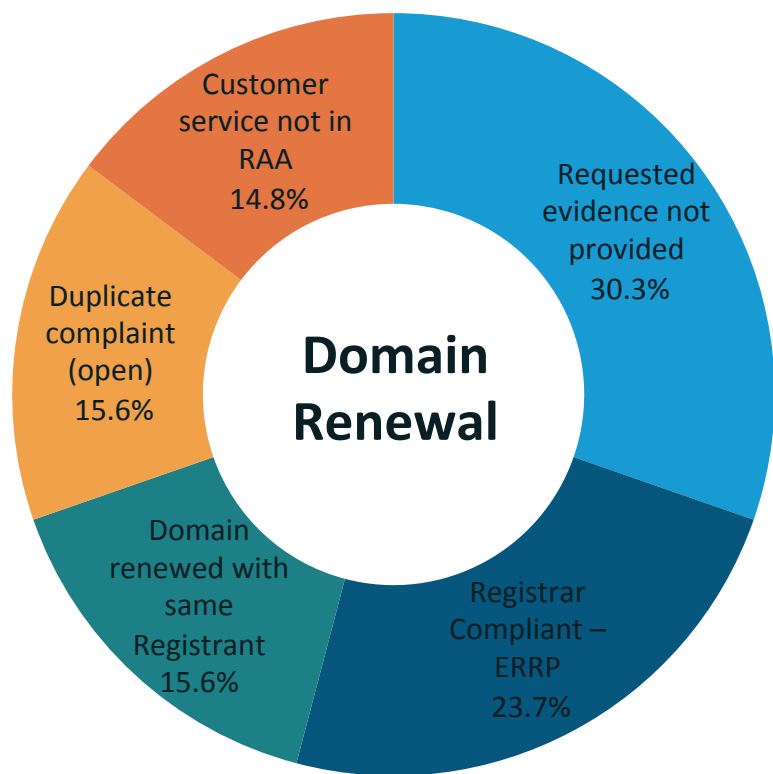


# Registrar Complaint Types & Top Closure Reasons (Jun - Sep 2015)

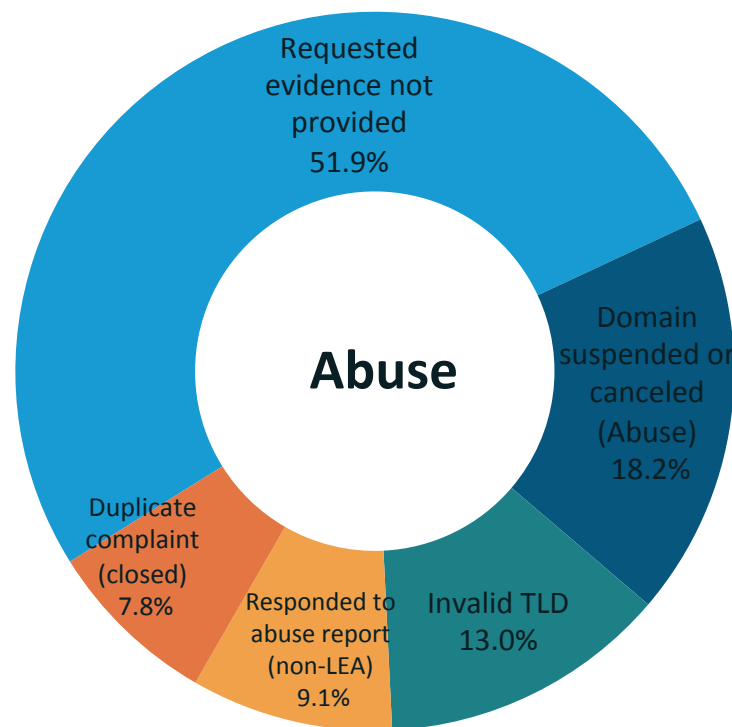
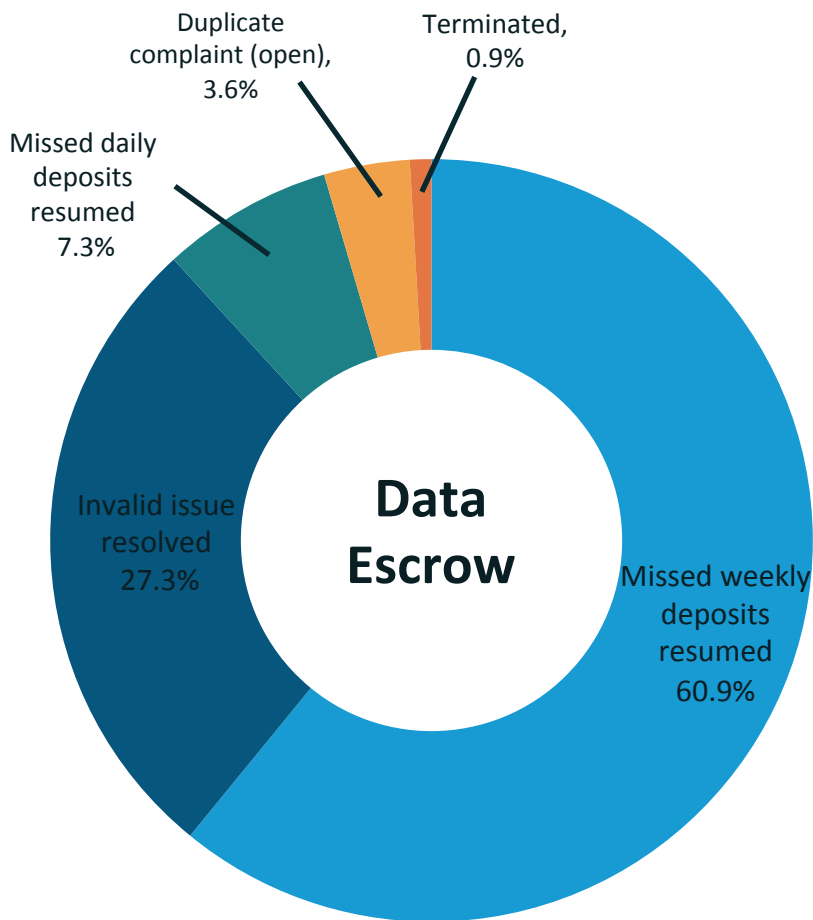




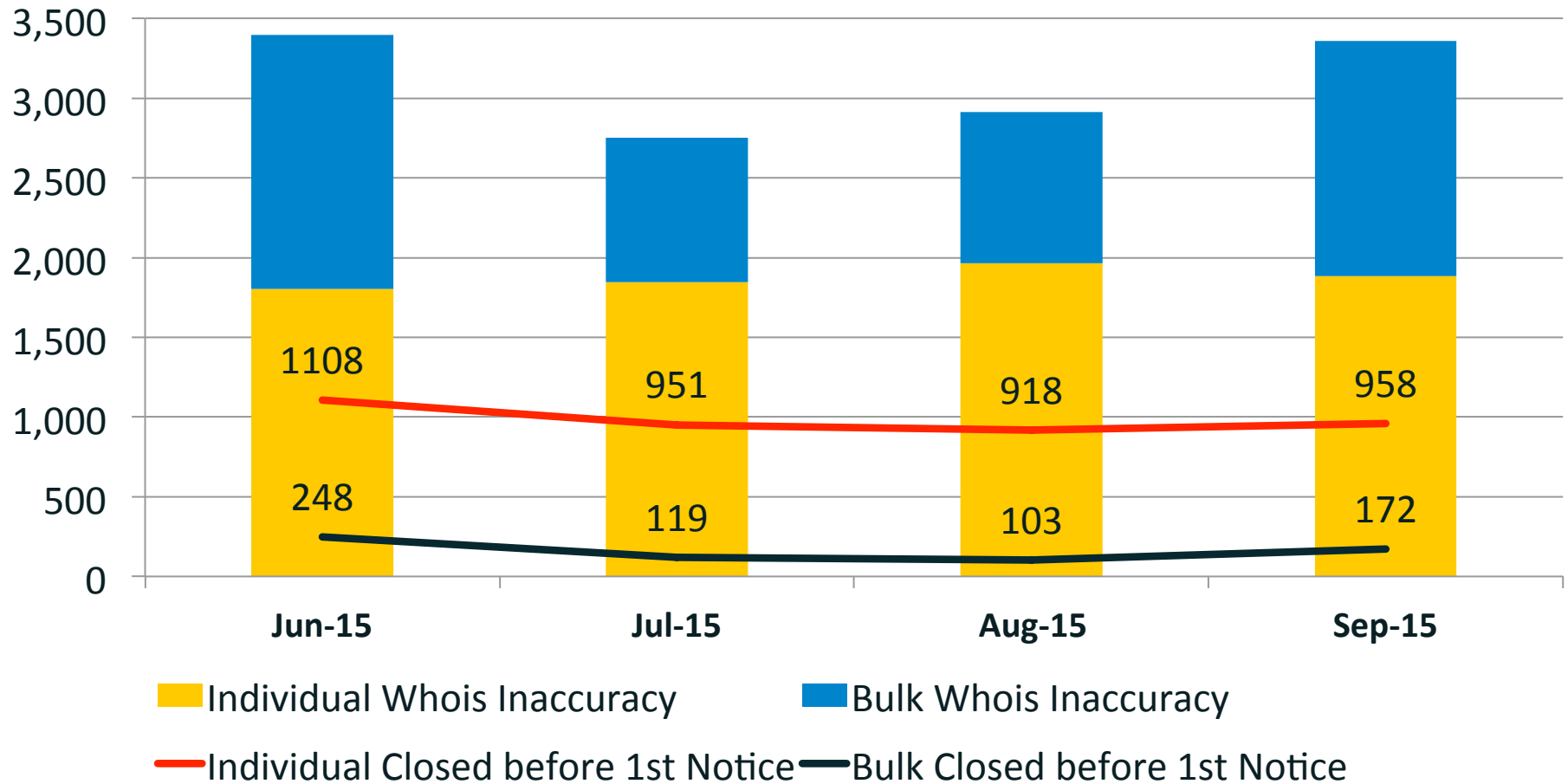
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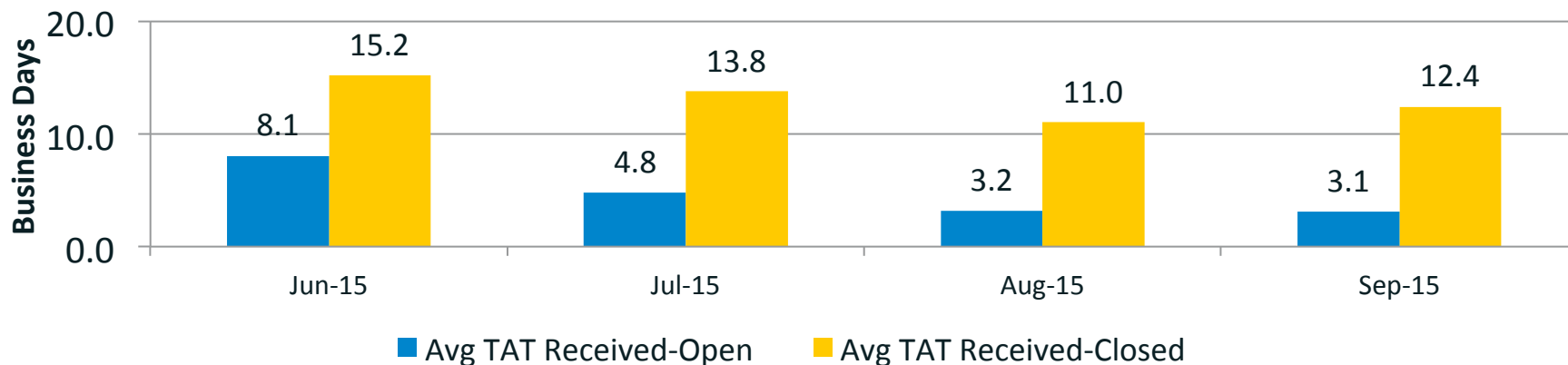


# Whois Inaccuracy Complaints – Individual vs. Bulk (Jun – Sep 2015)

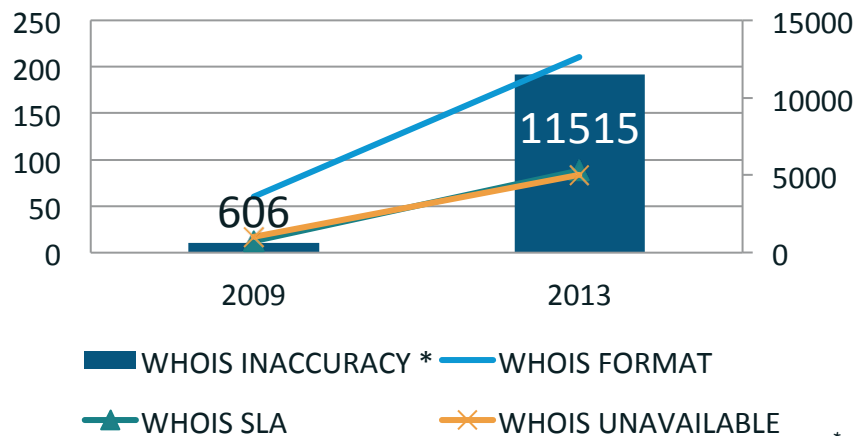


# Additional Whois Related Metrics

## Average Business Days Turn Around Time – Whois Inaccuracy



## Registrar Complaints by Contract Year Jun - Sep 2015



\* number shown on chart

A world map where the continents are defined by a network of white dots of varying sizes connected by thin white lines. The background is a solid teal color. The text 'Registrar Audit' is centered over the map in a white, bold, sans-serif font.

# Registrar Audit

# General Audit Selection Criteria

- ⦿ Contracted parties who have not been previously audited
- ⦿ Contracted parties with highest numbers of 3<sup>rd</sup> Notices per number of domains under management
- ⦿ Contracted parties who had received Notice of Breach in last 12 months
- ⦿ Contracted parties with highest number of failed data escrow deposits
- ⦿ Contracted parties responsiveness to ICANN's requests
- ⦿ ICANN community concerns

# September 2015 – RAA Audit Timeline

Audit Program Milestone Dates								
Pre-Audit Notification	Request for Info			Audit Phase		Initial Reports	Remediation	Final Reports
Date sent	1 <sup>st</sup> Notice	2 <sup>nd</sup> Notice	3 <sup>rd</sup> Notice	Begin	End*	Date Issued*	Start / End*	Date Issued*
<b>31 Aug 2015</b>	14 Sep 2015	6 Oct 2015	13 Oct 2015	20 Oct 2015	1 Feb 2016	8 Feb 2016	9 Feb – 1 March 2016	11 March 2016

## Notes:

\* Audit phase might be completed and initial reports might be sent out prior to dates shown.

During the Request for Information and Audit Phases, ICANN will follow the 1-2-3 notification process (15 working days, 5 working days, 5 working days). For more information on notification process please see:

<http://www.icann.org/en/resources/compliance/approach-processes/overall-19jun13-en.pdf>

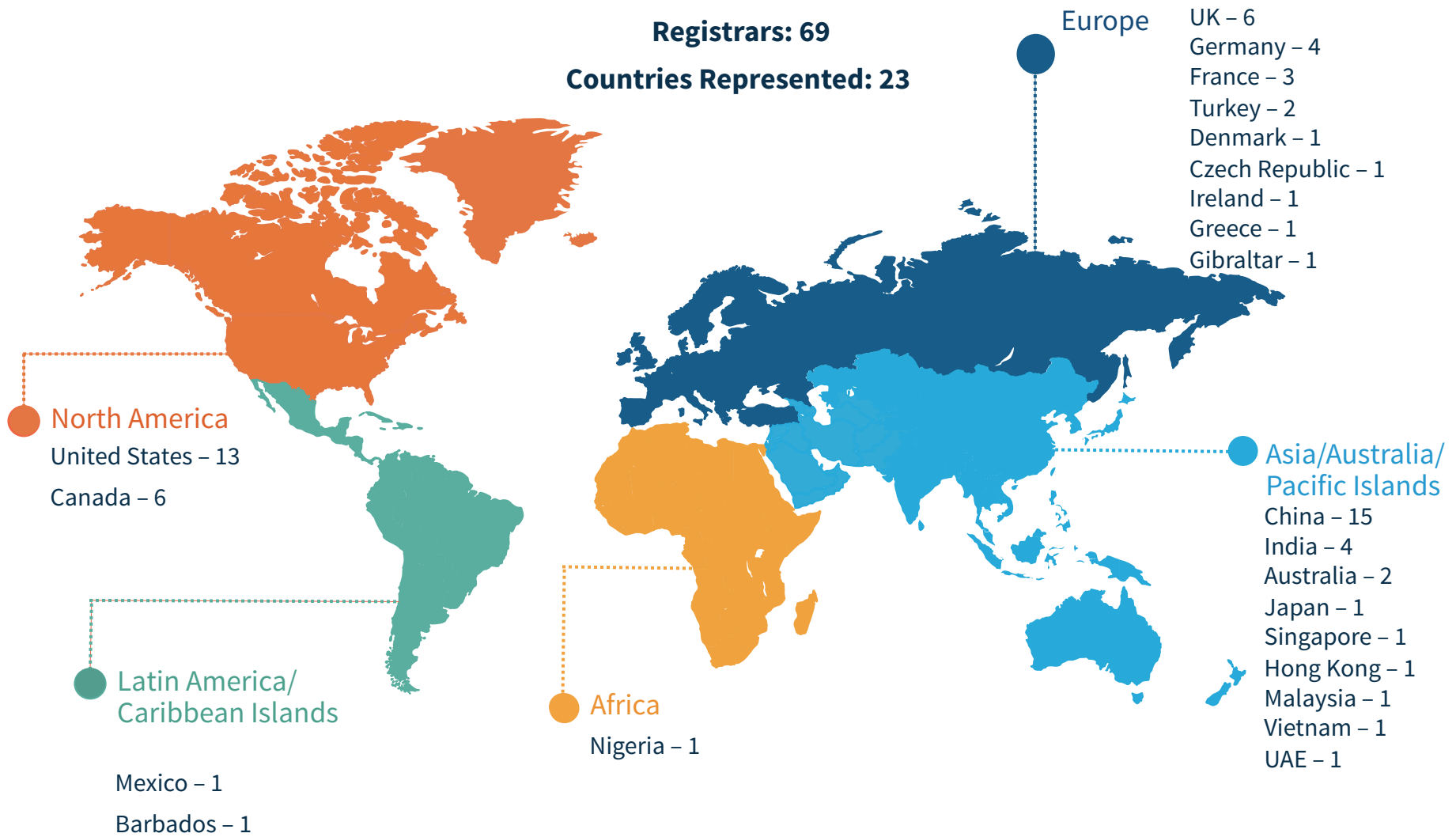
# RAA Audit Provisions and Objectives

2009 RAA Provision	2013 RAA Provision	Objective
3.3.1 to 3.3.5	3.3.1 to 3.3.5	To confirm that Whois output via Interactive Webpage & Port 43 are operational and Corresponding Data Elements are displayed
3.4.2	3.4.2	To confirm that Registration Data are retained
3.7.5.3 to 3.7.5.6	3.7.5.3 to 3.7.5.6	To confirm that Registrar follows EDDP Policy regarding domain renewals and provisions of applicable information to registrants
3.10	3.10	To verify that Registrars' Insurance is current, valid and at the required level
3.12	3.12	To verify that Reseller Agreement includes mandatory provisions
3.16	3.17	To confirm that Registrar contact details are displayed at registrar's website
4.3.1	4.1	To verify Registrar's Compliance with Consensus Policies & Temporary Policies (ERRP, IRTP, WDRP)
5.11	7.6	To verify that RADAR contains of current contact information

Note: as of 30 September 2015, provision 3.10 is no longer a contractual obligation



# September 2015 RAA Audit Selection Statistics



# Audit Communication Recommendations

- ⦿ Please communicate questions regarding what would be acceptable response/documentation to [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to avoid delays in the audit process
- ⦿ ICANN recognizes the uniqueness of Registrars' business models and methods of operation. As such, Registrars should respond with explanations of alternative documentation, which can be provided to meet ICANN Compliance Audit Objectives

# 2013 RAA Provisions Audit Plan Scope

## Provision

## Objective

### WHOIS ACCURACY PROGRAM

3.3.1 to 3.3.5 To confirm that Whois lookups via Interactive Webpage & Port 43 are operational and Corresponding Data Elements are displayed

### DATA RETENTION

3.4.1 to 3.4.2 To confirm that Registration Data are retained

3.7.5.3 to 3.7.5.6 To confirm that Registrar follows EDDP Policy regarding domain renewals and provisions of applicable information to registrants

3.7.7.1 - 3.7.7.12 To confirm that registration agreement includes required provisions

### REGISTRAR OBLIGATIONS

3.7.10 To verify that Registrar provides a link to Registrants' Benefit & Responsibilities Specifications

3.7.11 To verify that Registrar provides Complaints & Dispute Resolution process description

3.10 To verify that Registrars' Insurance is current, valid and at the required level

3.12 To verify that Resellers' Agreements include mandatory provisions

3.12.4 & 3.14 To verify Resellers' compliance with Specification on Privacy and Proxy Registrations and (once in effect), ICANN Proxy Accreditation Program

3.12.5, 3.12.7 & 3.16 To verify Reseller provision of link to Registrant Educational Information (Registrants' Benefit & Responsibilities)

3.13 To confirm that Registrar received required training

3.15 To verify that Registrar submitted self-assessment certificate

# 2013 RAA Provisions Audit Plan Scope

Provision	Objective
<b>REGISTRAR OBLIGATIONS</b>	
3.17	To verify that Registrar provided contact details on registrar's website
3.18	To verify that Registrar provided abuse contact and abuse handling process information on its website; as well investigations of abuse reports are performed.
3.19	To confirm compliance with Additional Technical Specifications (IPV6, DNSSEC and IDNs)
3.20	To confirm the required reporting of Notice of Bankruptcy, Convictions and Security Breaches
7.6	To verify that contact information in RADAR is current
<b>COMPLIANCE WITH POLICIES</b>	
4.1	To confirm compliance with Consensus Policies & Temporary Policies
WHOIS Accuracy Program Specification	To confirm compliance with WHOIS accuracy requirements

A world map where the continents are defined by a complex network of white dots and thin white lines, resembling a social or data network. The background is a solid teal color. The text 'Policy Efforts Update' is centered over the map in a white, bold, sans-serif font.

# Policy Efforts Update

# Policy Update to UDRP Rules

## Updated UDRP Rules effective 31 July 2015:

- ⦿ Within two business days of request for verification from UDRP Provider:
  - ⦿ Registrar must lock domain(s), confirm lock and provide information requested in verification request to Provider
  - ⦿ Lock must be removed within one business day of Registrar being notified that proceeding has been withdrawn or dismissed
  - ⦿ Lock means registrant cannot update Whois or transfer domain (domain must still resolve)
- ⦿ Within three business days of receiving Provider's Decision, registrar must communicate implementation date to Parties, Provider and ICANN
- ⦿ For cases settled between parties outside the UDRP cases
  - ⦿ Provider to inform Registrar of suspension and outcome of the settlement
  - ⦿ Registrar shall remove the lock within two business days of being notified by the Provider
- ⦿ Presentation for UDRP Rules webinar at:  
<https://www.icann.org/en/system/files/files/udrp-rules-30sep14-en.pdf>

# Inter-Registrar Transfer Policy

- ⦿ Registrars must use the standardized Form Of Authorization (Sections 2 and 3 of the IRTP)
  - ⦿ Gaining registrar FOA:  
<https://www.icann.org/resources/pages/foa-auth-2004-07-12-en>
    - ⦿ Affirmative response required from Transfer Contact before sending command to registry
  - ⦿ Losing registrar FOA:  
<https://www.icann.org/resources/pages/foa-conf-2004-07-12-en>
  - ⦿ FOA must be sent in English (other languages permitted in addition to English version)
- ⦿ The AuthInfo code must be used to identify the RNH only, must be unique and on a per-domain basis

# Transfer Policy effective 1 August 2016

- ⦿ Introduces a "Change of Registrant" (COR) procedure that requires registrars to:
  - ⦿ Obtain express consent from both the prior registrant and new registrant
  - ⦿ Process the COR within one day of receiving such consent
  - ⦿ Notify both registrants of a COR in the terms described by the policy
  - ⦿ Impose a 60-day inter-registrar transfer lock following a COR (may allow registrants to opt out of the lock prior to any COR request).
- ⦿ Changes in the inter-registrar transfer process:
  - ⦿ Registrars must deny a transfer request if notified of a pending UDRP or TDRP proceedings or upon receipt of a court order by a court of competent jurisdiction.
  - ⦿ The FOA used by gaining registrars shall expire:
    - ⦿ After 60 days of the FOA being issued (unless the registrant expressly opts in to an automatic renewal, if offered by the registrar)
    - ⦿ The domain name expires before the transfer is completed
    - ⦿ A COR is completed
    - ⦿ The inter-registrar transfer is completed
- ⦿ More info at: <https://www.icann.org/news/announcement-2-2015-09-24-en>



# Policy Update – Additional Whois Information Policy

31 January 2016 effective date for AWIP requirements

- ⦿ Registrars must:
  - ⦿ Only refer to registration statuses in Whois by EPP status codes
  - ⦿ Include a link for each EPP status code in Whois to ICANN webpage explaining each code. A list of URLs is available at <https://www.icann.org/resources/pages/epp-status-codes-list-2014-06-18-en>
  - ⦿ Include the message below in Whois output:

“For more information on Whois statues, please visit:  
<https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en> .”

# Policy Update - Registration Data Directory Service Specification

- 31 January 2016 effective date for Whois advisory. See 52 clarifications at <https://www.icann.org/resources/pages/registry-agreement-raa-rdds-2015-04-27-en>
- Highlights include:
  - The keys “Registrar Abuse Contact Email” and “Registrar Abuse Contact Phone” may appear immediately before the last field (“URL of the ICANN WHOIS Data Problem Reporting System”) instead of following the “Registrar IANA ID” field
  - The value section of the “Reseller” field should be shown, but may be left blank or the whole field may not be shown at all.
    - If shown, the value of the field must be the name of organization, in case the Reseller for the name is a legal entity, or a natural person name otherwise.

# Policy Update (continued)

## Registration Data Directory Service Specification

- ◉ Whois output may show translation of key names in other languages
- ◉ For optional fields where no data exists in a contracted party's Registration System (SRS), the contracted party MUST implement:
  - 1) the key (i.e., the string to the left of the colon) MUST be shown with no information in the value section (i.e., right-hand side of the colon) of the field;or
  - 2) no field MUST be shown. If data exist for a given optional field, the key and the value with the data MUST be shown.

A world map where the continents are defined by a complex network of white dots and thin white lines, resembling a social or data network. The background is a solid dark blue color. The text "Process Guidelines and Clarifications" is centered over the map in a bold, white, sans-serif font.

# Process Guidelines and Clarifications

# Informal Resolution Process Guidelines

## Notice

- Sent regarding an alleged area of noncompliance
- Proactive compliance monitoring (if above applies)
- Complaint from third party (upon validation)

Note: Subject line will indicate whether Notice or Inquiry

VS

## Inquiry

- Information gathering is required
- No known compliance violation
- Proactive compliance monitoring effort (if above applies)

Note: Non-response to Inquiry may result in a Notice

Escalated compliance notices apply to compliance matters that:

- ⦿ Require immediate resolution
- ⦿ Are a repeat of a matter that was claimed to be previously cured
- ⦿ Are grounds for termination (e.g., insolvency, conviction, stability issue)

# Informal Resolution Process – Clarifications

- ⦿ Deadlines are generated on UTC time
- ⦿ Due dates advance at 00:00 UTC
- ⦿ Staff processing 5 x 24 across 3 global hubs
  - ⦿ Notices or inquiries sent on same day may have different deadlines

# Informal Resolution Process – Clarifications

NOTE: Early response allows for follow up and collaboration

- ⦿ ICANN will generally send a follow up for:
  - ⦿ Insufficient response received before due date and time remains
  - ⦿ Insufficient response received early and ICANN review/response past due date
  - ⦿ Extension requested by contracted party by due date (with reason)
  - ⦿ Clarification requested by contracted party before due date
- ⦿ ICANN will advance to next phase for:
  - ⦿ No response from contracted party
  - ⦿ Insufficient response received near or on due date

# Informal Resolution Process – Contacts

ICANN staff uses various contacts in the informal resolution process

- ⦿ Registrars: 1-2-3 notices sent to designated email contacts depending on complaint type; primary contact is also copied on 3rd notice and sent 3rd notice fax
- ⦿ Registries: 1-2-3 notices and 3rd notice fax sent to compliance contact; primary contact and legal notice contact also copied on 3rd notice
- ⦿ Reminder calls are made to contracted parties after 2nd and 3rd notices (if response is insufficient)
  - ⦿ Primary contact for registrars and compliance contact for registries
  - ⦿ Telephone numbers are encouraged to be direct lines (rather than general customer service lines), with voicemail



A world map where the continents are defined by a network of white dots and connecting lines, set against a teal background. The dots vary in size, and the lines are thin and light-colored.

# **Additional RAA Guidelines & Reference**

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# 2013 RAA: Whois Accuracy Program Specification (WAPS)

## Distinguishing verification/validation

- ◉ Verify

- ◉ “to confirm or correct accuracy of Whois data”
- ◉ Requires contacting and receiving response from RNH

- ◉ Validate

- ◉ “to ensure format of Whois data is consistent with standards”
- ◉ Validation is conducted by registrar, not RNH

# 2013 RAA: WAPS Validation

- ◉ Validation: ensure data is present and formatting is consistent with standards
  - ◉ “Standards” includes RFC 5322 (email), ITU-T E. 164 (telephone), UPU postal or S42 addressing templates (postal addresses) or equivalents for country or territory
    - ◉ Not websites or map applications (unless they rely on standards)
    - ◉ Not something obtained from RNH
- ◉ ICANN request registrars to specify the standards used for validation and validation results

# 2013 RAA: WAPS Verification

- ⦿ Verification: to confirm or correct information
  - ⦿ Affirmative response verification by email:
    - ⦿ Receive email from registrant email address listed in Whois data, or
    - ⦿ Returning a unique code in a manner designated by the Registrar
  - ⦿ Affirmative response verification by telephone:
    - ⦿ Calling or sending an SMS to the Registered Name Holder's telephone number providing a unique code that must be returned in a manner designated by the Registrar, or
    - ⦿ Calling the Registered Name Holder's telephone number and requiring the Registered Name Holder to provide a unique code that was sent to the Registered Name Holder via web, email or postal mail.
- ⦿ Absent affirmative response verification within 15 days of trigger:
  - ⦿ Registrar must manually verify or suspend domain until verification occurs

# 2013 RAA: WAPS Triggers by Section Number

- ⦿ Section 1: validation and verification required for all new registrations, inbound transfers or when the RNH changes
- ⦿ Section 2: verification and validation required for updated Whois data
- ⦿ Section 4: if registrar has information suggesting Whois data is incorrect it must also verify or re-verify email addresses of RNH and account holder
  - ⦿ Whois inaccuracy complaint triggers verification

# 2013 RAA: Whois Inaccuracy Notices and WAPS

- ⦿ **Section 3.7.8:** Registrars are required to take reasonable steps to investigate and correct Whois data inaccuracies
- ⦿ ICANN requests:
  - ⦿ Correspondence during investigation, including email headers and investigation details, including when, how, and with whom communication was conducted
  - ⦿ Validation of any data updated following investigations per Section 2 of WAPS (ICANN requires registrars to specify the standards used for validation and validation results)
  - ⦿ Verification of RNH email per Section 4 of WAPS
- ⦿ The obligations to validate, verify and investigate alleged Whois inaccuracies under RAA Section 3.7.8 are not interchangeable

# 2013 RAA: Whois Inaccuracy Notices and WAPS

- ⦿ Registrars have 15 calendar days after trigger event (for ex new registration, in-bound transfer, change to registrant, Whois Inaccuracy complaint) to verify/validate, as applicable
  - ⦿ Multiple triggers within initial period do not add time
- ⦿ ICANN's 1st compliance notice remains 15 business days
- ⦿ ICANN asks in 2nd compliance notice why registrars did not suspend or delete registrations within 15 calendar days

# 2013 RAA: Whois Inaccuracy Notices and WAPS

- ◉ ICANN looking for one of three results to Whois inaccuracy complaint:
  - ◉ Whois updated within 15 days of notifying RNH – registrar provided documentation of validation of updates and verification (including affirmative response or manual verification)
  - ◉ No response from RNH within 15 days of notifying RNH – domain suspended until registrar has verified information
  - ◉ Whois verified as accurate (no change) within 15 days of notifying RNH – registrar provided documentation of verification
- ◉ ICANN may also request evidence of WAPS fulfillment under Section 1



# 2013 RAA: Abuse Reports Requirements

- ⦿ Most common abuse reports are about online pharmaceuticals, malware, viruses, spam and IP Infringement.
- ⦿ Examples of out of scope reports:
  - ⦿ Registrars on 2009 RAA
  - ⦿ Reporter did not contact the registrar before complaining to ICANN
- ⦿ ICANN continues to conduct outreach with registrars, abuse reporters and IP rights protection groups

# 2013 RAA: Abuse Reports Requirements

## Section 3.18 of 2013 RAA

- ⦿ 3.18.1: anyone worldwide can file valid abuse reports
- ⦿ 3.18.2: law enforcement, consumer protection, quasi-govt. - No jurisdictional limitation once entity is designated by registrar's local government.
- ⦿ Registrar must investigate reports
  - ⦿ Court order NOT required to investigate
  - ⦿ Investigative process can vary depending on report
- ⦿ Home page must link to abuse process and email address (contact form only is not sufficient)

# 2013 RAA: Abuse Reports Requirements

## Section 3.18.1

- Registrars must:
  - Take reasonable and prompt steps to investigate and
  - Respond appropriately to ANY reports of abuse
- Reasonable steps may include:
  - Contacting the RNH of the domain(s)
- Appropriately varies depending on the facts and circumstances
- Whois data verification by itself is insufficient
- Court order is not required for registrar to investigate absent a specific local law or regulation provided to ICANN

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## Section 3.18.2

- Registrar must have dedicated abuse email and phone number in Whois output
- Reports of Illegal Activity must be reviewed within 24 hours by an individual who is empowered to take necessary and appropriate actions
- Reports can be from any applicable jurisdiction once reporter is designated by registrar's local government as an authority

# Abuse Reports - ICANN Complaint Processing

- ⦿ ICANN confirms that reporter sent abuse report to registrar abuse contact before sending complaint to registrar
- ⦿ ICANN could request the:
  - ⦿ Steps taken to investigate and respond to abuse report
  - ⦿ Time taken to respond to abuse report
  - ⦿ Correspondence with complainant and registrant
  - ⦿ Link to website's abuse contact email and handling procedure
  - ⦿ Location of dedicated abuse email and telephone for law-enforcement reports
  - ⦿ Whois abuse contacts, email and phone
- ⦿ Examples of steps registrars took to investigate and respond to abuse reports:
  - ⦿ Contacting registrant
  - ⦿ Asking for and obtaining evidence or licenses
  - ⦿ Providing hosting provider info to complainant
  - ⦿ Performing Whois verification
  - ⦿ Performing transfer upon request of registrant
  - ⦿ Suspending domain

# Abuse Reports – Resolve Codes

- ⦿ Abuse contact info published on registrar website
- ⦿ Added required abuse information in Whois output
- ⦿ Abuse report handling procedures published on registrar website
  
- ⦿ Registrar suspended or canceled domain
  
- ⦿ Registrar demonstrated that it maintained abuse records
  
- ⦿ Registrar responded to abuse report (non-LEA), including:
  - ⦿ Communicating report to registrant
  - ⦿ Registrant provides copy of government license
  - ⦿ Reporter removed from email distribution list (spam complaint)
  - ⦿ Website content in complaint removed
- ⦿ Registrar responded to LEA illegal activity reports
  
- ⦿ Registrar documented valid non-action, including
  - ⦿ Registrar previously responded to complaint
  - ⦿ Invalid abuse complaint
  
- ⦿ Registrar now monitoring abuse email address/phone
  
- ⦿ Registrar showed email/phone already published

# 2013 RAA: Domain Renewal Requirements

## Expired Registration Recovery Policy

- ⦿ Renewal reminders must be sent at required times to RNH
  - ⦿ Approximately 1 month (26-35 days) and 1 week (4-10 days) prior to expiration and within 5 days after expiration
  - ⦿ Required even if registration is on auto-renew
  - ⦿ Must be communicated in a way that does not require an affirmative action to receive the notice
  - ⦿ Can be sent to other email addresses *in addition to* the RNH email address
  - ⦿ Can be sent at other intervals *in addition to* those prescribed by the ERRP
- ⦿ For at least the last eight consecutive days after expiration that the registration is renewable, the DNS resolution path must be interrupted
  - ⦿ If traffic is re-directed to a parking page, it must say that the name expired and include renewal instructions
  - ⦿ If RAE renews name, DNS resolution path must be restored as soon as commercially reasonable

# General UDRP Issues

## Uniform Domain Name Dispute Resolution Policy

- ⦿ Verify with providers and prevent improper transfer
  - ⦿ Registrars not responding to verification requests from providers
  - ⦿ Registrars transferring names during proceedings or instead of implementing Decision
- ⦿ Complexity of matters involving “mutual jurisdiction”
- ⦿ Complainants not providing information to registrars to update Whois
- ⦿ If domain name expires or is deleted during the course of a UDRP dispute, Complainant has the right to renew or restore under same commercial terms as RNH

Note: UDRP Rule revisions took effect 31 July 2015

# Inter-Registrar Transfers

## Inter-Registrar Transfer Policy

- ⦿ Registrars must use the standardized Form Of Authorization (Sections 2 and 3 of the IRTP)
  - ⦿ Gaining registrar FOA:  
<https://www.icann.org/resources/pages/foa-auth-2004-07-12-en>
    - ⦿ Affirmative response required from Transfer Contact before sending command to registry
  - ⦿ Losing registrar FOA:  
<https://www.icann.org/resources/pages/foa-conf-2004-07-12-en>
  - ⦿ FOA must be sent in English (other languages permitted in addition to English version)
- ⦿ The AuthInfo code must be used to identify the RNH only, must be unique and on a per-domain basis
- ⦿ The new IRTP, renamed the "Transfer Policy", will be effective 1 August 2016: <https://www.icann.org/news/announcement-2-2015-09-24-en>



# 2013 RAA: Privacy/Proxy Services

## Section 3.4.1.5 and Specification on Privacy and Proxy Registrations

- ◉ Privacy service: shows actual registrant's name, but alternative contact information
- ◉ Proxy service: is the registrant and licenses domain to beneficial user
- ◉ Whois data for these registrations must be reliable and accurate
  - ◉ Registrant must be contactable for both privacy and proxy services
- ◉ Registrar must verify/validate Whois data as required by 2013 RAA
- ◉ Underlying Whois info must be included in data escrow deposits

# 2013 RAA: Registrar Information Specification

## Section 3.17 and Registrar Information Specification

- ⦿ Registrars must provide ICANN completed RIS after execution of RAA
- ⦿ Additional website posting requirements (contact information, officer information and parent entity)
- ⦿ Most common issues:
  - ⦿ Not providing supporting documentation per RIS Section 6 demonstrating good standing
  - ⦿ Providing incomplete information
  - ⦿ Not publishing required data on website

## Section 3.12

- ⦿ Resellers cannot cause registrar to breach RAA
- ⦿ Registrar must use efforts to ensure reseller compliance
- ⦿ ICANN may review registrar/reseller written agreement
- ⦿ Resellers may not use ICANN-accredited logo
- ⦿ Resellers must identify registrar upon request
- ⦿ Resellers must abide by Privacy/Proxy Specification and Consensus Policies

# 2013 RAA: Domain Deletion

## Whois Accuracy Program Specification

- ⦿ ICANN's review includes check for whether domain was deleted or suspended in cases of registrant's:
  - ⦿ Non-response within 15 days of registrar's Whois inquiry
  - ⦿ Willful provision of inaccurate or unreliable contact information
  - ⦿ Willful failure to update information within 7 days of change
- ⦿ If registrar demonstrates compliance, ICANN will notify complainant to contact registrar regarding reactivation

# 2013 RAA: Customer Service Handling Process

## Section 3.7.11

- ⦿ ICANN requests could include, for example:
  - ⦿ Copy of customer service handling process
  - ⦿ Link to customer service handling process on website
  - ⦿ Written communications with RNH regarding notification of customer service handling process

# 2013 RAA: DNSSEC, IPv6 and IDN

## Section 3.19 and Additional Registrar Operation Specification

- ⦿ DNSSEC:
  - ⦿ Must allow customers to use DNSSEC upon request
  - ⦿ All requests shall be transmitted to registries using the EPP extensions in RFC 5910 or its successors
- ⦿ IPv6:
  - ⦿ If registrar offers nameserver specification by customer, IPv6 must be allowed
- ⦿ Internationalized Domain Names:
  - ⦿ Compliance with Additional Registrar Operation Specification

# 2013 RAA: Bankruptcy, Conviction, Security Breach

## Section 3.20

- ⦿ Registrar required to provide ICANN notice of these events
- ⦿ ICANN review could include requesting:
  - ⦿ Proof of bankruptcy proceeding or conviction
  - ⦿ Detailed description of breach (breach itself is not noncompliance)
    - ⦿ How it occurred
    - ⦿ Number of registrants affected
    - ⦿ Any action taken in response

# 2013 RAA: Registrant Rights and Responsibilities

## Sections 3.7.10 and 3.16

- ⦿ Registrar must publish or provide a link to the Registrants' Benefits and Responsibilities Specification (attached to RAA) on its website (Section 3.7.10)
- ⦿ Registrar must provide a link to ICANN's registrant educational information (Section 3.16) on its website
- ⦿ ICANN review could include requests, for example, of:
  - ⦿ Website URLs
  - ⦿ Screenshots



# 2013 RAA: Data Retention Waiver

## Data Retention Specification

- ⦿ Registrars may retain for shorter period or provide fewer records per Data Retention Waiver
  - ⦿ Waiver is based on legal opinion or government ruling that retention violates applicable law
  - ⦿ Limited to specific terms and conditions of retention requirements
    - ⦿ Example: waiver changing post-sponsorship retention period from 2 years to 1 year
- ⦿ Registrars in same jurisdiction as already-approved registrar may request similar treatment
- ⦿ ICANN must approve waiver before registrar can deviate from retention obligations

## Section 3.3

- ⦿ Registrars are required to provide public access to contact details for each domain via Port 43 and the web
  - ⦿ 2013 RAA only: Port 43 Whois access is required for “thin” registries only
- ⦿ 2013 RAA only: additional Whois Service Level Agreement (SLA) requirements in Section 2 of the Registration Data Directory Service (Whois) Specification

# 2009/2013 RAA: Other Web Posting Obligations

Some of the other registrar web posting obligations include:

- ⦿ Publishing valid contact details per Sections below
  - ⦿ 2009 RAA Section 3.16
  - ⦿ 2013 RAA Section 3.17
- ⦿ If the ICANN-accredited registrar logo is used, it must conform to the one in the RAA
  - ⦿ 2009 RAA Logo License Appendix
  - ⦿ 2013 RAA Logo License Specification



## Section 3.6

- ⦿ Registrars with registered domains are required to deposit registration data into escrow
- ⦿ ICANN monitors the data deposits to ensure that they:
  - ⦿ Are made on schedule (daily/weekly)
  - ⦿ Correspond to each registrar's requirements (full deposit only vs. full and incremental deposits)
  - ⦿ Are valid in format and completeness
- ⦿ Manual data escrow audits are performed upon request

# 2009/2013 RAA: Data Escrow – Common Errors

## Common errors with registrar data escrow deposits

- ⦿ Data in deposit does not match Whois lookup
- ⦿ Whois lookup blocked
- ⦿ Incomplete header row (missing ICANN required fields)
- ⦿ Deposit file is empty or only contains a header row
- ⦿ Deposit file name is incorrect
- ⦿ Handle file (if required) is missing from the deposit
- ⦿ Not comma de-limited
- ⦿ Full file and Handle file contains no header row

# 2009/2013 RAA: Accreditation Fees

## Section 3.9

- ⦿ Registrars are required to pay ICANN yearly and variable accreditation fees.
- ⦿ ICANN requests could include, for example:
  - ⦿ Immediate payment (no extensions for past due fees)
  - ⦿ Reply to compliance notice upon payment
  - ⦿ Emailing/CC to [accounting@icann.org](mailto:accounting@icann.org) upon payment
- ⦿ Ensure reply with credit card authorization form does not exceed 4 MB size  
<https://www.icann.org/en/system/files/files/credit.pdf>

# 2009/2013 RAA: Registration Data and Records

## Sections 3.4.2 and 3.4.3

- ⦿ Registrars are:
  - ⦿ Required to maintain and provide registration data and records of written communications
  - ⦿ Responsible for maintaining data and documents and providing them to ICANN regardless of the business model (reseller)

Note: not responding to ICANN compliance notices is commonly a violation of these requirements

# 2009/2013 RAA: Registration Agreement

## Section 3.7.7

- ⦿ Agreement should include all provisions of Section 3.7.7:
  - ⦿ The same or equivalent language provided in Sections 3.7.1.1-12 must be included in registration agreements
- ⦿ Agreement must be with a person or legal entity other than the registrar unless the registrar is using the domain for Registrar Services



# 2009/2013 RAA: Registrar Contact Data

## 2009 RAA Section 5.11 and 2013 RAA Section 7.6

- ⦿ Registrars must have a point of contact where compliance communications, notices and enforcement are sent
  - ⦿ Keep contact information in ICANN's Registrar Database (RADAR) up to date
  - ⦿ To update Primary Contact, follow the instructions located here: <https://www.icann.org/resources/pages/registrar-contact-updates-2015-09-22-en>
  - ⦿ Send contact data questions to [radaradmin@icann.org](mailto:radaradmin@icann.org)

1

## **2013 RAA**

<https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en>

2

## **2009/2013 RAA redline**

<https://www.icann.org/en/system/files/files/approved-with-specs-21may09-redline-27jun13-en.pdf>

3

## **2013 RAA FAQ (includes links to four webinars)**

<https://www.icann.org/resources/pages/faqs-2013-11-26-en>