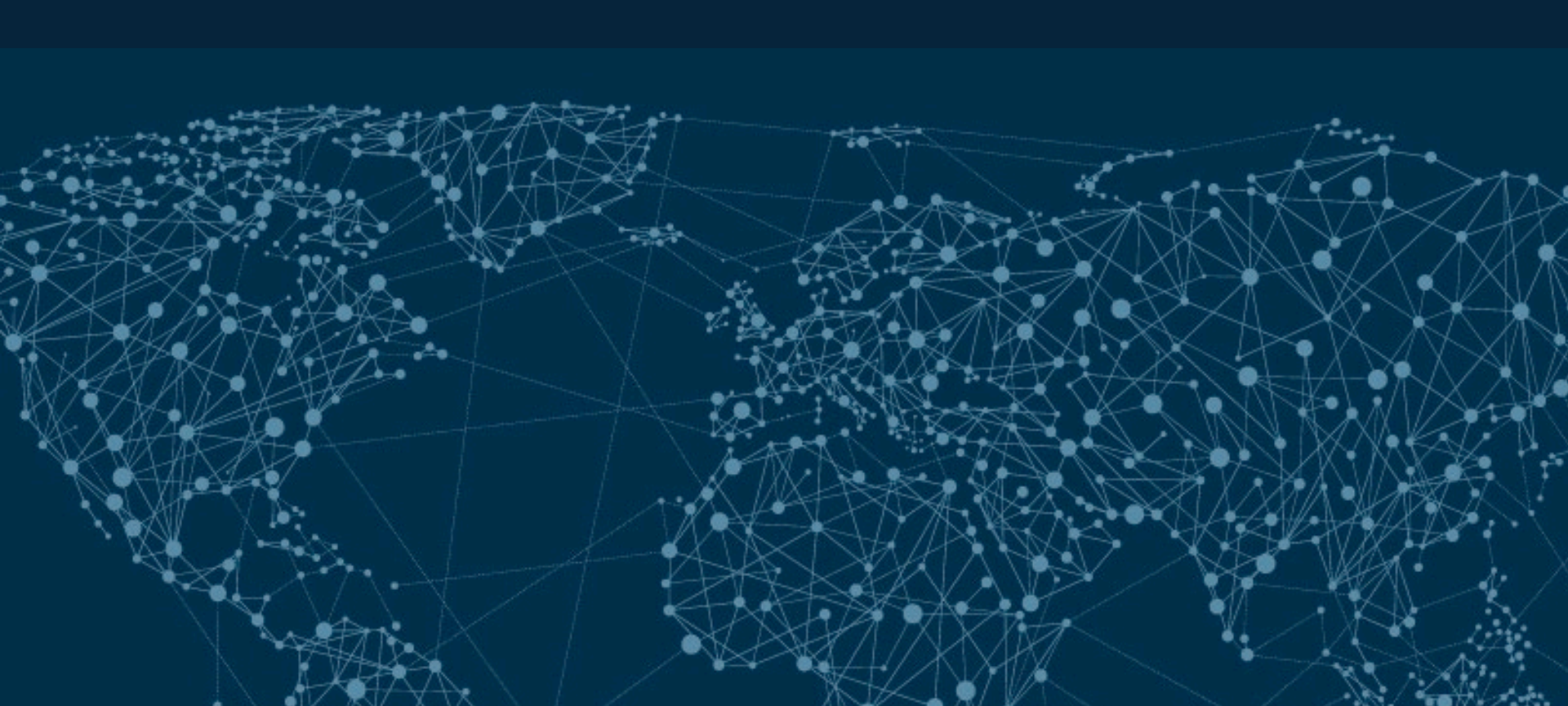


# ICANN|55 MARRAKECH

5 – 10 March 2016





# Contractual Compliance Update

Contractual Compliance | ICANN 55 | 9 March 2016

# Agenda

- ⦿ Brief Update Since ICANN 54 on:
  - ⦿ Contractual Compliance Campaign
  - ⦿ Policy Update & Continuous Improvement Update
  - ⦿ Contractual Compliance Audit Activities Update
  - ⦿ Performance Measurement & Reporting
  - ⦿ Registrar Compliance
  - ⦿ Registry Compliance
- ⦿ Questions & Answers

A world map where the continents are defined by a complex network of white dots and thin white lines, set against a solid teal background. The dots vary in size, and the lines connect them to form a web-like structure that outlines the major landmasses.

# **Contractual Compliance Campaign**

# Contractual Compliance Awareness Campaign

- Project to improve knowledge and awareness
- Available in eight languages
- Since ICANN 54
  - Launched a Twitter and Facebook Campaign to drive traffic to the Contractual Compliance and the Complaint Submission/Learn More pages
  - Campaign dates 10-22 February 2016 - details in the appendix
  - Team is working on additional handouts to bring more clarity on WHOIS Inaccuracy and Transfer Complaint guide
- Reminder:
  - Video Campaign - Getting to know Contractual Compliance Video <https://www.icann.org/resources/pages/compliance-2012-02-25-en>
  - Handout Campaign - What is a Contractual Compliance Complaint? <https://www.icann.org/resources/pages/compliance-2012-02-25-en>
  - Link to the Learn More <https://www.icann.org/compliance/complaint>



**Policy Updates &  
Continuous Improvements Update**

# Policy and Working Group Efforts

## Actively contributing to registry-related policies and Working Groups

- ⦿ Competition, Trust and Choice Review
- ⦿ Rights Protection Mechanism Review
- ⦿ New gTLD Subsequent Procedures
- ⦿ DNS Abuse Review
- ⦿ Clarification of Public Interest Commitments Specification 11, Section 3b Advisory and Security Framework
- ⦿ IGO-INGO: Curative Rights Protections and Protection of Identifiers
- ⦿ Thick WHOIS & Registration Data Access Protocol (RDAP)

# Policy and Working Group Efforts (continue)

Actively contributing to registrar-related policies and Working Groups

- ◉ IRTP-D Implementation Group
- ◉ Privacy & Proxy Services Accreditation Issues Working Group
- ◉ Registration Data Access Protocol (RDAP)



# Continuous Improvements updates

## Improvements based upon community & contracted party feedback:

- ⦿ Ensure consistent ticket ID format in complaint system email subject headings
- ⦿ Template improvements

## Policy, Initiative and System based improvements:

- ⦿ Simplification and other improvement of resolve code wording
- ⦿ Increased automation for improved processing by staff
- ⦿ Improvement to UDRP complaint form (reduce need for ICANN follow up)
- ⦿ SLA Monitoring
- ⦿ Participation in the enterprise-wide effort to Salesforce migration

## Improved Email Communications

- ⦿ Worked with several large backend email providers to whitelist emails from complaint processing system

# **Contractual Compliance Audit Activities Update**

**Link to the ICANN Contractual Compliance  
Audit Page:**

**<https://www.icann.org/resources/pages/audits-2012-02-25-en>**

# New Registry Agreement Audit Update

- ◉ Launched new round of RA audit – January 2016
- ◉ Selection included 10 new gTLD Registry Service Providers not already audited
- ◉ Request for Information sent on 27 January 2016
- ◉ Audit phase tentatively set to occur March – April; Remediation phase tentatively set to occur April – May
- ◉ Countries represented: Brazil, Canada, France, Great Britain, India, Ireland, Mexico, Netherlands, United States
- ◉ Sources of data audited: Registry Operators, Registry Service Providers, Data Escrow Agents, Trademark Clearinghouse and ICANN
- ◉ Documentation Languages: Dutch, English, French, Japanese, Mandarin, Russia

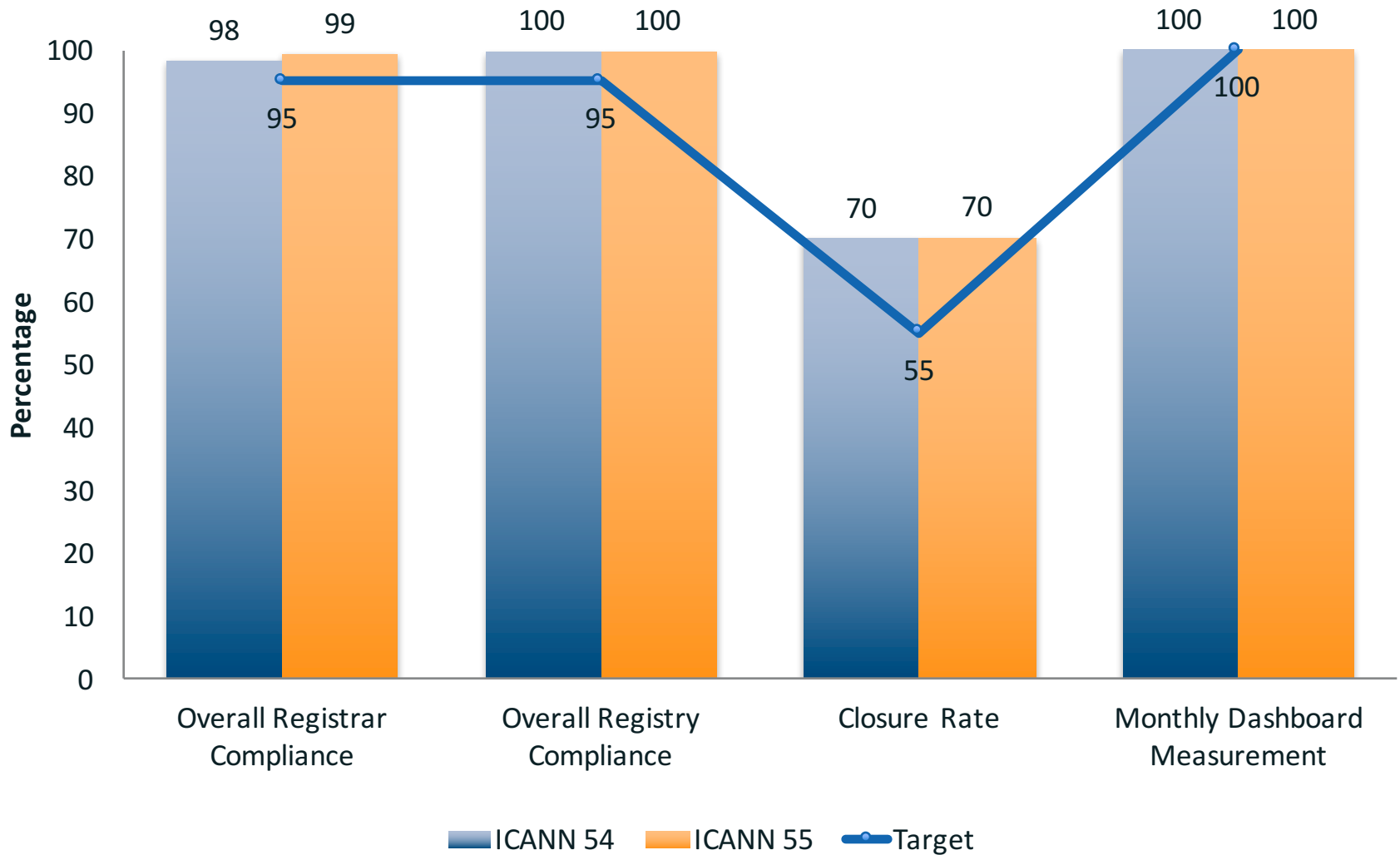
# 2013 RAA Audit Update

- ⦿ Launched new round of 2013 RAA audit - September 2015
- ⦿ Sample of 67 Registrars selected for this audit
- ⦿ One Registrar was terminated during the audit RFI phase
- ⦿ Received approximately 5,200 documents during RFI phase
- ⦿ Languages: Cantonese, Danish, English, French, German, Greek, Japanese, Mandarin, Spanish, Turkish, Vietnamese
- ⦿ Initial audit reports were issued to Registrars in February
- ⦿ Audit is currently in Remediation phase
- ⦿ Next Steps: ICANN to issue final audit report to Registrars by end of March

The background of the slide is a teal 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 globe.

# Performance Measurement & Reporting

# Contractual Compliance KPI



For more information, please visit: <https://www.icann.org/progress>

# Customer Satisfaction Survey

## What is Your Overall Satisfaction with Our Services?



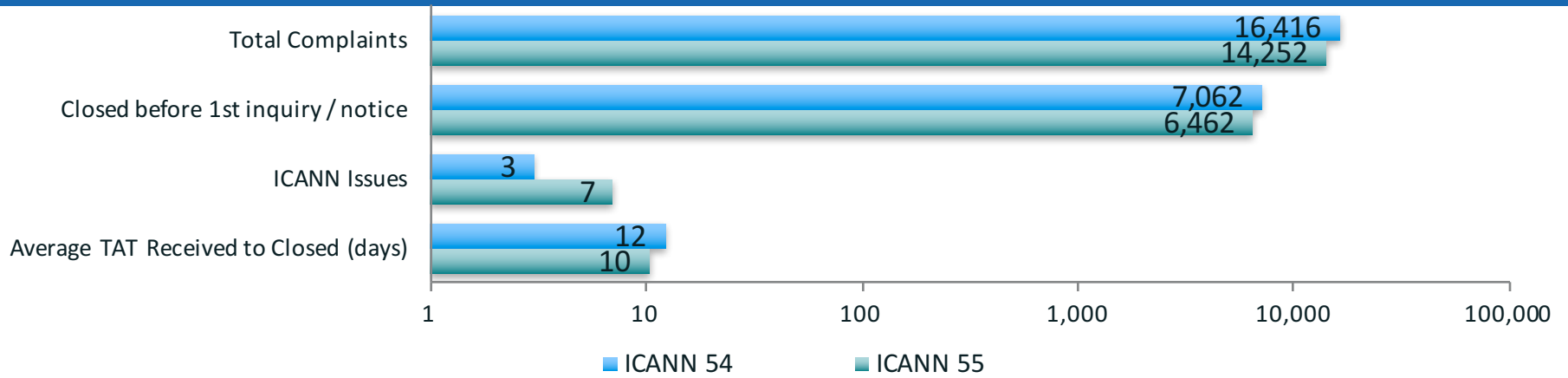
# Running Balance Scorecard

	ICANN 54 [Jun 15 - Sep15]	ICANN 55 [Oct 15 - Jan16]
	New Complaints	New Complaints
REGISTRAR	16,416	14,252
REGISTRY	700	864
<b>Total New Complaints</b>	<b>17,116</b>	<b>15,116</b>
<b>Total Prior Month(s) Carryover</b>	<b>8,757</b>	<b>6,562</b>
<b>Total Complaints</b>	<b>25,873</b>	<b>21,678</b>
	Complaints Closed	Complaints Closed
Volume Closed Before 1st Notice	7,225	6,767
Volume Closed Before 2nd Notice	9,471	7,712
Volume Closed Before 3rd Notice	982	693
Volume Closed Before Enforcement	353	80
Volume Closed After Enforcement*	54	16
<b>Total Closed</b>	<b>18,085</b>	<b>15,268</b>
	Complaints Open (Carryover)	Complaints Open (Carryover)
Volume Open Before 1st Notice Sent	1,746	2,458
Volume Open in 1st Notice Sent	5,369	3,754
Volume Open in 2nd Notice Sent	549	165
Volume Open in 3rd Notice Sent	102	23
Volume Open After Enforcement	22	10
<b>Total Remaining Open (sum of each month)</b>	<b>7,788</b>	<b>6,410</b>
<b>Carryover at end of period</b>	<b>1,774</b>	<b>1,557</b>
	Formal Notices	Formal Notices
Volume Breach	7	4
Volume Contract Non-Renewal	0	0
Volume Suspension	2	0
Volume Termination	3	1

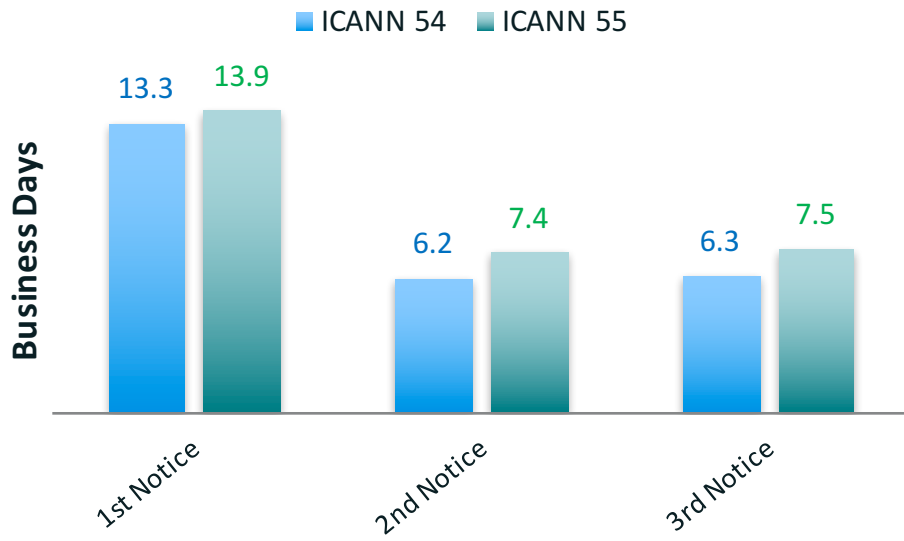
\*A single breach may contain multiple complaints



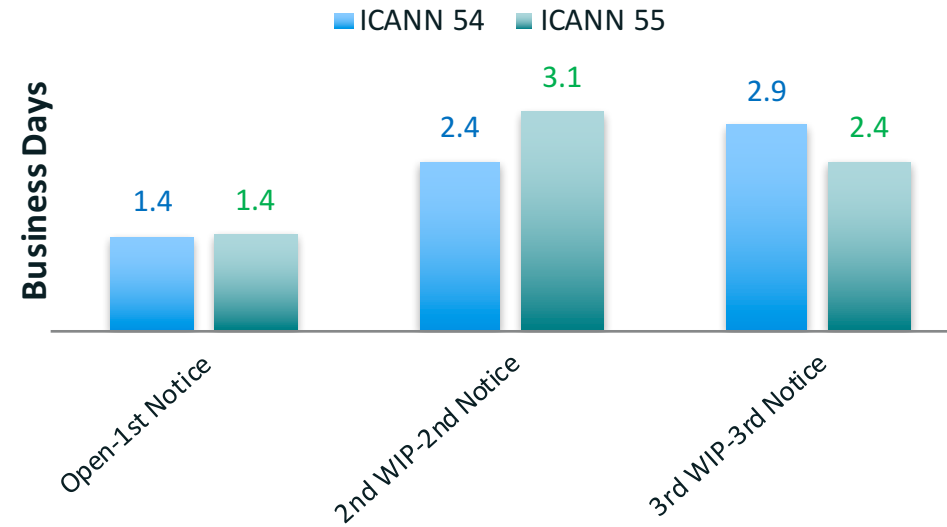
# Registrar Complaint Volume & Turnaround Time



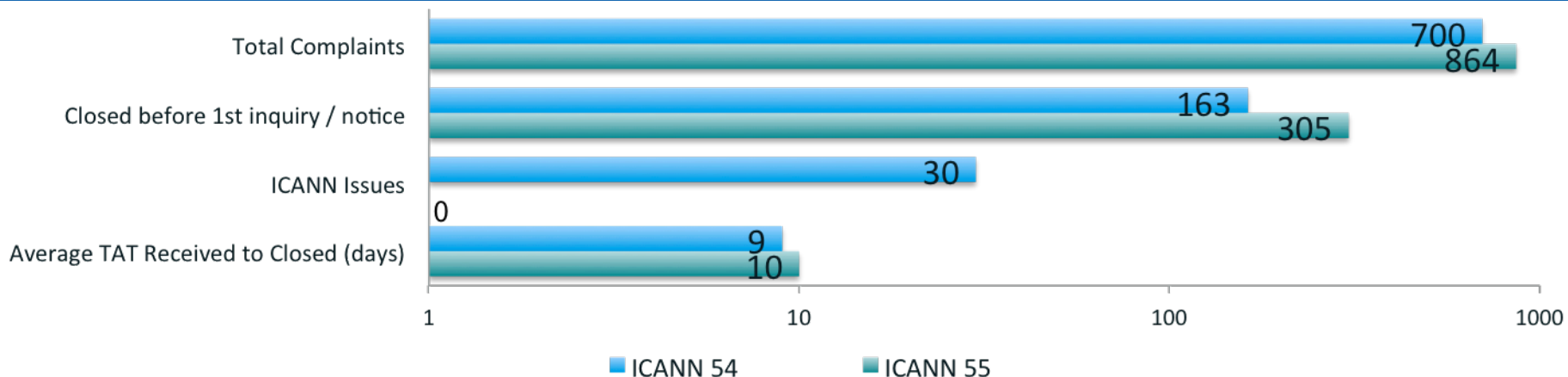
## Registrar Average Turn Around Time (TAT)



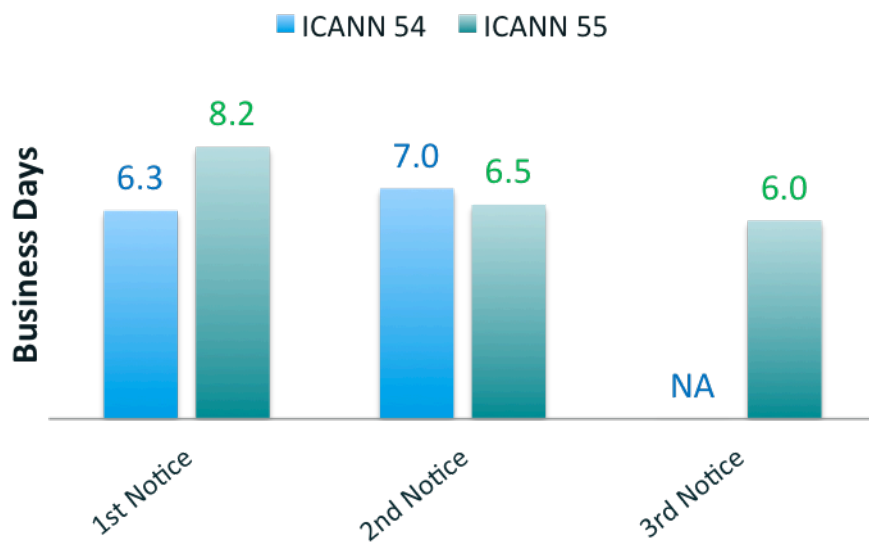
## Staff Average Turn Around Time (TAT)



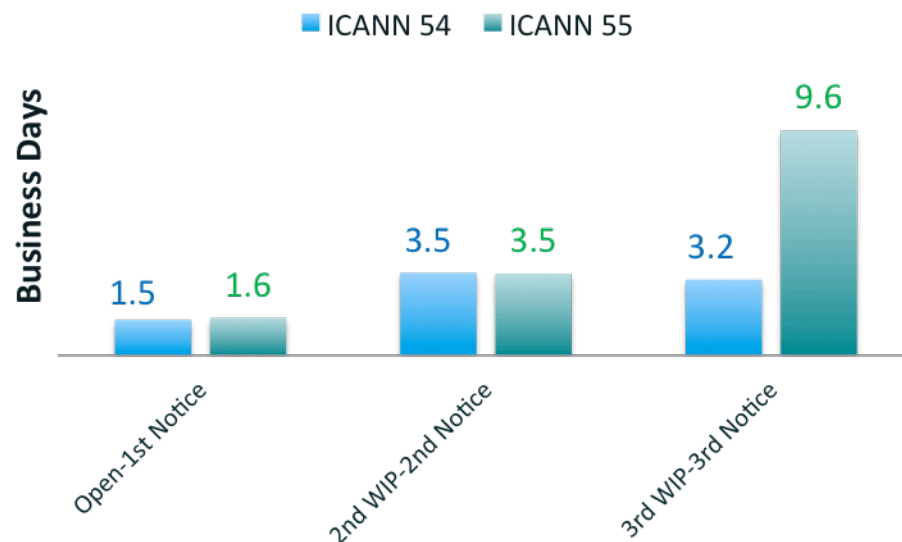
# Registry Complaint Volume & Turnaround Time



## Registry Average Turn Around Time (TAT)



## Staff Average Turn Around Time (TAT)



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

# Registrar Compliance Updates

# RAA Lessons Learned Summary

1

## **WHOIS Format**

WHOIS output format as required by 2013 RAA

2

## **Registrar Data Escrow Obligations**

Terms, Format and Schedule

3

## **Domain Renewal Requirements**

Sending timely reminders to registered name holder

4

## **Inter-Registrar Transfer Requirements**

Transfer of registrations between Registrars

5

## **Compliance Certificate Requirements**

When and what to fill in

6

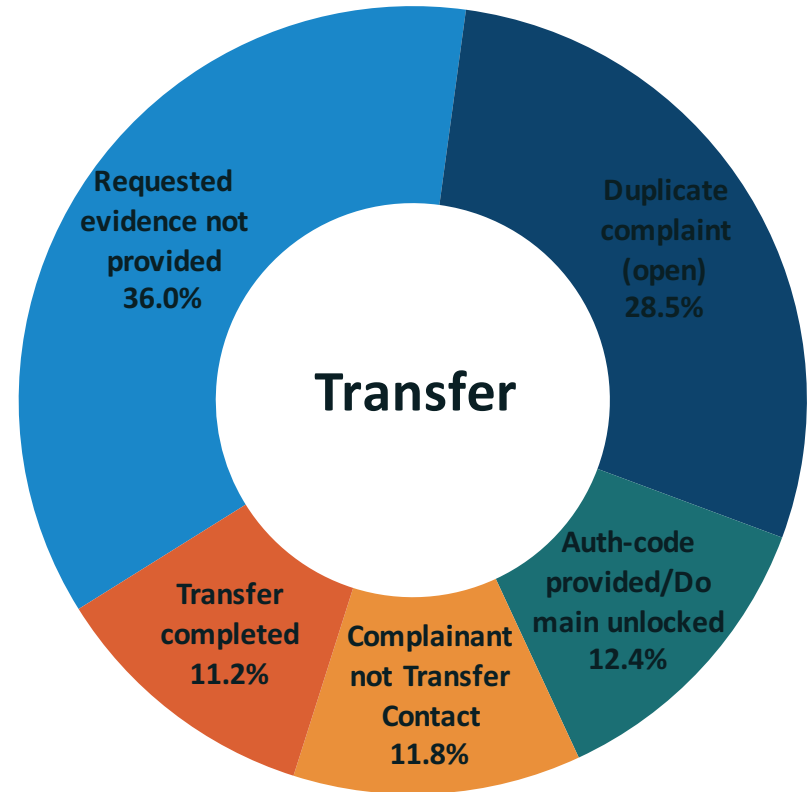
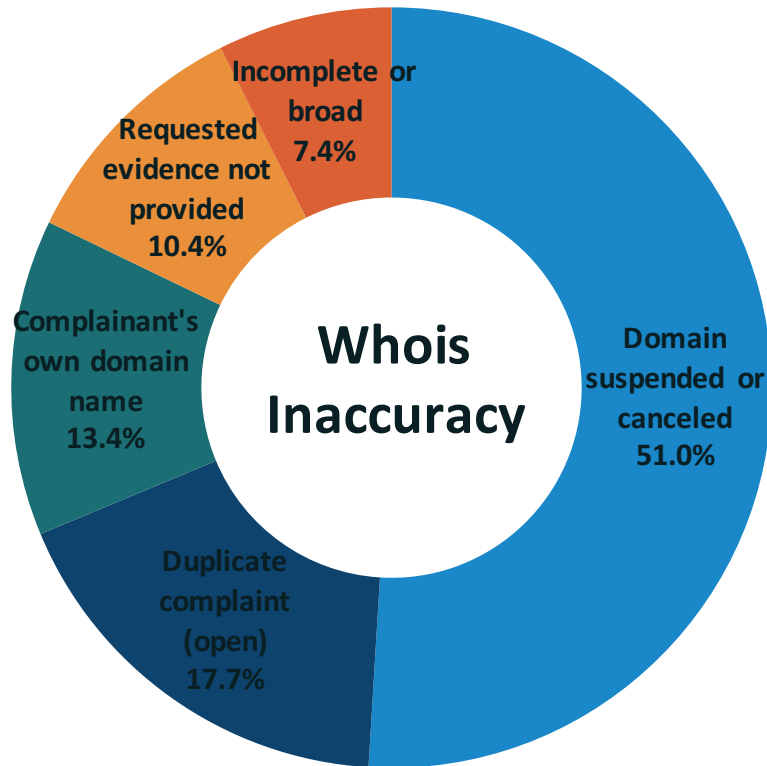
## **UDPR Rule Requirements**

Lock and Verification requirements UDRP Rule 4(b)

# Registrar Complaint Types in Detail

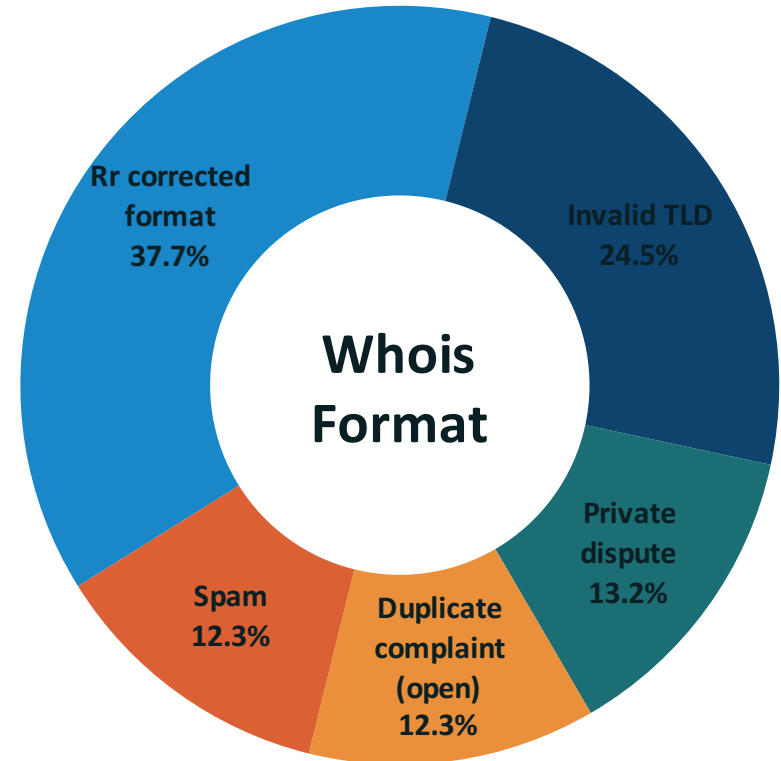
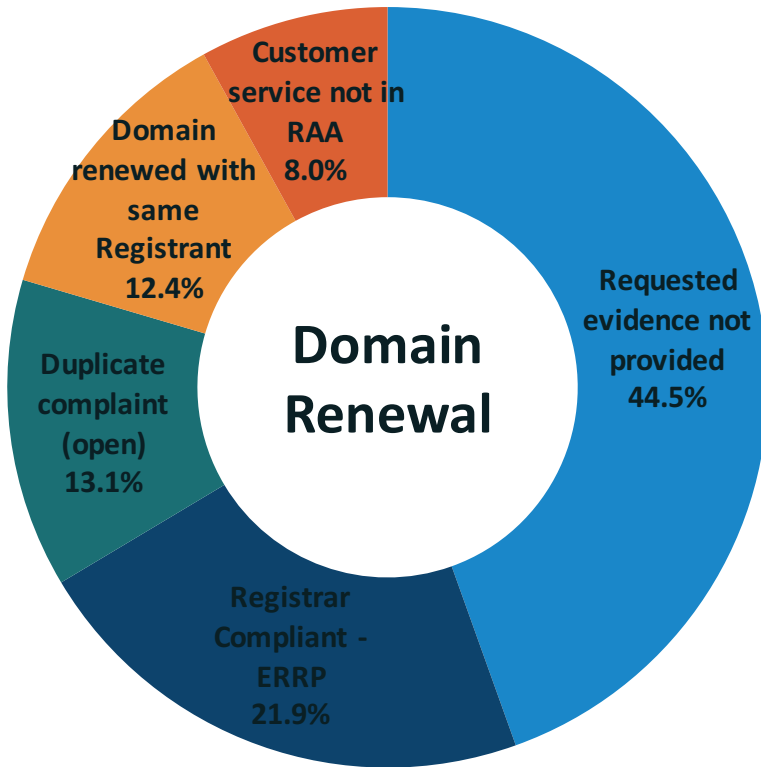
Registrar Complaints	Quantity		Closed before 1st inquiry / notice		ICANN Issue	
	ICANN 54	ICANN 55	ICANN 54	ICANN 55	ICANN 54	ICANN 55
WHOIS INACCURACY	12,421	10,398	4,577	3,974	1	3
TRANSFER	2,403	2,345	1,490	1,567	0	0
DOMAIN RENEWAL	269	260	123	149	0	0
WHOIS FORMAT	317	352	287	214	0	3
DATA ESCROW	145	97	0	0	1	0
DOMAIN DELETION	145	172	138	162	0	0
WHOIS SLA	111	79	111	70	0	0
ABUSE	176	158	99	121	0	0
WHOIS UNAVAILABLE	104	130	34	66	0	1
UDRP	86	55	58	22	0	0
FEES	13	0	12	0	0	0
CUSTOMER SERVICE	54	59	54	41	0	0
REGISTRAR CONTACT	41	53	22	27	0	0
REGISTRAR INFO SPEC	49	57	31	25	1	0
CEO CERTIFICATION	0	0	0	0	0	0
REGISTRAR OTHER	18	10	2	5	0	0
PRIVACY/PROXY	18	6	17	4	0	0
RESELLER AGREEMENT	2	1	0	0	0	0
WHOIS QUALITY REVIEW	37	1	0	0	0	0
FAILURE TO NOTIFY	5	8	5	7	0	0
DNSSEC, IDN, IPV6	2	11	2	8	0	0
Total	16,416	14,252	7,062	6,462	3	7

# Registrar Complaint Types & Top Closure Reasons (Oct 2015 – Jan 2016)



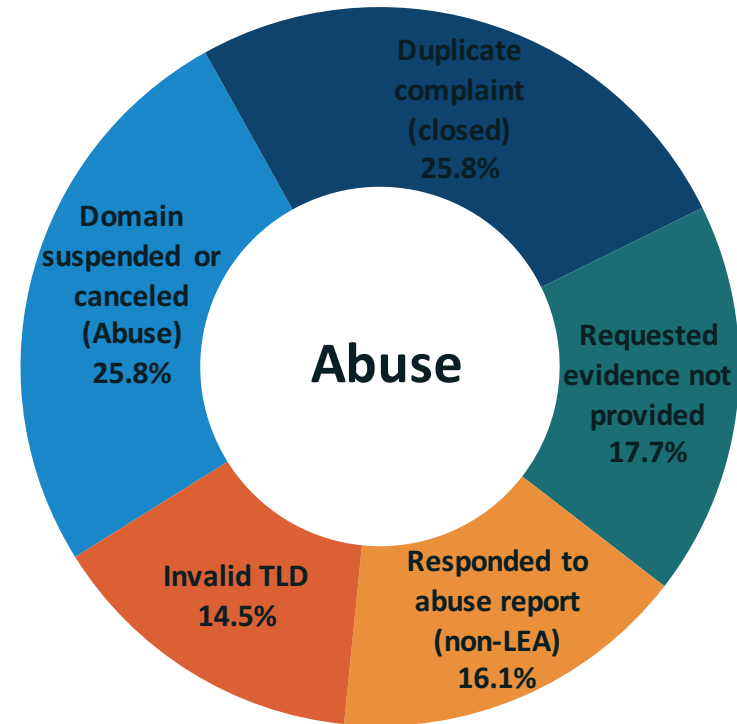
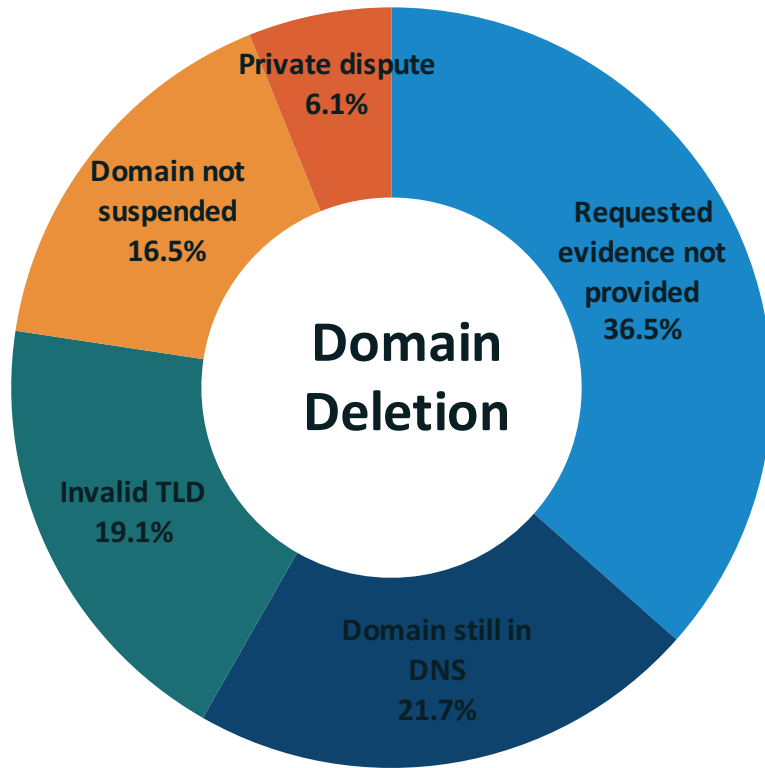
*Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.*

# Registrar Complaint Types & Top Closure Reasons (Oct 2015 – Jan 2016)



*Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.*

# Registrar Complaint Types & Top Closure Reasons (Oct 2015 – Jan 2016)



*Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.*



A world map where the continents are defined by a network of white dots and lines, resembling a data network or a molecular structure. The background is a solid dark blue color.

# Registry Compliance Updates

# RA Lessons Learned Summary

1

## **Annual Compliance Certification**

Complying with requirement to submit Annual Certification of Compliance and conduct an internal review

2

## **Zone File Access Requirements (CZDS)**

Reasons for denial of access

3

## **Data Escrow (DE) Requirements**

Complying with data escrow

4

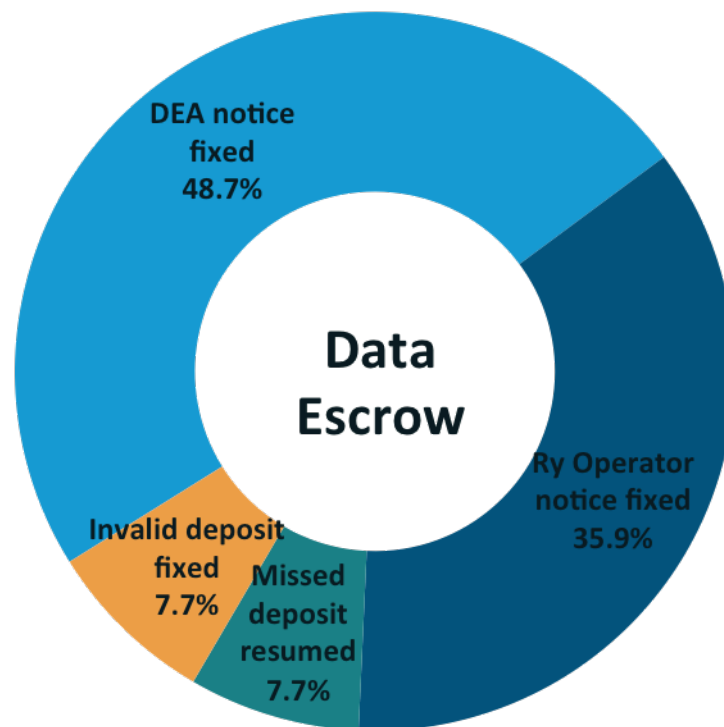
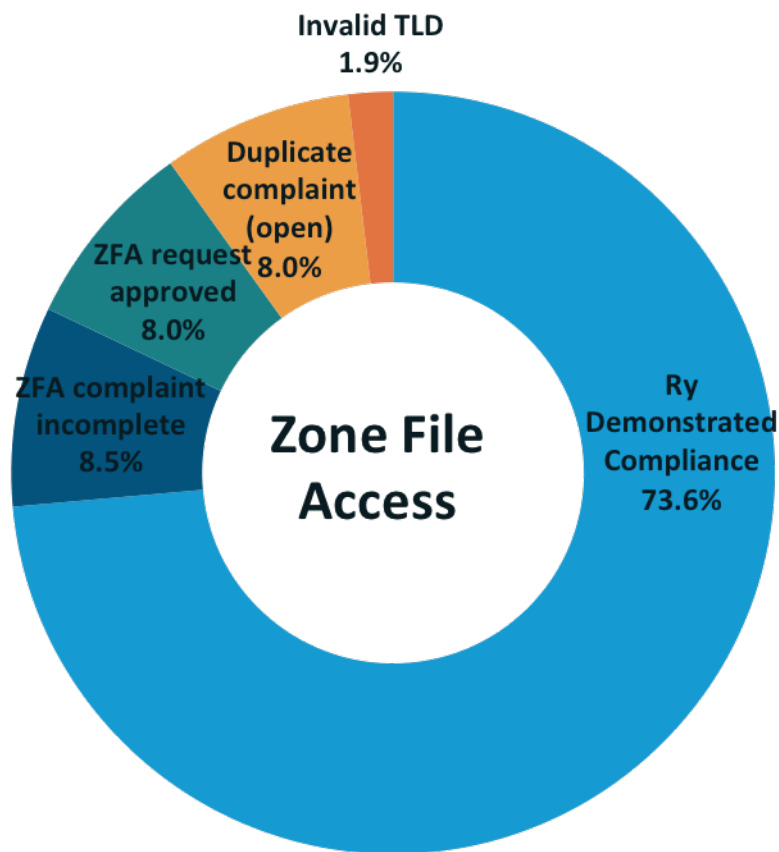
## **Controlled Interruption (CI)**

Complying with Name Collision Assessment Letter(s)

# Registry Complaint Types in Detail

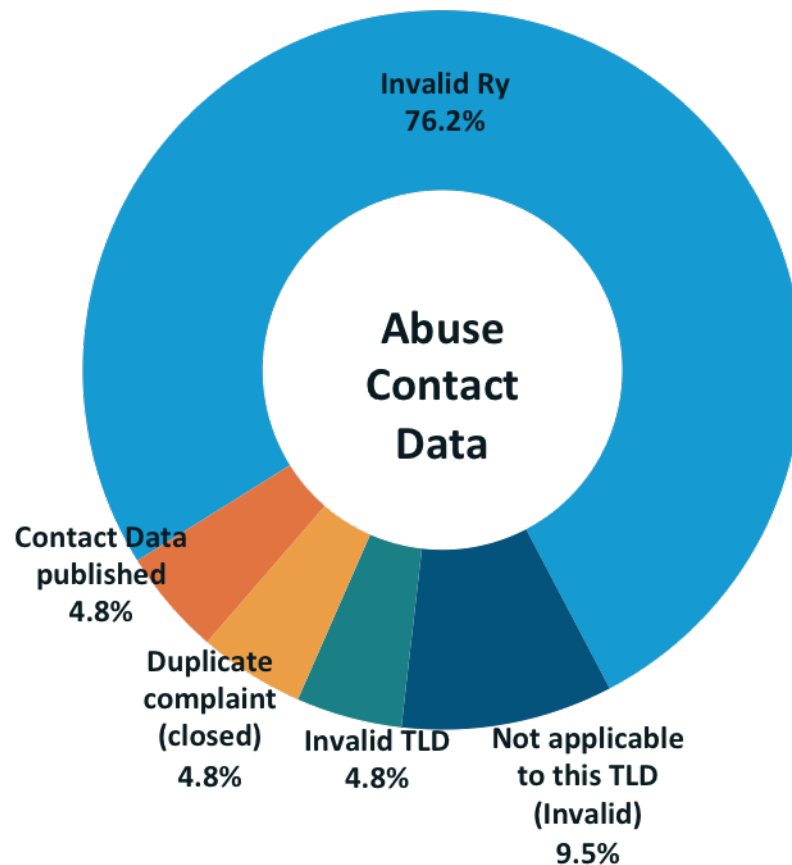
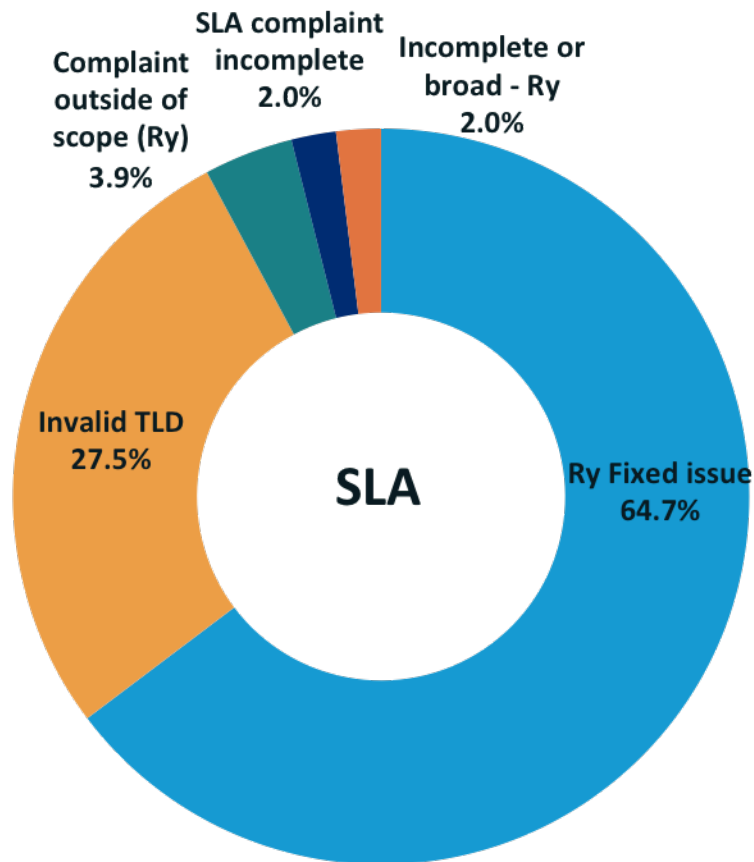
Registry Complaints	Quantity		Closed before 1st inquiry / notice		ICANN Issue	
	ICANN 54	ICANN 55	ICANN 54	ICANN 55	ICANN 54	ICANN 55
ZONE FILE ACCESS	250	293	62	74	0	0
REGISTRY DATA ESCROW	104	262	0	145	3	0
SLA	45	93	12	22	0	0
REGISTRY OTHER	52	24	21	11	0	0
RESERVED NAMES/CONTROLLED INTERRUPTION	40	14	20	9	0	0
CODE OF CONDUCT	7	3	4	4	0	0
REGISTRY FEES	29	0	1	0	0	0
MONTHLY REPORT	88	105	1	2	22	0
ABUSE CONTACT DATA	19	22	11	23	0	0
BRDA	12	10	0	0	0	0
URS	5	3	5	2	0	0
BULK ZFA	6	19	0	0	0	0
RR-DRP	12	5	12	5	0	0
PIC	8	6	8	5	0	0
SUNRISE	21	2	4	0	5	0
MISCONDUCT	0	0	0	0	0	0
CLAIMS SERVICES	1	3	1	3	0	0
BANKRUPTCY	0	0	0	0	0	0
WILDCARD PROHIBITION	1	0	1	0	0	0
Total	700	864	163	305	30	0

# Registry Complaint Types & Top Closure Reasons (Oct 2015 – Jan 2016)



*Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.*

# Registry Complaint Types & Top Closure Reasons (Oct 2015 – Jan 2016)



*Disclaimer: Due to rounding, percentages may not always appear to add up to 100%.*

# Questions & Answers



## Send compliance questions

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

Subject line: ICANN 55 CC Program Update Session

### The ICANN 55 presentations are available at:

- The ICANN Contractual Compliance outreach page at this link  
<https://www.icann.org/resources/compliance/outreach>

- The ICANN 55 Schedule page at this link  
<https://meetings.icann.org/en/marrakech55/schedule-full>

# ICANN|55 MARRAKECH

5 – 10 March 2016

**Tell us what you thought of this session and be entered to win an iPad mini.**

**Download the ICANN55 Mobile App and complete a short, post-session survey.**

**[meetingapp.icann.org](http://meetingapp.icann.org)**





## **Appendix**

- Awareness Campaign
- Additional Metrics Data Points
- Additional Audit slides



# Contractual Compliance Twitter Campaign (10-22 February 2016)

- Number of Link Clicks:

- **Arabic**    **107 clicks**
- **English**   **176 clicks**
- **French**    **96 clicks**

- **Russian**   **60 clicks**
- **Spanish**   **130 clicks**

- **Organic** vs **Paid** Link Clicks:

- **Arabic**    **27 / 107**    **396% ↑**
- **English**   **39 / 176**   **451% ↑**
- **French**    **9 / 87**       **967% ↑**

- **Russian**    **8 / 60**       **750% ↑**
- **Spanish**   **9 / 121**      **1344% ↑**

Total Number of Link Clicks = **569 Total Clicks**

# Contractual Compliance Facebook Campaign (10-22 February 2016)

## ⊙ Number of Link Clicks:

- ⊙ **Arabic** 100 clicks
- ⊙ **Chinese** 33 clicks
- ⊙ **English** 132 clicks
- ⊙ **French** 49 clicks

- ⊙ **Japanese** 38 clicks
- ⊙ **Korean** 20 clicks
- ⊙ **Russian** 77 clicks
- ⊙ **Spanish** 43 clicks

## ⊙ **Organic** vs **Paid** Link Clicks:

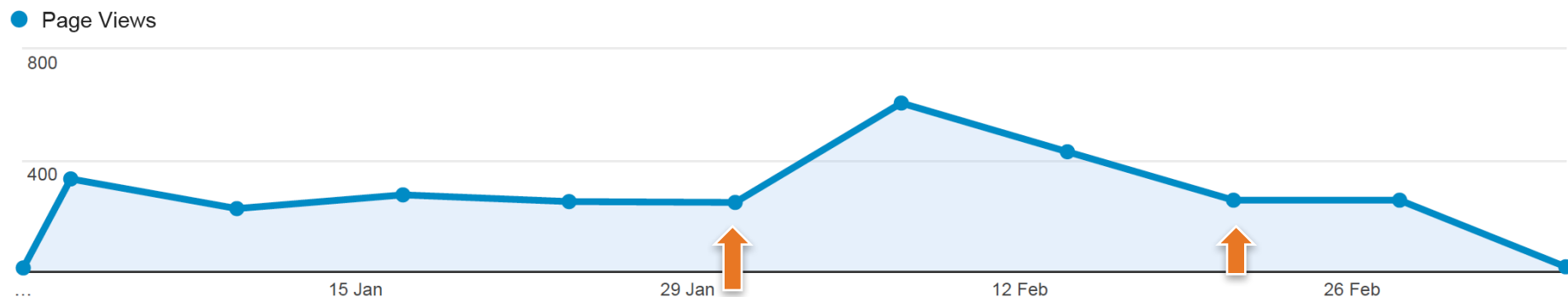
- ⊙ **Arabic** 38 / 62 163% ↑
- ⊙ **Chinese** 18 / 15 83% ↑
- ⊙ **English** 56 / 76 136% ↑
- ⊙ **French** 22 / 27 123% ↑

- ⊙ **Japanese** 13 / 25 192% ↑
- ⊙ **Korean** 7 / 13 186% ↑
- ⊙ **Russian** 17 / 60 353% ↑
- ⊙ **Spanish** 16 / 27 169% ↑

Total Number of Link Clicks = **492 Total Clicks**

## Contractual Compliance Webpage on ICANN.org

Explorer

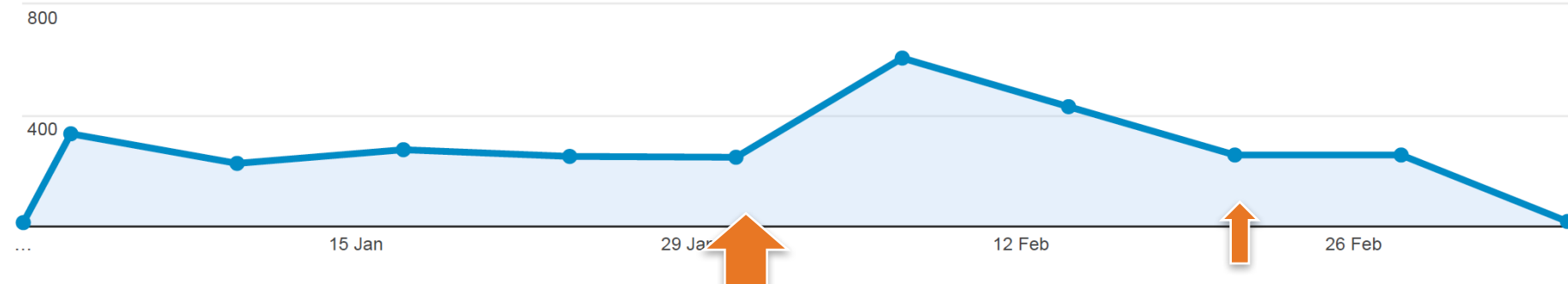


- Increase in number of views of the Contractual Compliance Webpage directly from the Paid Social Media Campaigns
- Campaign goal was to drive people to the Contractual Compliance webpage

## Contractual Compliance Complaint Page on ICANN.org

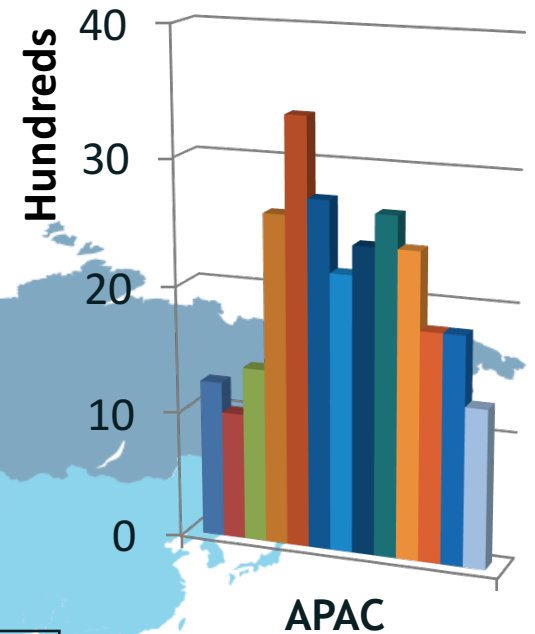
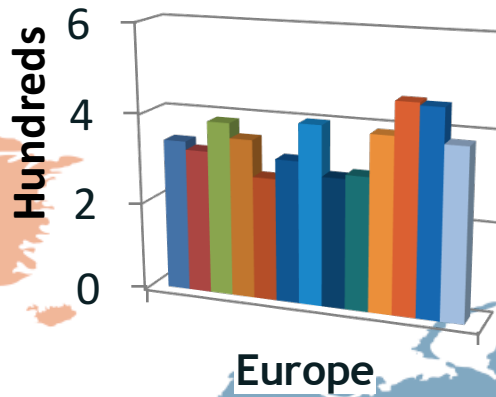
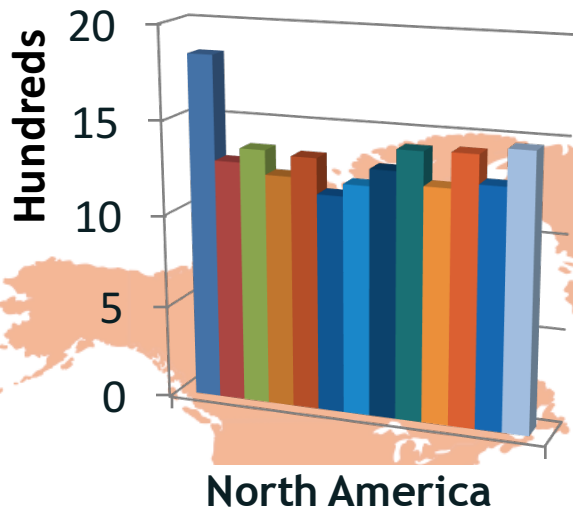
Explorer

● Page Views



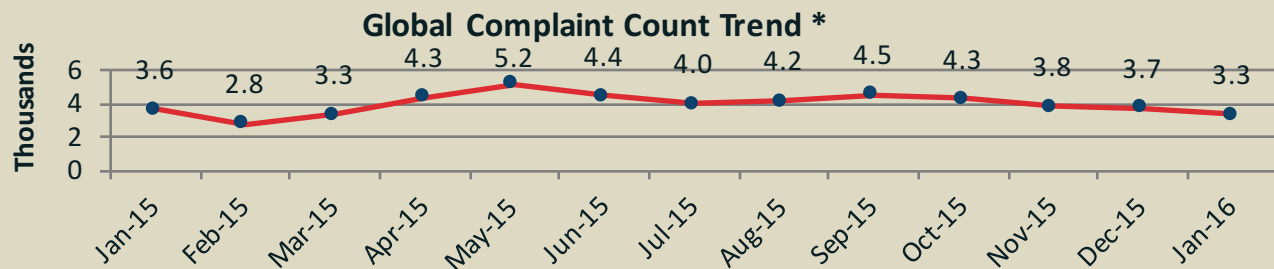
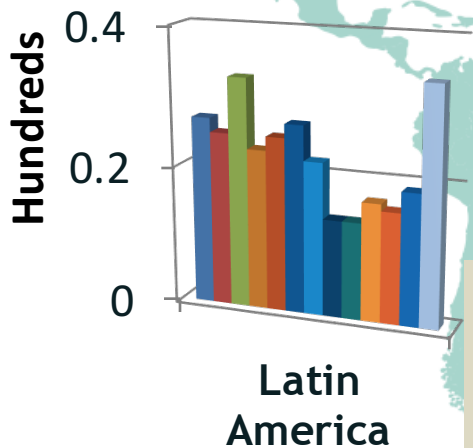
- Definitive increase in page views on the Contractual Compliance Complaint page directly due to the Social Media Campaign
- Campaigns was driving people to the Contractual Compliance webpage, therefore we saw results in the number of link clicks

# Global Complaint Trend Jan 2015 – Jan 2016



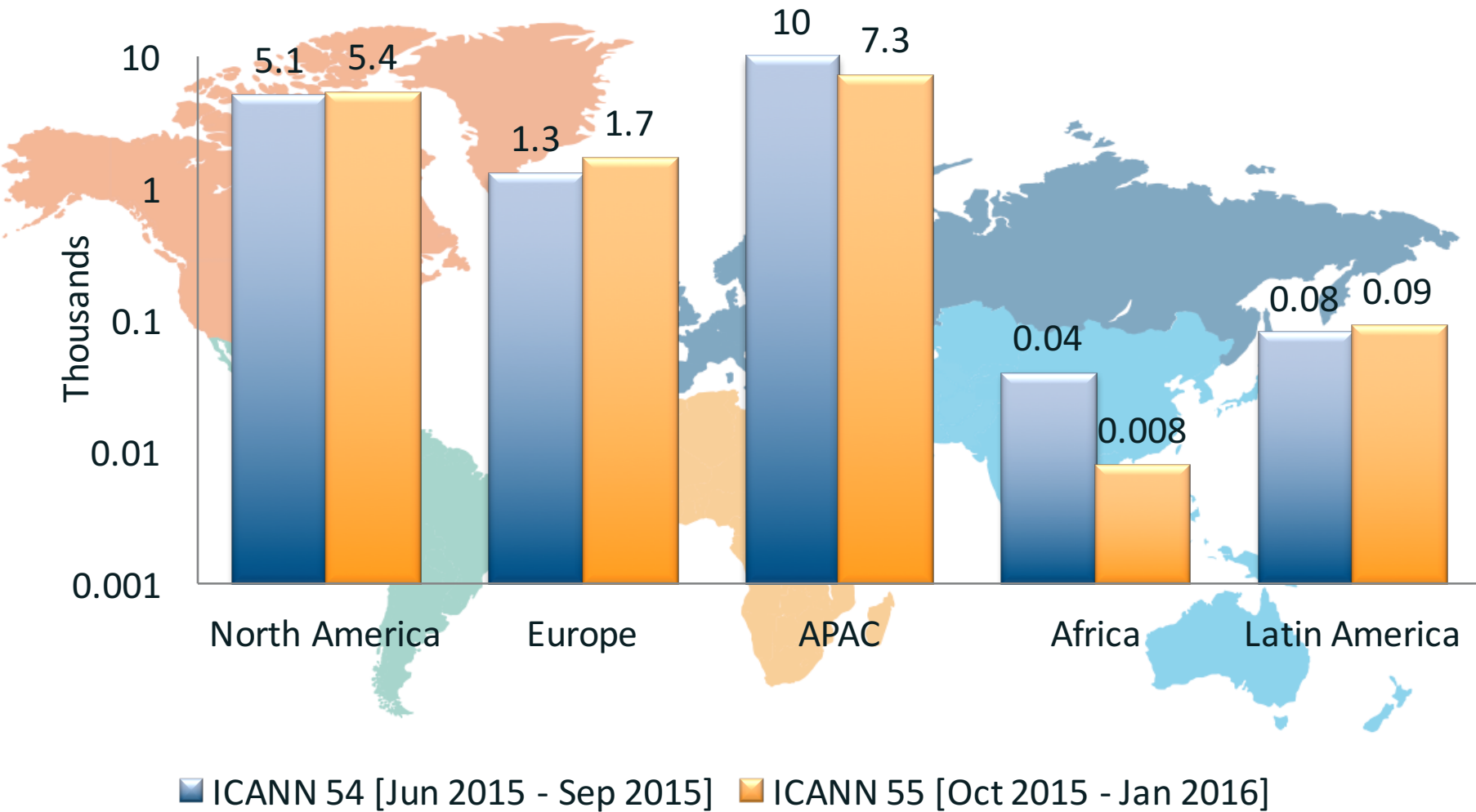
- Jan-15
- Feb-15
- Mar-15
- Apr-15
- May-15
- Jun-15
- Jul-15
- Aug-15
- Sep-15
- Oct-15
- Nov-15
- Dec-15
- Jan-16

**Africa** - 9 in Jan15; 1 in Feb; 3 in Mar; 15 in Apr; 5 in May; 14 in Jun; 13 in Jul; 8 in Aug; 4 in Sep; 3 in Oct; 1 in Nov; 2 in Dec; 2 in Jan16



\* Includes tickets with unknown geography

# Global Complaint Trend ICANN 54 vs. ICANN 55



# Registrar & Registry Complaints by Region (Oct 2015 – Jan 2016)

N. America	106.6M	5,421	.005%
	1,718	175	10.2%
	438	241	55.0%

Europe	27.2M	1,691	.006%
	161	92	57.1%
	305	132	43.3%

APAC	33.0M	7,264	.022%
	218	105	48.2%
	194	60	30.9%

Latin America	0.5M	86	.017%
	17	8	47.1%
	12	4	33.3%

Africa	33,836	8	.024%
	10	3	30.0%
	5	0	0.0%

LEGEND	Domain Volume (as of Oct 2015)	# Complaints	% Complaints per Domain Volume
	# registrars per region	# registrars w/ Complaints	% registrars with complaints per region
	# registries per region	# registries w/ Complaints	% registries with complaints per region

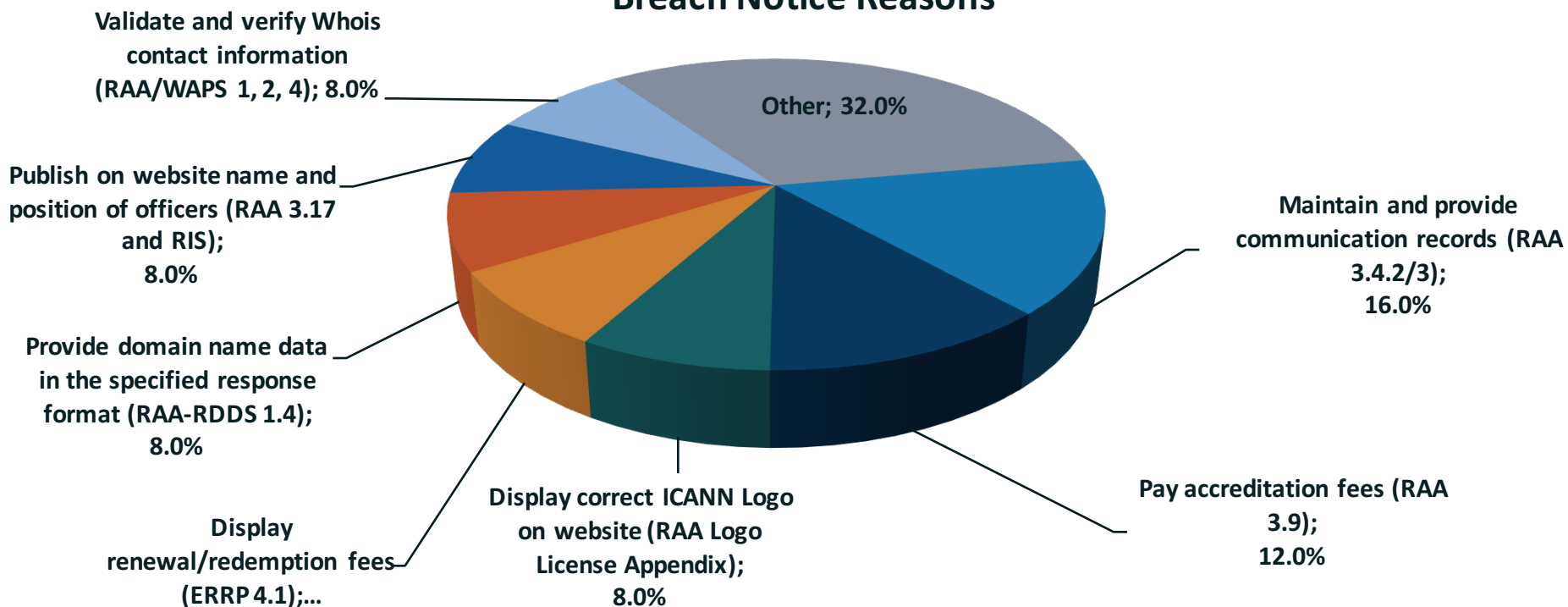
# Global Formal Notice Activity (Oct 2015 – Jan 2016)

Notices	Qty
Breach	4
Non-Renewal	0
Suspension	0
Termination	1

Breach Notice Reason	Qty
Breach Notice Reasons	25
• Cured	20
• Not Cured	5

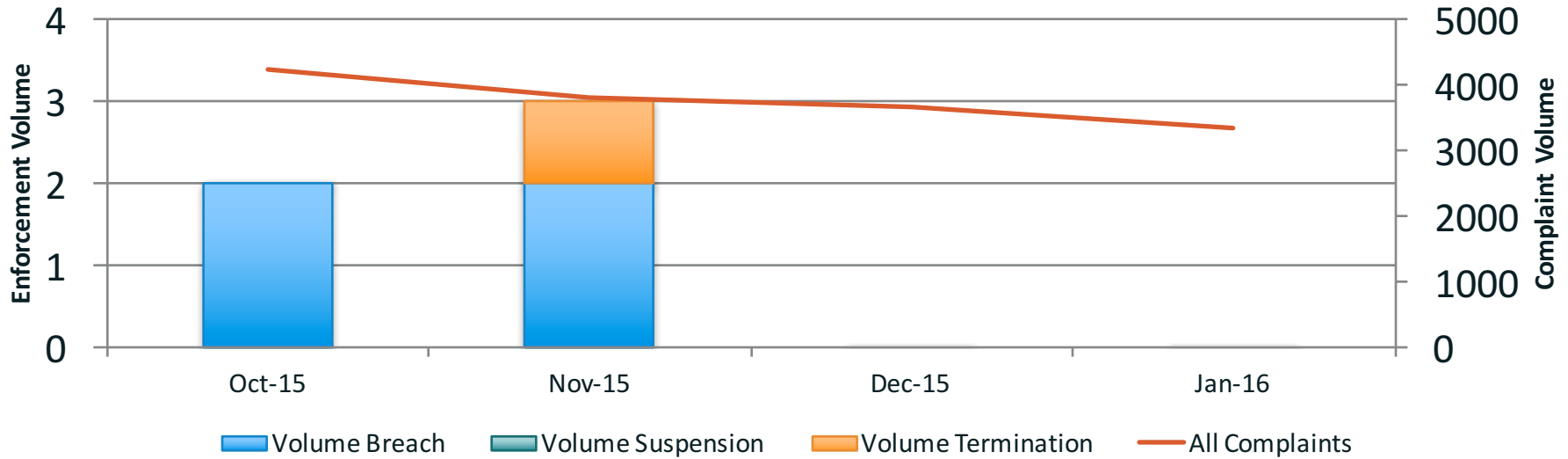
\* Registrars only

## Breach Notice Reasons \*

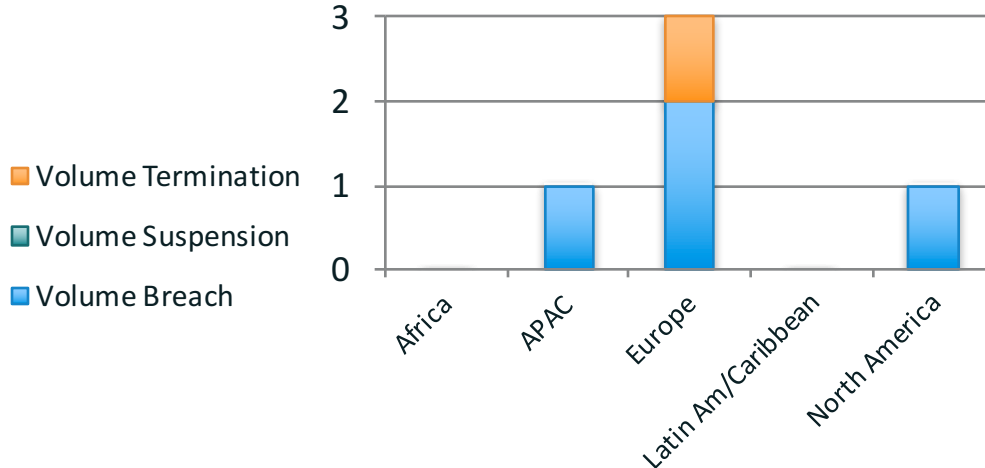




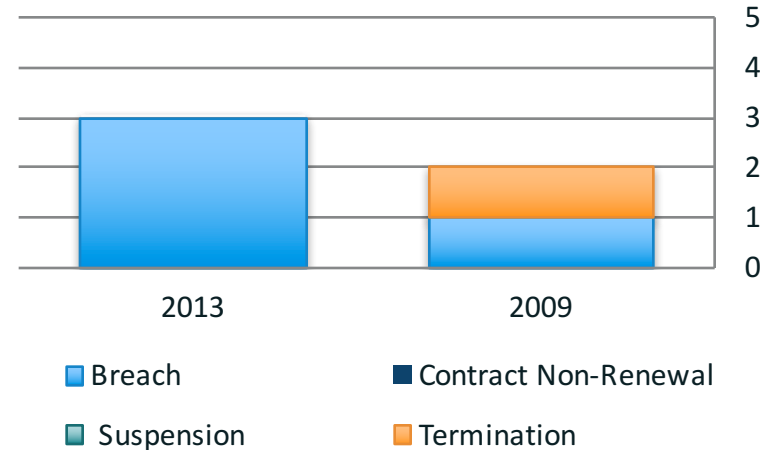
# Global Formal Notice Trends (Oct 2015 – Jan 2016)



## Region



## Contract Year



# New Registry Agreement Provisions in Audit

Test Areas	Description	Objective
Article 1.3(a)ii	Representations & Warranties	To confirm that Registry Operator is still in good standing since the execution of the Registry Agreement
Article 2.2	Compliance with Consensus Policies and Temporary Policies	To obtain an assurance that Registry Operator has implemented and is complying with all Consensus and Temporary Policies.
Article 2.3	Data Escrow (Specification 2)	To confirm that content of the escrow deposits are per the executed Registry Agreement; To confirm compliance with the Legal Requirements for Data Escrow as set forth in Specification 2, Part B of the 2013 Registry Agreement.
Article 2.4	Monthly Reporting (Specification 3)	To confirm the monthly Per-Registrar Transactions Report accurately represents the number of active domains.
Article 2.5	Publication of Whois Registration Data (Specification 4)	To confirm that Registry is in compliance with Registration Data Directory Services (RDDS) requirements, per Specification 4 (Sections 1.5, 1.6, 1.7).
Article 2.6	Reserved Names (Specification 5)	To confirm that Names and Labels that Registry Operators are obligated to reserve are handled appropriately
Article 2.7	Registry Interoperability and Continuity (Specification 6)	To confirm that Registry Operator: Follows the obligation to block certain names, as required; Follows procedures intended to prevent name collision occurrences; Has the BCP (Business Continuity Plan) and it includes key provisions; Addresses orphan glue records appropriately; Is able to accept IPv6 addresses
Article 2.8	Protection of Legal Rights of Third Parties (Specification 7) - TMCH Sunrise and Claims Period	To confirm that Registry Operator implemented and adhered to the rights protection mechanisms (“RPMs”)

Source: <https://www.icann.org/en/system/files/files/audit-plan-new-registry-agreement-04dec15-en.pdf>

# New Registry Agreement Provisions in Audit (cont.)

Test Areas	Description	Objective
Article 2.14	Registry Code of Conduct (Specification 9 - Parts A, B, D)	To confirm Registry Operator compliance with Code of Conduct
Article 2.17	Additional Public Interest Commitments (Specification 11)	To confirm that Registry Operator complies with its public interest commitments as incorporated into Specification 11 of the Registry Agreement
Article 2.19	Community-based TLD's Obligations of Registry Operator to TLD Community (Specification 12)	To confirm that Registry Operator has implemented and complied with all Community Registration Policies
Specification 13	.BRAND TLD Provisions	To confirm Registry Operator compliance with Code of Conduct and that only Registry Operator, its Affiliates, or Trademark Licensees register domain names and control the DNS records associated with domain names at any level in the TLD.

Source: <https://www.icann.org/en/system/files/files/audit-plan-new-registry-agreement-04dec15-en.pdf>

# Sample of Previous Audit Issues and Impact

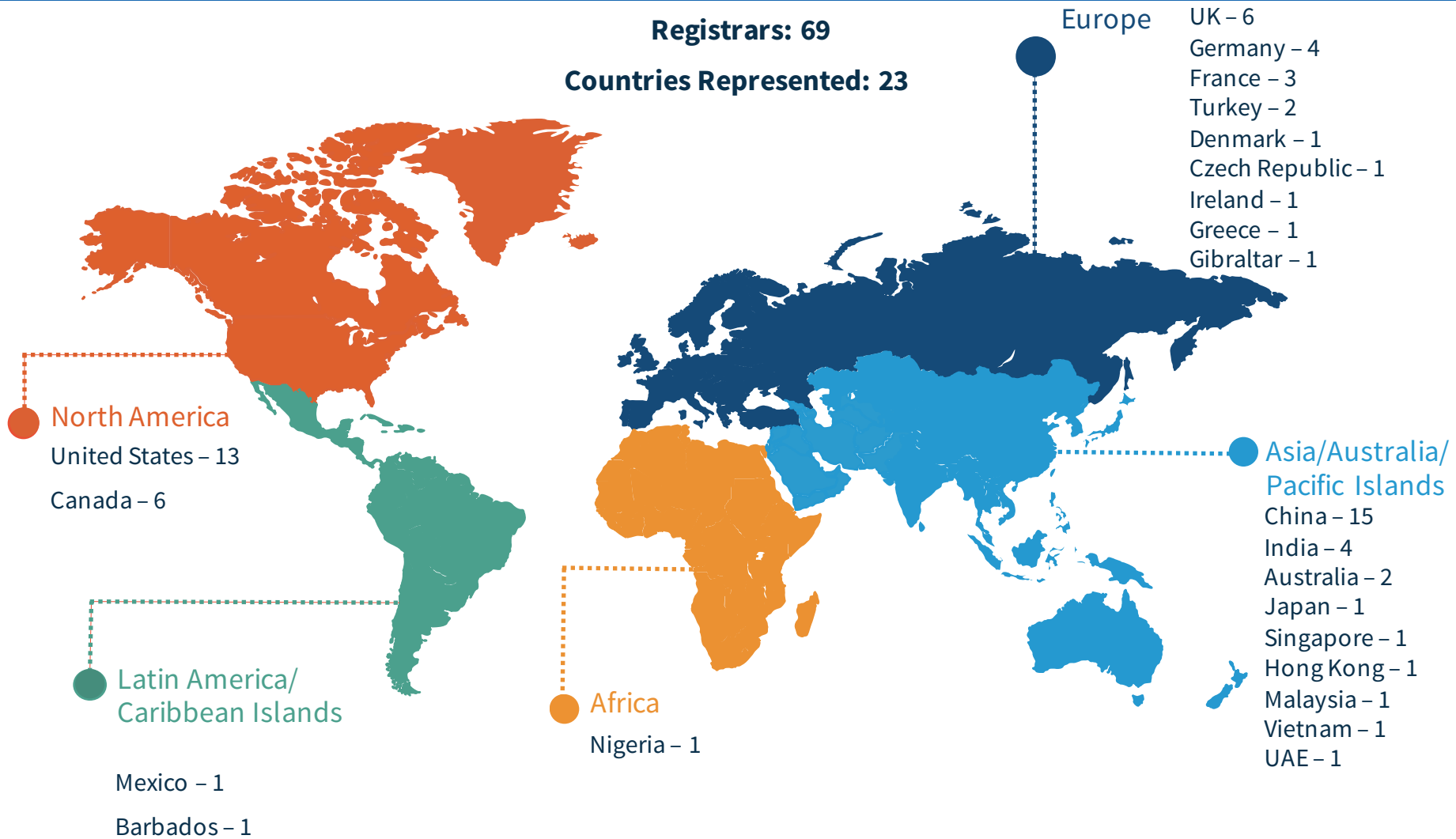
	Issue	RA Provision	Importance	Action & description
1	Data Escrow: - Whois registration data differed from escrow data - Some mandatory fields are missing in Data Escrow file	Article 2.3 Data Escrow (Specification 2)	Correct processing and escrowing of registration data is required for restorability and to protect consumers	Identified and corrected issue: TLD escrow system was misplacing portions of registration information into incorrect fields; new fields added to Data Escrow file system
2	Incomplete data returned in Whois queries	Article 2.5 Publication of Whois Registration Data (Specification 4)	Processing, maintaining and displaying of domain level information are required and vital for consumers of the gTLD	Identified and corrected issue: Necessary changes have been applied to Whois query system
3	Monthly reports: number of domains incorrectly reported	Article 2.4 Monthly Reporting (Specification 3)	Inaccurate domain counts may result in incorrect reporting to public and over or underpayment of fees to ICANN	Identified and corrected issue: error in TLD reporting system which was overlooking names without nameservers
4	Abuse language in Registry-Registrar Agreement: missing or incorrect	Article 2.17 Additional Public Interest Commitments (Specification 11)	Abuse language informs the community and promotes security	Identified and corrected issue: TLD added and updated abuse language
5	Security threats: orphan glue records in zone file	Article 2.3 Data Escrow; Specification 2	Orphan glue records are susceptible to malicious abuse	Identified and corrected issue: TLD removed orphan glue records
6	Eligibility Criteria for prospective Registrars: unavailable	Section 2.14 Registry Code of Conduct; (Specification 9)	Establishing and communicating clear eligibility criteria for prospective registrars prevents preferential treatment of registrars	Identified and corrected issue: TLD established and communicated clear eligibility criteria to prospective registrars

# 2013 RAA Provisions Audited

RAA Provision	Obligation	Objective
3.3.1 to 3.3.5	Whois- Port43/Web, Corresponding Data Elements	To confirm that Whois output is in compliance with requirements
3.4.1 to 3.4.2	Retention of Registration Data	To verify that registration records are retained, as required
3.6	Data Escrow	To verify that Registrar submits a copy of domain registration data to escrow agent and the data is complete, consistent and is in a proper format.
3.7.5.3 to 3.7.5.6	EDDP-Domain name renewal, provision of applicable information to registrants	To verify that required notifications are sent to registrants
3.7.7.1 to 3.7.7.12	Registered Name Holders registration agreement compliance	To verify that Registrar enters into agreements with all Registered Name Holders to and such agreements include at least mandatory provisions.
3.7.11	Complaints & Dispute Resolution process	To verify that Registrar made available a description of the customer service handling processes offered to Registered Name Holders
3.12	Reseller agreement (mandatory provisions)	To verify that agreements with resellers (RRAs) contain mandatory provisions
3.12.7	Reseller provision of link to Registrants' Benefit & Responsibilities Specification	To verify that Registrar's resellers offer a link to the Registrants' Benefits and Responsibilities Specification
3.13	Registrar Training	To verify that Registrar's primary contact or designee has completed the required training course
3.14	Obligations Related to Proxy and Privacy Services	To verify that Registrar's Privacy & Proxy registrations comply with the Specification on Privacy and Proxy Registrations
3.15	Self-Assessment	Verify that Registrar performs the required Registrar self-assessment and informs ICANN on its completion

Source: <https://www.icann.org/en/system/files/files/audit-plan-2013-raa-04dec15-en.pdf>

# September 2015 RAA Audit Selection Statistics



# General Audit Selection Criteria

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