
ICANN81 | AGM – GNSO: Transfer Policy Review PDP Working Group
Saturday, November 9, 2024 - 15:00 to 16:00 TRT

TERRI AGNEW: Hello and welcome to the Transfer Policy Review PDP Working Group. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy. If you would like to speak during the session, please raise your hand in Zoom. When called upon, virtual participants will be given permission to unmute in Zoom. On-site participants will use a physical microphone to speak. Please make sure your computer speakers are off. Please state your name for the record and speak at a reasonable pace. I will now hand the floor back over to Roger Carney. Please begin.

ROGER CARNEY: Thanks, Terri. Welcome, everyone, to ICANN81. I'm very happy we're doing this on day one so that if any issues come up, we can have a full week to discuss things. So I appreciate that. I don't have any big announcements before we get started, so I think we can jump in.

Our agenda is going to be kind of two-pronged here. Cover what we finished on last week or start back there. But then also, if anyone has specific recommendations up through, where are we now? 27. They want to go back to and look at. I know that we've pinned a few of them to go back to. So if anybody has any of those specific ones, we'll do that. Otherwise, we'll pull them back up and go through ones that we've

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already marked as needing to get back to. But with that said, maybe I'll turn this over to Christian so he can get us kicked off. Thanks.

CHRISTIAN WHEELER:

Thanks, Roger. This is Christian Wheeler from ICANN staff. I'm dropping in the chat right now a link to the working group's public comment review toolkit. The working group has been using namely two tools in reviewing its public comments. The first one is the PCRT, which is a Google sheet, which you'll see here on the screen. It includes all of the public comment submissions broken down by recommendation that was included in its latest initial report. So you can go through here to, if you don't want to click on each public comment, you can sort it by recommendation. So the working group has kind of gone through these and individually read every single public comment. And these are sorted by the different levels of support that were indicated in the form that the public commenters submitted when submitting their comments.

So the working group has gone through these. I will just note that in the discussion and notes column and the response column, the working group has not gone through these to kind of approve the text. It is still very much draft text that the working group will review later on. It is really just kind of used to kind of capture its notes as it's gone through its conversations. But if you want to go through and listen to the working group's discussions that is posted on the wiki, as well as its general notes. These ones are more specific to the comments that were received.

The other tool that is on its toolkit is the drafting guide, which is what the working group has been utilizing much more. So in these latest weeks of calls, and this is broken down by the recommendations as well. But actually providing the text and some updated drafts as the working group has gone through its discussions. So I do just kind of want to note the general kind of format of this so you're not so you're not confused.

Essentially, the text is broken down into three colored boxes, red, yellow and green. The red box includes the recommendation language that was submitted in the latest initial report. And there are also elements here highlighted that are kind of summaries of the public comments received. Again, the working group members have actually already gone through those comments themselves. This is just kind of a recap of them of where they were, what pieces of the recommendation it affects.

And the yellow box is what is called under construction. So this includes text of additions or removals based on those comments. A lot of this text is actually from the commenters themselves. And these are this is what the working group has been kind of going through to discuss what changes they want to make to the recommendations. So we will be going through these today as well. Starting with recommendation 27, and I'm just going to click on it from over here. So not to do a whole lot of scrolling.

Okay, we'll just start. So I'm not going to go through all of these highlights, all of these comments. All these highlights in the red box do reflect back to comments that were received. We were just going to

start with 27.2, a piece of which was pinned in its last or this week's discussion rather. And this was a comment on 27.2 that noted that the requirements or the elements that should be included in the change of registrant data had different elements to it and that this one should also include time periods in which the registrant would need to take action if they believe a change was invalid and also suggested that the CORD policy, the change of registrant data policy, should also explain what actions a registrar should take and by when, when being informed by a registrant that there is an unauthorized to change of registrant data.

So there was a comment. I believe this was a comment from ICANN compliance. And so this was a proposed addition to 27.2 highlighted here, suggesting that the time period, that's another element, the time period within which the registrant must take action. And a member of compliance was on the call this week and which they clarified that where this was coming from was that ICANN compliance would receive many complaints about changes of registrant that were perhaps outdated or at least were submitted months or even a year over after the actual change of registrant data occurred. And so having some clarity on what would be a valid complaint or what would be a valid time period in which the registrant would take action would be helpful here.

And so we kind of paused that in the conversation. So I figured we could review it here before we move on to where we actually paused on 27.5. So I'll just leave it there over to you, Roger.

ROGER CARNEY: Great. Thanks, Christian. And we touched on this right at the end of our call earlier this week on this 27.2. Thank you for making that larger for my bad eyes. And I think we had a little bit of discussion, but obviously we wanted to come back to this to see, get thoughts on if this was needed or not. Again, the first time I read this, I understood what compliance was trying to get to here. But to me, it seemed weird to put a time period on coming back and updating your data. I mean, really, you can do that at any time. So I don't know. Putting a time period on it seemed like it was more constraining than anything for the registrant. But that was just my first read of it. So I don't know if others have thoughts on this, but I'll open it up to comments. George, please go ahead.

GEORGE KIRIKOS: Hi, can you hear me?

ROGER CARNEY: Sound good. Thanks, George.

GEORGE KIRIKOS: I didn't have a comment on this question, on this topic. I actually had a comment on another topic. On the October 15th call, you mentioned that the push proposal was going to be presented at ICANN81 CPH Tech Ops. That was Roger Carney. And I looked at the agenda, and it wasn't on the agenda for either session. I was wondering about that. Also, I was not invited as the author of the proposal to present on the topic or

even to defend the proposal. So on what basis do you believe that you're a better presenter of that proposal than I am? Thank you.

ROGER CARNEY:

Great. Thanks, George. Yeah, and actually, it is not on the Tech Ops schedule for tomorrow, but it is under other business. And I was going to introduce that and see from the Tech Ops group if they wanted to tackle that, since Tech Ops was the, I guess, the initiator of this sort of process as well. Tech Ops, three, maybe four years ago now, started a white paper on the transfer issues. So I think it seems to me like that's the perfect spot to address that.

And again, to your point, George, I wasn't necessarily going to look to make a big presentation. I was going to introduce it. And then Tech Ops follow up meets every other week, I believe. I should know that since I'm going to start leading that soon with Mark. But yeah, I was going to introduce it tomorrow in Tech Ops. And then the goal was to get that into the biweekly meetings and probably hit ICANN82 and the Contracted Party Summit next spring as well to keep flushing those out. But I think it'll be a natural biweekly one. And George, if the group sees it that way, I'll probably reach out to you to see if you can present at one of those biweekly meetings so that give the group some working interest in it. So hopefully that answers.

Any other comments on 27.2, the time period? Again, this is under construction. This is just what was suggested by staff here. It was not in our original language, our initial draft. So, John, please go ahead.

JOHN RUPP: John Rupp, Name.com. I would agree that I don't think this is necessarily something that we need because it wasn't authorized. Then it's an account access issue and requires other action to be taken on the account. So I think having something like this isn't necessarily needed. We're providing the notification that the court happened.

ROGER CARNEY: Great. Thanks, John. Rich, please go ahead.

RICH BROWN: Hi, Rich Brown for the record. Just kind of to tack on to what was previously said. Yes, I don't think we need a time frame on this. This is simply a notification of a data change occurrence. There is no call to action or requirement that they have to respond, thus requiring a time period for which they have to take action. This is just simply a notification of a change and really isn't even-- well, I won't get into how it attaches to a transfer policy. Anyway, that's all I got. Thank you.

ROGER CARNEY: Great. Thanks, Rich. Jody, please go ahead.

JODY KOLKER: Thanks, Roger. This is Jody. Yeah, I agree with both Rich and John. To me, the time period in which the registrants must take action is kind of like a deadline. And I don't think there is a deadline. They can come back and take action whenever they want in order to get it done. But maybe there needs to be something more like, this is important. If you

think that this was a problem, you should call ASAP and get this done. I don't know how you would put something like that in there. I'm not a wordsmith. But if this was unintentional, then you need to take action immediately. Something to that effect. Thanks.

ROGER CARNEY: Great. Thanks, Jody. Holida, please go ahead.

HOLIDA YANIK: Holida Yanik for the transcript. Yes, actually, this input has been placed regarding the registrant coming back and contacting the registrar in case of the unintended or unauthorized court that is going to happen according to this notification. And not actually generally respond or have taken any action in response to the notification in general.

ROGER CARNEY: Great. Thanks, Holida. And I think as Rich mentioned there's no change here except for registrant data being changed. Again, it's not a change of ownership or anything like that. So it's their data. Again, I think the time period is open-ended. I mean, they can come back and update their data whenever they want. And again, they're getting this notice. If it wasn't proper, they could go in then. But to me, they can come in next year and update it. It just doesn't seem like a time period fits here. Thanks.

Okay. Any other comments on that? I think we'll plan to leave it as it was on our initial report here. Again, allowing the registrant the more flexibility. Okay. I think we can move on, Christian, to our next item.

CHRISTIAN WHEELER:

Thank you, Christian Wheeler. ICANN Org for the record. Now, the working group this week had already gone through its discussion of comments relating to 27.3 and 27.4, and it stopped right at a time at about 27.5. So we're going to resume there, if that's all right. And this comment was referring to the fact that, or so this recommendation, first of all, is saying that the registrar may send additional notifications based on the registered name holder's phone number, postal address, account holder information, or other contact information used by the registrar. So whereas a change of registrant data, as defined here, would be pertaining mostly to the registered name holder's name, organization, or email address. So this is kind of additional contact information that the registrar may also send additional notifications for.

And the comment to this, to 27.5, was referring to the fact that in the definition of material change, which the working group stated in an earlier recommendation is fit for purpose, that in a material change, if there is a change of phone number or address that is in conjunction with a change of name or organization, that should be considered a material change. And also that compliance would also need the records of that for those types of notifications.

So there was an update to 27.5, essentially to this effect, which the working group can decide whether or not it wants to keep or amend or remove entirely. So this states that in 27.5, in instances where modifications to the address or phone occurred in conjunction with a change to the RNH's name or organization, consistent with the

definition of material change, the registrar must send the notification to the RNH via email, SMS, or other secure messaging system, which is similar to the language earlier in the recommendation. And similarly, in Part B, all notifications sent must be properly documented, retained, and made available to ICANN compliance upon request.

So again, this is reminiscent of earlier changes made in 27.3 as well. So I'll leave it there if anyone wants to discuss this kind of flag with material change.

ROGER CARNEY:

Great. Thanks, Christian. And I think, I don't know that we actually introduced this or when or not. Maybe we did. I think there was a discussion on 27.5b and more holistically than that, making, not calling this out on everything, but making this maybe a higher level recommendation that, I don't know what we would say all notifications should be properly documented, retained, and such. But I think instead of labeling each one and possibly missing one or not, I think the suggestion, I thought, I remember someone making this suggestion on Tuesday, pulling this out at a higher level and just making this a recommendation on its own. Sorry, Holida, please go ahead.

HOLIDA YANIK:

Your clarification aligned with mine that I'm going to provide, Roger. So you may be encountering these similar comments under the recommendations related to the provision of court-related documentations. And so, basically, we put it under each item that mentions notification because recommendation 14 that addresses the

requirements for maintaining records concerning the provision of transfer authorization code and all notifications sent under the transfer policy.

And given that the recommendation 26 proposes the establishment of standalone court policy, and since there is currently no separate discussion item specifically addressing the retention of court-related records and notification-related records, the input related to the maintenance of this was added under all notification-related recommendations. So this is why the working group may consider establishing of a separate provision within the proposed standalone court policy that requires maintenance and provision to ICANN upon request the court notification-related data.

ROGER CARNEY:

Great. Thanks, Holida. Thank you for calling out rec 14 as an example of something that we can look at for notifications as well. So I think that that's a good idea. And, again, I don't want to sprinkle this throughout. I think it's better to solve at a higher level. So I think that's a good idea.

Getting into 27.5a about material change, obviously this is a true statement, but I'm not sure that it changes this at all. I don't know. So I'm just curious because in 27 we don't talk about material change. We talk about specific changes, e.g. for 27.4, we're talking about the email address specifically. So I don't know. I'll open it to the floor for any comments on that, but it doesn't seem like we were trying to be global in nature of material change here. We were being specific about what changes.

So just thinking off the top of my head. But any comments on this? Does this add clarity? Does this make it more confusing? Is it a good add? Just thoughts, anyone? John, please go ahead.

JOHN RUPP:

John with Name.com again. I think it's a little odd that 27.5 starts with a MAY and then has a MUST on the notification. So it's may send notifications and then on that sub item it's must. It just reads a little odd. So if we're going to say that you must send it, then I feel like it should say that you must send it in 27.5.

ROGER CARNEY:

Thanks, John. And again, I think if we keep this, maybe it's a 27 point something else and maybe it makes sense. Again, because 27.4 is being very specific about when an email changes, you do these things. And then 27.5 was just trying to catch any other changes. So I don't know. Again, I don't know if it's needed. I think maybe think about it. I think if we keep it, it should be a 27 point something. Again, just like 27.4. But think about it and see if it makes sense to keep or not.

Again, we haven't used the material change wording in this recommendation, I don't think. So I think that it's introducing something different to this. And again, I'm not saying good or bad. So I think that it just needs some time to think about it. But Rick, please go ahead.

RICK WILHELM:

Thanks. Rick Wilhelm, Registries. And this is not really a registry issue. So I'm only commenting in desperate hopes of de-confusing. It seems odd. I will echo what John said. It seems odd that we're shifting inside of a MAY to a MUST. And I don't understand really the motivation of trying to add this. Like, I don't see why this adds anything. Because it seems like it would be picked up, the notion of doing a notice in any situation where it's captured in the MUST. So it seems like it's adding more words, but not adding a situation where another notification is going to be sent.

Unless there's another situation where we-- do we think that a notice wouldn't be sent if this wouldn't be added? Maybe that's the counter question to ask. Does this thing make a notice be sent when it wouldn't otherwise be sent automatically? Thank you.

ROGER CARNEY

Thanks, Rick. And staff can talk to that. But I assume that's what they're trying to get at, is they don't think that this material change, which is phone number or whatever, along with a name change, is covered by 27. Please proceed.

CHRISTIAN WHEELER:

Christian, Org. I think that, I'm obviously not the commenter, but I think that there might have been concern that given that 27.5 says that they MAY send it when there's cases of phone number and address, I think that it was probably just a flag to note that there are circumstances where when there is a change of phone number or address, they do need to send it. And that is when it is in conjunction with a name or organization change. So I think that just according to this definition

that the working group has come up with, whenever there's a change of registered name holder, name, or organization, they would need to send the cord notice.

So now if there's also a change of phone number and address on top of that, then that would also be included, I suppose. But there would be a notification because the name or organization is changing. So I think this was kind of more of just a flag to note that this MAY, could be a MUST in certain circumstances if it's along with the name or organization. But right now, the name and organization is already covered by the definition of cord. Thanks.

RICK WILHELM:

Okay. Rick Wilhelm again. So is the way perhaps to fix that then to say that anytime a registrar is sending, if they're sending any message, if they're sending any notification, then they have to include all data which is changing in that circumstance. Because I think that this is designed to get around the corner case where they're sending it for a MUST, but they're not including the data in that notification, which is also changed, but is only captured by a MAY. And so maybe there's a 27 dot something that describes the thing that if you're caught by a-- if a situation is captured by a MUST, you have to include any data that's changing in that transaction. Thank you.

ROGER CARNEY:

Great. Thanks, Rick. And again, I think that's exactly, I think it's a 27 point something, and then it gets rid of the MAY and MUST part, obviously the contradiction there. So I think if we're going to keep it, I

think, yeah, it has to come out to a 27 point whatever it is. And again, I think because we specifically in 27.4 called out action on an email change, and we haven't called out anything else specific, I think 27 point whatever x here, this could be pulled out to that low one. It would make sense. Jody, please go ahead.

JODY KOLKER:

Thanks, Roger. This is Jody. I think I'm more confused than when we started here. So first of all, thanks, Christian for documenting or explaining that we're already sending an email when the registrant name and, or registrant name or organization has changed. So if we're already sending that, I'm not sure why we need a, except if to say that that, hey, if you, I guess I just don't know what it's needed for. I'm having a lot of confusion about this because we're already sending it. We're already sending this email. If the, the RNH's name or organization has changed, then if the phone happens to change at the same time, we've already sent the email. It's just not making sense to me if I was to implement this on what I'm supposed to do besides the fact that we want to save it or wants to be documented somewhere. Thanks.

ROGER CARNEY:

Great. Thanks, Jody. I think maybe, and again, maybe staff can jump in on that or whoever wrote that. I think the fact that none of 27 is recommending a notification on a name change. So I don't know if that was intended or not, but 27 does not say that a notification has to be sent on a name change. And maybe that was their point.

CHRISTIAN WHEELER: Change?

ROGER CARNEY: Yeah. There's nothing in 27 that says if the name changes, you do something. Or did I miss that?

CHRISTIAN WHEELER: I think if the name changes, like a registrant name, that would be considered a cord and that they would need to send a notification. Right?

ROGER CARNEY: I don't disagree with that, but 27 does not say that. And I don't know if that's what the commenter was trying to get to. Did we miss that? Because we talk about if an email changes, this is what you do. And this is what has to happen. And again, 27 here is talking about pulling all of this out into its own policy to begin with.

CHRISTIAN WHEELER: I think it does say that though. Yeah, I think it does say it just because it says as part of the standalone, we're going to recommend that following a change of registrant data, which the working group defined in REC25, which we can go back to if you like, the registrar must and subject to the opt out in 28, the registrar must send a change of registrant data notification. So the definition is to find number 25 which they said includes a material change. I think 27.5a was kind of just as a

flag that the definition included in, where is it? Here. Just as a reminder that this is part of the definition of material change.

So, I personally don't think that A really adds anything different. If anything, it's kind of implementation guidance. But if there is speaking to the fact that if there was a change of phone number and email that was included with the change, there isn't a specific stipulation that the register would have to notify them that also the phone number changed in the notification. It's just that there was a name change. So, if we're going to wanted to add that in as a kind of clarification, if there's any other changes that needed to be part of that, then that we could obviously make that a part of 27. But as it stands, I personally don't think that 27.a says anything new.

ROGER CARNEY:

Great, thanks Christian and thanks for the point back to 25. I wonder because 27 is about a standalone policy if 27 shouldn't refer to 25. Because 27 doesn't say to include the definition of material change in it. Just a thought. I think that we've got our answer for 27.5a. I don't think it needs to be there because I think it's handled. But I think because we're telling the IRT to pull this out and put it into a different policy that they need to include material change definitions with it. But think about that. Okay. I think we can move on Christian.

CHRISTIAN WHEELER:

Thank you. Okay, 27.6. So this was a recommendation that when there is a change of registrant data that applies to multiple domain names within the registered Name Holders portfolio, and that the Registered

Name Holders, the changes the same for all those domains, the registrar may consolidate the notifications into a single notification. So if the registrant had 100 domains or 1000 domains, the registrar wouldn't need to send 100 or 1000 notifications, they can consolidate it into one.

Now the comment to this one was that the notification should display all the domain names that were affected. And so that if the registrar sent their notifications, such as by SMS, there could be character limitations. And so in the cases where the notification wouldn't be able to display all the domain names that were affected, then the registrar shouldn't consolidate those notifications to enable the registrant to be able to see all the domain names that were affected.

So the following update was made to 27.6 Basically using the language provided by the commenter. The thoughts by them. All applicable domain names should be clearly displayed in the notification sent by the registrar. Consolidation is not permitted if the means chosen to provide the notification does not allow for listing of each applicable domain name. For example, limitations SMS kind of what I just said. So that's kind of enshrining it here in 27.6. So I'll throw it back to you, Roger.

ROGER CARNEY:

Great. Thanks, Christian. Jody, please go ahead.

JODY KOLKER:

This is Jody. I'm just tempering my answer. I'm sorry, we can't do this because we have registrants that have 400,000 names. If they change their name, we're going to send them 400,000 emails. I mean, this is just a bad customer experience for that registrant. And it will lead to an unending phone call of explicative from that person. There are multiple customers like that. I'd like to hear some other registrants or other registries and registrars, I should say, on what their opinion is. Thanks.

ROGER CARNEY:

Thanks, Jody. And again, this is only if you use a limited communications channel. So SMS having 140 characters. If you're using email, then you can consolidate all into one. The interesting thing to me is, as I read this a few weeks ago, when it came in, is that this is true, even if it's not multiples, the required data that we have to send is probably over 140 characters anyway. So you're going to hit it.

And then again, 140 characters is somewhat of a, I don't know if it's a true limit. You know, it's one of those things that everyone has worked around the SMS text limit. But I understand the point that the commenter made here is you want this to be easily readable and digestible by the registrant. And again, I think even our minimum, I think four items that we send may go over that 140 character limit, but just my thoughts, but John, please go ahead.

JOHN RUPP:

This is John again. I was going to agree with Jody on this. Having to send an individual text message for each domain name is insane.

ROGER CARNEY:

Thanks, John. And again, I think obviously there's work around here as well. The text message may not include any of the data and it's just a link to a page on their account or something. Again, I think that there's operational ways to do it. And you say, hey, there was a change. Click here and see what it is. Obviously, it's going to have to be from a trusted number and everything. So because we don't want people clicking on things. But then again, I think that this notification here is probably going to be an email anyway. But obviously we wanted to afford the flexibility of other items. So I'm not sure who's on the iPhone, but HL, whoever that is. Go ahead

HOWARD LI:

Howard from ICANN staff for the record. So I think I also agree with what Jody said. I think this one we can modify the language, like combining if they sending SMS can direct to the registrar's web page or their control panel that they can display all the domain names has been affected and all the data has been affected. So I just walk around on that. And I think there are ways to do it. So, yeah.

And I also have another comment. Roll back a bit. I was raising my hand, but you guys didn't see me. For the 27.5 up there, I think if there's a way to fix it, both that with the MAY and MUST, we actually may think about using the A as the main cover for that line. So in the case of that, there's phone changes and other data changes, along with the registrant name change. Then they may send the additional notification for that data change to remind. And if they send, they

should keep it in record for checking. So then we have a MUST on the top that a MAY at the bottom. By switching the bullet A to the main text there, where you must have to send out. Because if it's a change or registrant name, or the registrant org then you must send out. But if you have all additional data point change along the way with that change, then you may send additional notifications out. I think that would be easier to understand.

ROGER CARNEY:

Thanks for that. That helps. I think the issue with 27.5a is the fact that it's covered in, what did you say? 24. So that 24 already states that if a name changes, a notification has to be set. So it doesn't really matter if the name and phone number changes. Because it's already being sent. So it's already being covered by 25.

HOWARD LI:

Yes, that's I'm saying like with that as a requirement. They must send. And if the policy wants the registrant to have the option to send additional notification, then that's a May. Right. So we don't have that MAY exceeds that MUST. Right?

ROGER CARNEY:

Sorry, I'm not sure I'm following.

HOWARD LI:

So the current text just as Jody and other people point out, we have a MAY on the top and then we have a MUST at the bottom. It's very hard

to understand. So we rather we might even change the text on that say if that happens along like there's a phone number or postal address that change, along with registrant name or the registrant org then they may provide additional notification. Or they have the option to combine that additional notification with the notification they send out with the change of the registrant name on.

ROGER CARNEY:

I think that no matter what data changes, it's going to be one notification. So if you change all five fields, you're going to get one notification. But if you only go in and change your address that's what 27.5 is trying to handle.

HOWARD LI:

This is Howard again. My point is if there is an material change, it should not be included in the transfer policy because it's not transfer. Right?

ROGER CARNEY:

Thank you for that. Because I think that's what I was saying earlier, is should 27 which is the standalone policy make reference to material change, that we send to the IRT because 27 doesn't include that today. So, I think that that's probably something we should add. Yeah. Thanks. Thanks. Christian. Yes, we can.

CHRISTIAN WHEELER:

Thank you. Christian Wheeler, ICANN staff. This last comment in 27.7 is just a clarification with regard to? Oh, yeah. Sorry. Go ahead.

RICK WILHELM:

Sorry, I put my hand up later. On 27.6 about two things. One, I think we should allow householding as it's termed in the in the real world. Right? And the fact that we wouldn't allow householding is a little bit silly. Because if we don't allow householding, it's going to lead to these things getting ignored. And the second thing is, I don't think that we should be specifying in this policy exactly what the content is of these notifications, especially here we talked about listing the domain names.

I think there's security aspect to that of listing content inside the notifications that people may not read, particular registrars may not want the domain names listed in the notification. The same thing that if you get an alert on your credit card, you may not want it to be including the place where the charges made the amount and all that stuff. You may just want it to say, Roger, there's been a charge made on your credit card, check the app to see the details, because you might not want your email provider to be reading all of that stuff and scanning it and knowing where you shop. That sort of thing.

So I think that we need to be cautious in general. So this is wearing my security and confidentiality hat here. This is not really a registry point per se. Thank you.

ROGER CARNEY:

Great, thanks for that Rick. And I think where we ended up on this is, I mean, I think it was brought up by a couple of people. The notification may be as simple as, yes, go to the app and look. And then inside the app, you have to provide that information. But that information has to

be provided in some secure mechanism, which, again, most likely is go to your control panel and see what changed. So, thanks. Please go ahead.

HOWARD LI:

This is Howard from ICANN staff. I just thought about something that-- sorry about that. It's not specifically written here, but it's related to the new registration data policy. Where the new RDP says, if the registrant org was offered and then provided, then the registrant org field will be considered as the registrant, the RNH. So in those cases, like where the registrant org was presented, there's value in there. It has no change, but only the registrant name was changed. Should that be considered as a material change in the future? So I do not have an answer. I just take the opportunity to give the policy team to work on that, to consider, think about it.

Because I'm imagining some of the registrant will come back to me that says, there's no change. Yeah, it's admin one to become admin two. It should not be a material change. Do I have to do that? Yeah. Just a question.

ROGER CARNEY:

And it's a good call because, yeah, you bring up the RDA, the new policy, which does formalize what a lot of registrars do today is that if organization is provided, that's the registrant. And to your point, does that then change the definition of material change in the fact of the name? And when you were describing it, I'm like, well, yeah, it does,

because that's not what is. But yeah, it's a good call that needs to be addressed. So, John, please go ahead.

JOHN RUPP:

John, Name.com. Just off of what Rick was saying in terms of security, it goes back against like 27.2. Is there a reason why 27.2 can't just say, notification is sent, go into the application to see the details, then takes care of the issue with what was at 27.6 about SMS. If it allows you to just say see details in your account or in the app or whatever the registrar uses, I think that would simplify these issues in this recommendation if we can just say, go to the app to see the changes, and then see what those changes are there.

ROGER CARNEY:

Thanks, John. And I think that maybe that's an imputation guidance we can add to this, mostly because if someone goes in and changes their name on one domain, a registrar may say, yeah, I can send that on SMS and I can include all the details that are required or I can send them an email and all the details are required there. But to everyone's point if there's a thousand of them or whatever it is. And again, even if it's one, I can see a registrar saying, yes, there was a change and you go to a data change page at the registrar that shows what the data was that changed.

So I think it's a good implementation guidance just to say, hey, the original notice could be just a simple link or simple instructions on where to go find the detailed of 27.2. So I think that's a good one. Thanks. Okay. Christian.

CHRISTIAN WHEELER:

Thank you. Just going to quickly going back to 27.7. The commenter had commented that the--This is kind of a reference to the RDDS accuracy program specification where they registrar would send a verification request. This is basically saying that they may consolidate the notification with the change of registration data notification where it's applicable. The comment was pertaining to kind of what optional refers to if it refers to this kind of optional one and 27.4b. That they may send it, for instance, to the registered name holders new email address.

So it was just kind of unclear what optional was referring to. I believe it was referring originally to the fact that the change of registrant data notification itself is optional because in cases where the registered name holder opted out. So that was kind of the reference to it. So the change was really kind of just simple. It was just kind of getting rid of the word optional. Just may consolidate the change of registrant data notification implying that when it is being sent, if it's not having been opted out, then it could be consolidated. So I think that was just the proposed change.

ROGER CARNEY:

Great. Thanks, Christian. John, I assume that's an old hand. Okay. Any, comments. I think this is pretty straightforward. And I think it does get rid of a little confusion there. So I think it's a good change. But any comments on that from anyone. Okay, good.

We've got seven minutes left. So we're speeding through our time and not speeding through the work. But I'll turn this back to you, Christian, for our next one.

CHRISTIAN WHEELER: Thank you, Christian, ICANN Org. This last one is an added recommendation. This is referring to a comment, may kind of back towards 27.2. Noting that the court policy should include in addition to the time period text, an explanation of the actions that the registrar would have to take upon being notified that a registrant-- they were notified of an unauthorized change of registrant data.

So this is some text that recommended, to kind of pull from the comment, see what the working group thinks of this. Upon being informed of a potentially invalid or unauthorized Change of Registrant Data, the Registrar MUST take action to investigate without undue delay. If the Registrar determines that the Change of Registrant Data was invalid or unauthorized the registrar must attempt remedial action. For example, e.g. by locking the domain name, reversing the change, denying pending inter-registrar transfer request, etc.

So this is referring to that comment that believes that the actual actions of the registrar should take should be more clearly spelled out. So throw it back to you in the five minutes we have.

ROGER CARNEY: Thanks, Christian. And as I read through this, I was thinking, this sounds like this is already in our contract. But I would have to go look at it to make sure. Jody, please go ahead.

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- JODY KOLKER: Thanks, Roger. On the face of it, I like 27.8, but I'd want remedial action to be spelled out a little better. I mean, what exactly should we be doing? I mean, this is an example, but and it's within parentheses. I mean, is it going to be listed like deny the transfer, lock the account, lock the domain? What exactly should a registrar do or what are they going to be responsible for? Thanks.
- ROGER CARNEY: Great. Thanks, Jody. And I'm guessing the commenter left this kind of open because of the spider web that this could create and you don't really know where it's going to end up at. But again, I think I need to review the RAA because I think 27.8 is already part of our requirements for registrars. 27.8. And I think there's actually action that has to go with it, but I'll need to confirm that. So, okay, we've got five minutes. Do we tackle one more, Christian?
- CHRISTIAN WHEELER: Sure. All right. Moving on to Recommendation 28. The comments noting just in general about Recommendation 28 that it adds unnecessary complexity. So for clarity too, this is about the opting out ability of the change of registrant data notification. So there were some comments saying that it adds complexity, noting that the concerns about inundating registrants with notifications can be managed at the registrant level, so just through email filters, and as well as the registrar level. So just by consolidating those notices without burdening the whole ecosystem, noting that also that a consolidated email for

multiple changes already lessens that burden on the registered name holder.

There was comments with regard to the opt-out that there were concerns that the bad actor, if it was a compromised email or account, that if there was a bad actor there, they could be the ones opting out. So, by having the opt-out ability, the registrants forfeit their visibility and control over those changes. And there was, well, there was a recommendation that there be added security measures like two-factor authentication when doing the opt-out.

Recommendations, there was some added recommendation text to 28.1, noting that it would need to be, the registrar MUST enable notifications by default when there is a change of registrant. So every time the registrant changes, they would need to re-enable it by default. And then finally, there was a comment, again, just kind of concerns that even though it says that the registrar should be enabled to make an informed decision whether or not to opt-out, that there's still concern that the registrants might not understand, or read, or comprehend everything about it, and just kind of general concerns about having the opt-out procedure.

So working group can think about whether it wants to keep recommendation 28 in general, but there was really just kind of two added pieces of text here, this one to 28.8, including when it was transferred to a registrant as another time. And then adding a 28.4 here that the registrar must require two-factor authentication from the registered name holder before accepting a notification opt-out request. So those are the only two updates made to 28. Thanks.

ROGER CARNEY: Great. Thanks for covering that quickly. We've got two minutes left, so I think we'll pick this back up. But just top of mind here, 28.1.3 seems like a good thing that maybe we missed and probably should have included. I think the key on 28 is this is an optional thing for registrars to implement, and I'm guessing most registrars are not going to implement this at all. And we had a lot of discussion on 28, and I think we came back to it multiple times, actually, because of the issues. And then, again, it really boiled down to some white-glove registrars that accept the notifications for their clients and everything. And, again, I think we added language to support that. But I'll go to Jody first. Oh, you're off. Okay. I'll go to George then. Please go ahead, George.

GEORGE KIRIKOS: Hi, George Kirikos. Can you hear me?

ROGER CARNEY: Thanks, George. We can hear you.

GEORGE KIRIKOS: First, general comment is about the format. Nothing that happened on this call is out of the ordinary for a regular working group call, whereas this is an ICANN81 meeting where the public is here. So, there's a wasted opportunity for public participation.

Also, my main question is, according to the attendance records from the meeting on November 5, 2024, there were nine ICANN staff members

present. In my previous experiences with ICANN working groups, it was usually just one or two staff members participating. I'll send a link in the chat to the PDF with the attendance records. Could you clarify what roles all these staff are fulfilling during the meetings? Only one person is allowed to speak at a time. Number of words exchanged on a 90-minute call doesn't vary much regardless of the number of participants.

Additionally, participation on the mailing list has been quite low. I'm raising this question because ICANN seems to be considering fee increases, which affect domain name registrants, while other companies in the domain name industry, like Tucows, are reducing staff to improve efficiency and reduce costs. Thank you.

ROGER CARNEY:

Great. Thanks for that, George. And we can definitely take a look at that specific call and get back to you on those issues. Is there any other comments, generally? Since we are one minute over here, I want to close up. Zak, please go ahead.

ZAK MUSCOVITCH:

Thank you. Zak Muscovitch. On October 8th, we were discussing Recommendation 9, and there was a public comment that questioned whether the 14-day longevity for the TAC should be longer to take care of certain contingencies with fast transfers in the secondary market. And Jody helpfully shared that he does not understand that to be a concern, so I took that back to other participants in the secondary market, and I'm happy to confirm that Jody, as expected, is right. So, thank you for that. I appreciate it. Thank you.

ROGER CARNEY:

Great. Thanks, Zach. Okay, we're two minutes over, so I think I will close it here. And thank you, everybody, for coming and participating, and we'll talk to you soon. Thanks.

[END OF TRANSCRIPTION]