

ICANN Contractual Compliance

Law Enforcement Agencies Meeting

Monday, 24 March 2014

#ICANN49



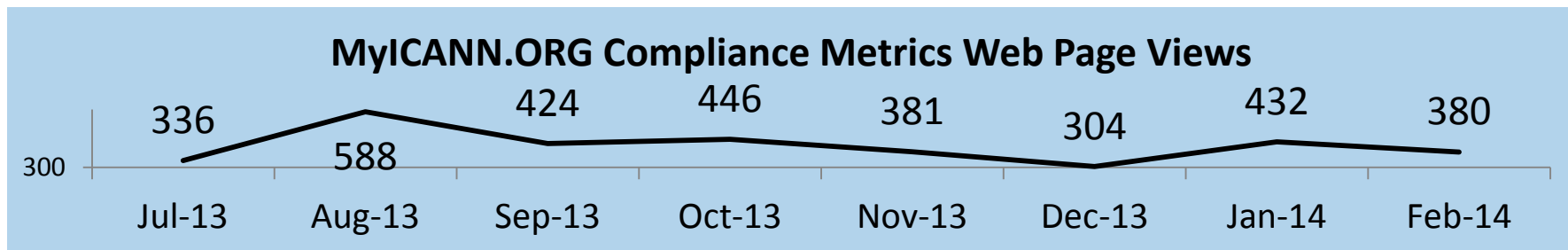
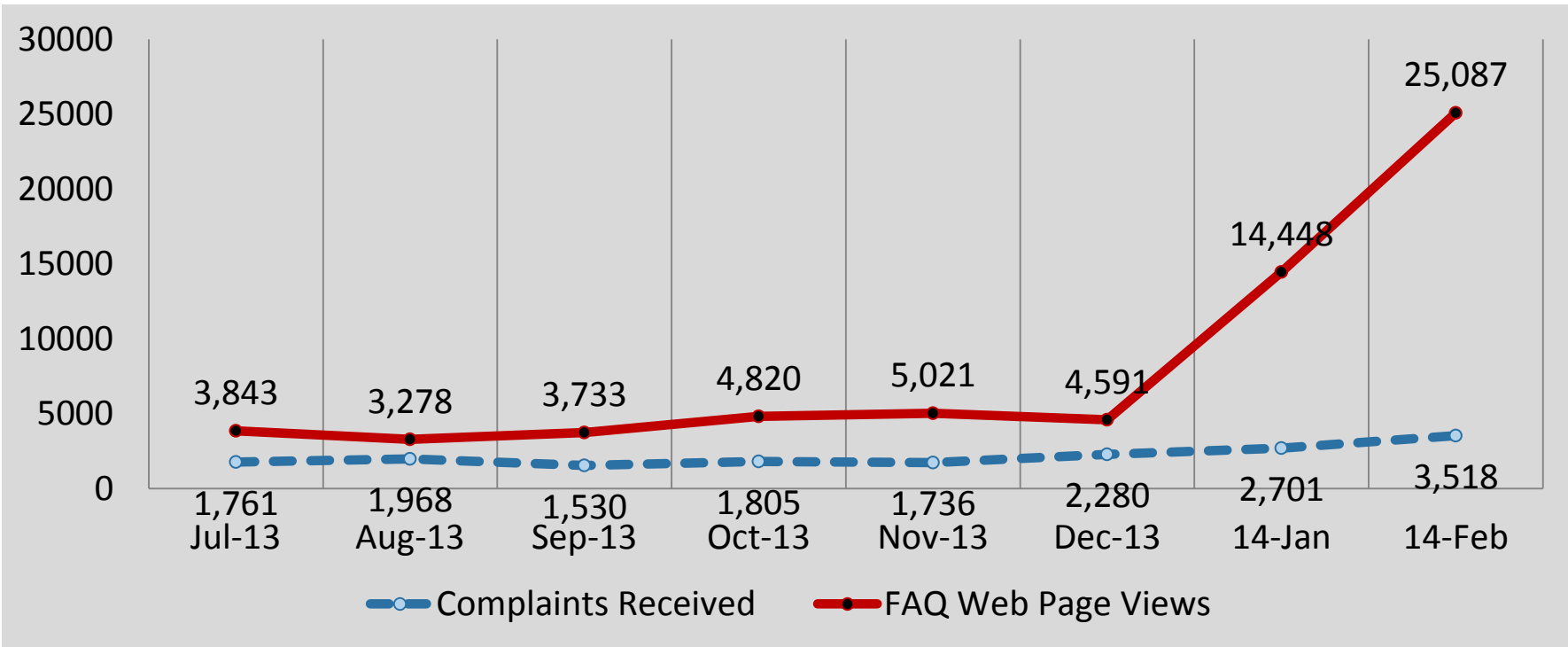
Agenda

- Compliance General Update
- 2013 Registrar Accreditation Agreement
- Q&A session

Contractual Compliance Update

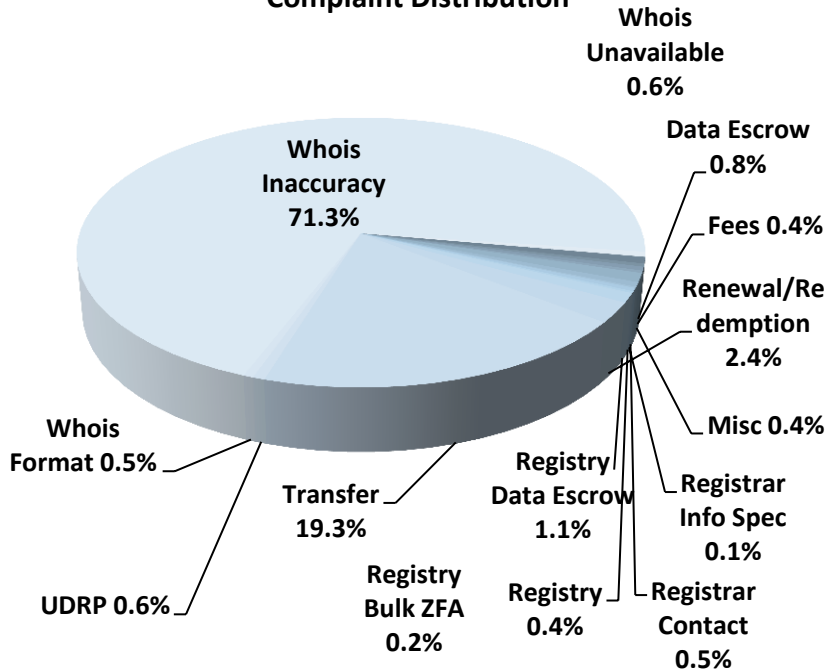
- Global presence in Singapore and Turkey
- “Bulk” Whois Inaccuracy Submission increased to 300/user/week
- Completed 2013 RAA and New Registry Agreements readiness – web forms, Learn More, templates and training
- Audit Program Year-2 in progress
- New Registry Agreement audit plan and detailing in progress

Learn More & MyICANN Web Page Views July 2013 – Feb 2014



Compliance Scorecard - Nov 2013 – Feb 2014

Complaint Distribution



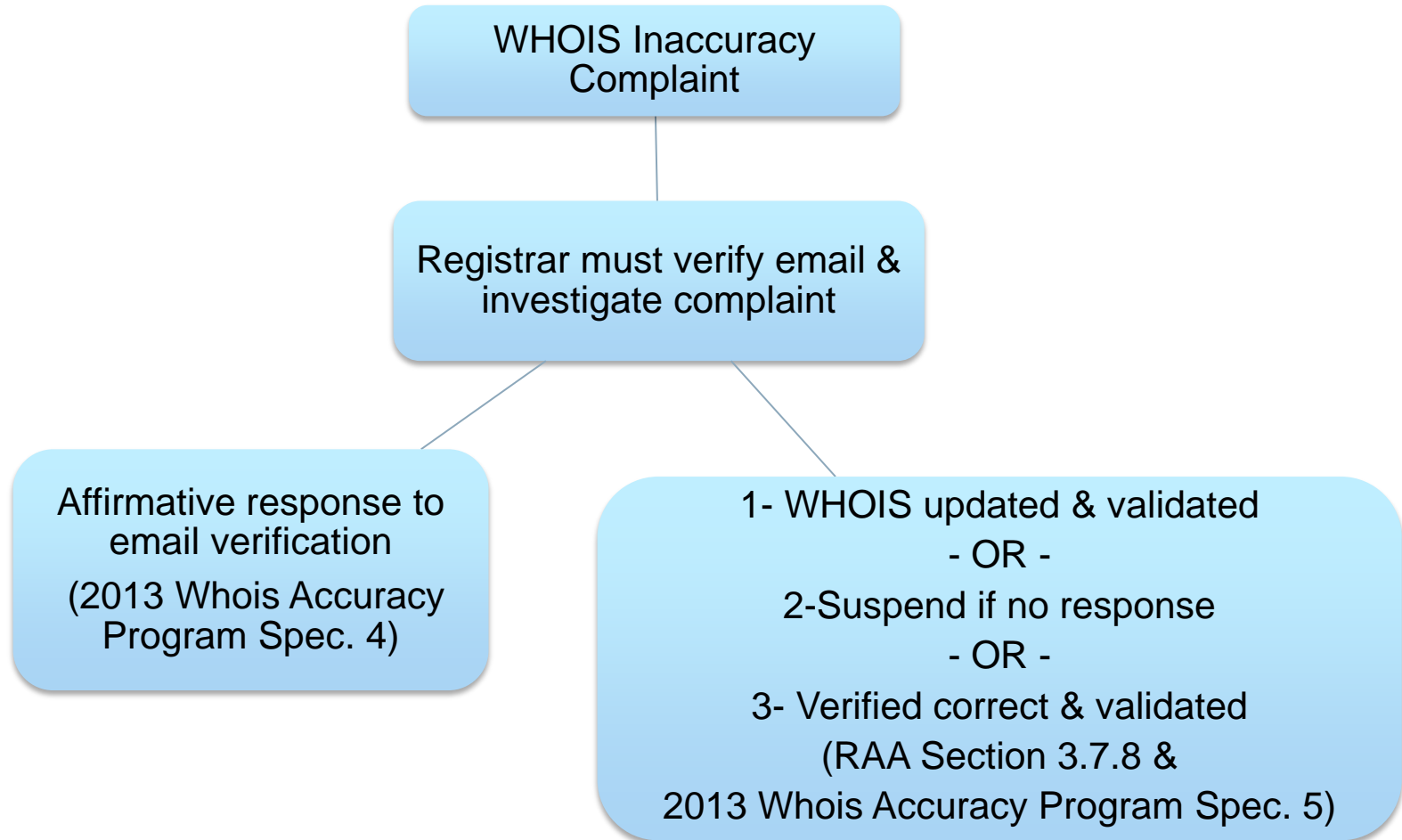
Registrar/Registry TAT - Nov-13 - Feb-14 (in days)	
Avg TAT 1st Notice	12.6
Avg TAT 2nd Notice	8.3
Avg TAT 3rd Notice	8.8
CC Staff TAT - Nov-13 - Feb-14	
Avg TAT Open-1st Notice	1.8
Avg TAT 2nd WIP	2.4
Avg TAT 3rd WIP	5.8
Avg TAT Received-Closed	9.7

	New Complaints	Sub-total
REGISTRAR	10009	
REGISTRY	226	
Total New Complaints Received		10,235
Total Prior Months Carryover		3,655
Total Complaints Received		13,890
	Complaints Closed	
Volume Closed Before 1st Notice	4,090	
Volume Closed Before 2nd Notice	3,747	
Volume Closed Before 3rd Notice	663	
Volume Closed Before Enforcement WIP	75	
Volume Closed After Enforcement	26	
Total Closed		8,601
	Complaints Open (Carryover)	
Volume Open Before 1st Notice Sent	2,230	
Volume Open in 1st Notice Sent	2,534	
Volume Open in 2nd Notice Sent	406	
Volume Open in 3rd Notice Sent	103	
Volume Open After Enforcement All	16	
Total Remaining Open (Carryover)		5,289
Carryover- at end of period	1,686	1,686
	Enforcements	
Volume Breach	12	
Volume Termination	4	

WHOIS Inaccuracy Verification & Validation Summary

- Registrar must verify or re-verify email address of the Registered Name Holder (“RNH”) and if different, the Account Holder (“AH”).
- The domain must be suspended or the registrar must provide proof of manual verification.
- 1st notice response deadline will remain 15 business days.
- Beginning with the second notice, ICANN will inquire why registrars did not suspend or delete registrations.
- 2 concurrent parallel tracks (next 2 slides)

Whois Inaccuracy Example 2013 RAA



Abuse Reports

Section 3.18 of the 2013 RAA

- Registrars must take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse
- Law enforcement reports: can be from any applicable jurisdiction
- Registrars must include abuse email & phone number in Whois output
- Abuse email address must be conspicuously on website, and cannot be a web form
- Registrars cannot require a court order to investigate reports of abuse, unless they inform ICANN of a specific local law or regulation

Abuse Reports Questions from LEA

1. How many complaints have been received to date?

Since February 2014, about 25

2. What were the complaints about?

- Abuse contact email not published on a registrar's website;
- Phishing; malware; IP violations; pharmaceuticals

3. How is Compliance validating that registrars take 'reasonable steps to investigate and respond to'?

- ICANN requires registrars to provide details of the reports, the investigations, and the results.
- Failure to investigate well founded reports is considered a non-compliant.

Privacy/Proxy Services

Section 3.4.1.5 and Specification on Privacy and Proxy Registrations

- Privacy service: shows actual registrant's name, but with alternative contact information
- Proxy service: is the registrant, and licenses domain to beneficial user
- Registrant must be contactable for both privacy & proxy services
- Proxy service must be separate legal entity from registrar
- Must verify/validate Whois data as required by 2013 RAA

Thank You

Please send general questions:

To: Compliance@icann.org

Subject line: **ICANN49 RSG Session**

Wednesday 28 March 2014

Contractual Compliance Outreach Session

10:30 – 12:00

Location: **A. Padang**

Additional Resources

- Learn more about ICANN Compliance
<http://www.icann.org/en/resources/compliance>
- Monthly Updates in 6 UN languages
<http://www.icann.org/en/resources/compliance/reports>
- Compliance Metrics on MyICANN
- FAQ and complaint submission page
<http://www.icann.org/en/resources/compliance/complaints>

2013 RAA 12 New Complaint Types

Reseller Agreement Section 3.12	Abuse Section 3.18
CEO Certification Section 3.15	Customer Service Handling Process Section 3.7.11
Registrar Information Specification Section 3.17 and Registrar Information Specification	Failure to Support DNSSEC, IDNs, and IPv6 Section 3.19 & Additional Registrar Operation Specification
Whois Format Registration Data Directory Service (Whois) Specification	Privacy/Proxy Registration Program Section 3.4.1.5 and Specification on Privacy and Proxy Registrations
Whois SLA Section 2.2 of Registration Data Directory Service (Whois) Specification	Domain Not in DNS for Non-response to Whois inquiry Whois Accuracy Program Specification
Failure to Display Trademark Notice Trademark Clearinghouse Rights Protection Mechanism Requirements	Failure to Notify ICANN of Bankruptcy, Conviction or Security Breach Section 3.20

Registry Complaint Types

- | | |
|---|---|
| <ul style="list-style-type: none">• Data Escrow• Monthly Reports• SLA• Reserved Names• Registry Fees | <ul style="list-style-type: none">• Wildcard Prohibition• Abuse Contact Data• Registry Operator Code of Conduct• Trademark Claims Notice• Continued Operations Instrument |
| <ul style="list-style-type: none">• Sunrise Processes & Procedures• Centralized Zone File Access• Name Collision – SLDs Blocked• Post-delegation Procedures<ul style="list-style-type: none">• Public Interest Commitments• Registry Restrictions• Trademark Post-Delegation• Rights Protection Mechanism<ul style="list-style-type: none">• Uniform Rapid Suspension | <ul style="list-style-type: none">• Failure to Notify ICANN<ul style="list-style-type: none">• Officer/Board Member Conviction• Bankruptcy |