



ICANN's Contractual Compliance Program

Cartagena Meeting

December 2010



CARTAGENA

no. 39 5 - 10 December 2010

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Agenda

- Contractual Compliance Overview
- ICANN's Authority
- Contractual Compliance Enforcement Summary
- Compliance Notice Summary
- Ongoing Audits
- WDPRS Enhancements
- Staffing Update

Program Overview

- Manage relationships with 960+ ICANN Accredited Registrars and 17 Registries
- Enforce ICANN's Contracts
- Investigate Claims of Non-Compliance
- Conduct Contract Audits
- Manage Consumer Complaint Systems
- Develop Processes for Addressing Compliance Issues

ICANN's Authority

- ICANN's authority is contractual, not regulatory.
- Accordingly, its authority is limited by the provisions contained in its contracts.
 - gTLD Registrar Accreditation Agreement (RAA)
 - gTLD Registry Agreements

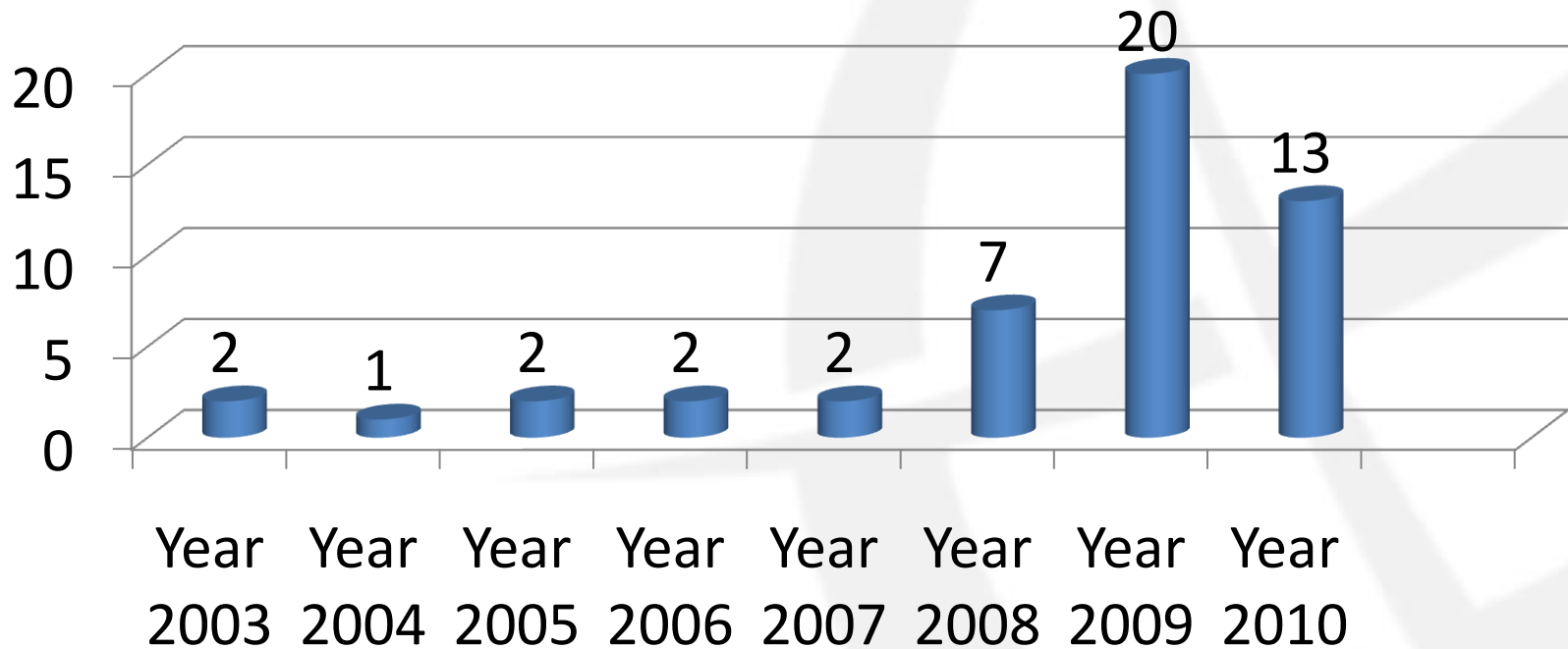
ICANN's Authority Under the RAA (Registrar)

- RAA requires registrars to
 - Investigate all Whois inaccuracy claims
- RAA allows registrars to
 - Cancel a domain name if the registrar is unable to verify Whois information
 - Cancel a domain name when a registrant willfully provides inaccurate Whois information

ICANN's Authority Under the RAA (Registrar)

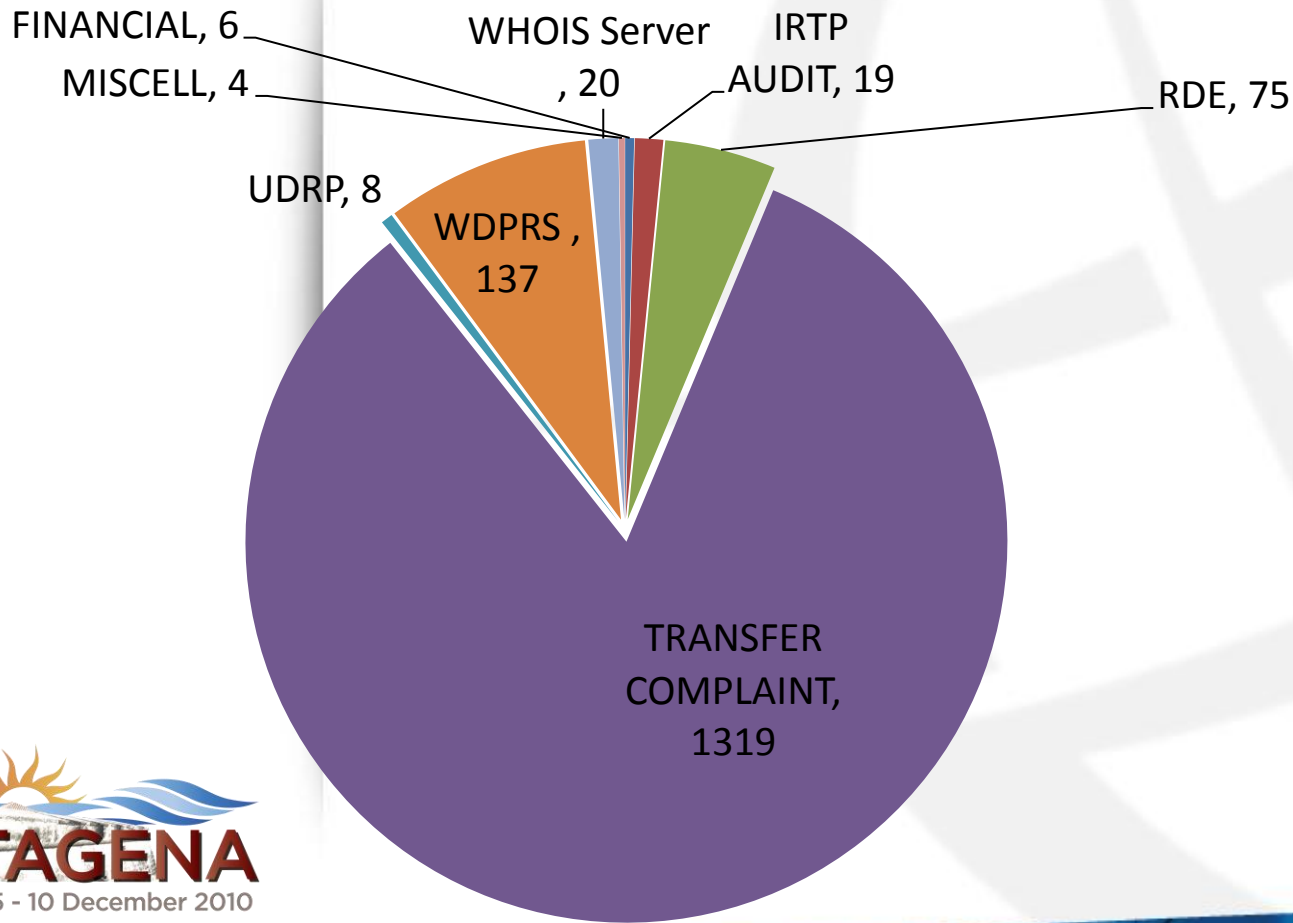
- RAA requires registrars to
 - Escrow registration data
 - Comply with the UDRP
- RAA allows ICANN to terminate a RAA
 - If there has been a conviction of a registrar principal
 - Or, after issuing a notice of breach and providing an opportunity to cure.

57 Registrars Terminated or Non-renewed from 2003-2010



Compliance Notice Summary August - November 2010

Total Enforcement Notices Transmitted - 1,588



Ongoing Audits

Inter-Registrar Transfer Policy (IRTP) Audit Plan

- Gain a better understanding of transfer problems encountered by consumers
- Gauge level of registrar compliance
- Raise registrar awareness of their obligations and improve overall compliance
- Inform community of audit results (to assess effectiveness of the existing policy)

Ongoing Audits

Port 43 Whois Audit

- ICANN is committed to enforcing its existing policy relating to Whois
- ICANN has developed a beta version of an automated port 43 monitoring tool
- Currently tuning the monitoring tool to more effectively capture data necessary to audit registrar's Whois service

Ongoing Audits

Port 43 Whois Audit

- ICANN sent 6 compliance inquiries based on the first round of monitoring.
- ICANN issued two breach notices based on registrar failure to provide Port Whois 43 service.
- ICANN will continue to monitor Port 43 Whois compliance on an ongoing basis.

WDPRS Enhancements

- Automated Message RE: Invalid Reports i.e. suspended, deleted or expired at the time of submission
- Registrar Action Message after 15 days includes multiple choice options to demonstrate what action was taken:
 - a) registrar verified contact info is correct
 - b) domain suspended, deleted or expired (system automatically closes ticket)
 - c) contact info updated
 - d) more time requested (one time option)

WDPRS Enhancements

- 45 Day Automated Compliance Notice for Failure to Respond or take any action regarding a Whois inaccuracy claim.

Staffing Update

- Open Positions
 - Senior Director
 - Compliance Manager
 - Senior Auditor
- Identifying qualified candidates and conducting interviews



Thank You

