Contractual Compliance

Latin America Registrar Outreach

19 November 2013
Contractual Compliance Updates

- Latin America Metrics
- Responding to ICANN notices
- Whois Inaccuracy
- Inter Registrar Transfer Policy (IRTP)
- Renewals:
  - Expired Domain Deletion Policy (EDDP)
  - Expired Registration Recovery Policy (ERRP)
Complaints per Domain Volume
Latin-America  January – October 2013

<table>
<thead>
<tr>
<th>Region</th>
<th>July 2013 Domain Volume/Million</th>
<th># Complaints</th>
<th>% Complaints per Domain Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>N. America</td>
<td>100.9M</td>
<td>8,342</td>
<td>.008%</td>
</tr>
<tr>
<td></td>
<td>754</td>
<td>284</td>
<td>37.7%</td>
</tr>
<tr>
<td>Latin America</td>
<td>1.3M</td>
<td>370</td>
<td>.030%</td>
</tr>
<tr>
<td></td>
<td>24</td>
<td>16</td>
<td>66.7%</td>
</tr>
<tr>
<td>Europe</td>
<td>23.1M</td>
<td>2,394</td>
<td>.010%</td>
</tr>
<tr>
<td></td>
<td>162</td>
<td>106</td>
<td>65.4%</td>
</tr>
<tr>
<td>Asia/P</td>
<td>23.9M</td>
<td>6,746</td>
<td>.028%</td>
</tr>
<tr>
<td></td>
<td>165</td>
<td>113</td>
<td>68.5%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Region</th>
<th># registrars per region</th>
<th># registrar w/ Complaints</th>
<th>% registrars with complaints per region</th>
</tr>
</thead>
</table>

Note: “# registrars per region” data may contain some obsolete registrars but is retained for reporting history
Complaint Types and Phases Latin-America

Complaint Distribution – Jan – Oct 2013

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Service</td>
<td>37</td>
</tr>
<tr>
<td>Data Escrow</td>
<td>1</td>
</tr>
<tr>
<td>Fees</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
</tr>
<tr>
<td>Registrar Contact</td>
<td>6</td>
</tr>
<tr>
<td>Registry</td>
<td>0</td>
</tr>
<tr>
<td>Renewal/Redemption</td>
<td>10</td>
</tr>
<tr>
<td>Transfer</td>
<td>95</td>
</tr>
<tr>
<td>UDRP</td>
<td>15</td>
</tr>
<tr>
<td>Whois Inaccuracy</td>
<td>194</td>
</tr>
<tr>
<td>Whois Unavailable</td>
<td>8</td>
</tr>
<tr>
<td>Total Complaints Processed</td>
<td>370</td>
</tr>
<tr>
<td>Total Complaints Closed</td>
<td>342</td>
</tr>
</tbody>
</table>

Enforcements

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume Breach</td>
<td>8</td>
</tr>
<tr>
<td>Volume Suspension</td>
<td>0</td>
</tr>
<tr>
<td>Volume Termination</td>
<td>2</td>
</tr>
</tbody>
</table>
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General Compliance Approach with Fact-based Decisions

**PREVENTATIVE**
Monitor, Audit, Educate & Outreach

**INFORMAL RESOLUTION**

1. 1st Inquiry or Notice Email
2. 2nd Inquiry or Notice Email Phone call
3. Final Inquiry or Notice Email Phone call Fax

**ENFORCEMENT**

- Breach Notice
- Suspension (Rr) Termination Non-renewal

**INFORMATION RESOLUTION**

- Check other non-compliance
- Good Standing
- NOT in Good Standing

Published at: [http://www.icann.org/en/resources/compliance/approach-processes](http://www.icann.org/en/resources/compliance/approach-processes)
Complaint Management Guidelines
Registrar receives an inquiry or a notice…now what?

+ Please RESPOND directly to the email
+ Do NOT edit subject line
+ Attachments should not be greater than 4MB
+ Attachment file formats .pdf, .doc(x), .txt
Contractual Relationship Overview

Registrars: register domain names
Registry operators: keep the master file for all domain names that end in a particular suffix
Registrant: registered name holder (legal domain name owner)
Registration Data & Records

Registrars are:

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

• Time stamped logs:
  – Registration Agreement
  – Interruption of resolution path

• Communications with the Registered Name Holder (Auth-Info codes, FOAs, Renewal Reminders, etc.)

• Accounts of dealings with registrants including dates and amounts of all payments and refunds
Registrars must have a registration agreement executed for every domain name that they register.

Agreements should include all of the provisions required by Section 3.7.7 of the RAA.
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Whois Inaccuracy

Goal is to obtain a fact-based response from the registrar that supports their actions to address the complaint.

Some fact based acceptable responses:

- A statement that the updated data is accurate, because the domain is owned by the registrar itself.
- Whois changes showing that the domain has actually been suspended or cancelled.
- For registrant changes of Whois data or when registrants confirm that the information is accurate, ICANN requests copies of the communications (email or phone log) containing the DATE/TIME/TO/FROM fields.
- Other information available to registrar to confirm or correct the Whois data.
Whois Inaccuracy

Not acceptable:

- ‘Still attempting to verify’.
- ‘Registrant confirmed accurate’ but no communications provided.
- Copy of communication provided, but not showing who it was sent to and from.
- ‘Data updated’ but Whois unchanged.
Whois Inaccuracy

- Reasonable steps to investigate and correct Whois data inaccuracy claims

- To validate ICANN requests:
  - The correspondence with the registrant (date/time, to/from), telephone number, e-mail addresses, and postal addresses used
ICANN CONSENSUS POLICIES
Inter Registrar Transfer Policy

Obligations regarding:
- Auth-code
- FOAs
- Locking/unlocking
ICANN CONSENSUS POLICIES
ERRP – Renewal Notices

- One month prior to expiration
- One week prior to expiration,
- 3rd notice required after 5 days of expiration.
- Must be provided in the language of the registration agreement.
- Must be communicated in a manner that does not require affirmative action to receive the notice.
ICANN CONSENSUS POLICIES
ERRP - Website Display

• Details of registrar's deletion and auto-renewal policies and any fee charged for recovery during the Redemption Grace Period (RGP) must be displayed on the website (EDDP)

• Renewal, post expiration renewal and redemption/restore fees must be clearly displayed on registrar’s website and a link included in the registration agreement

• Registrars must ensure fees are displayed on resellers’ websites
ICANN CONSENSUS POLICIES
ERRP Renewal Requirements

- From expiration until deletion, Registrant At Expiration must be permitted to renew the domain name.
- Registrars may delete registrations any time after expiration
- Resolution path must be interrupted
Registries must offer a Redemption Grace Period of 30 days.

The deleted registration may be restored at the request of the registrant by the registrar that deleted it.
Additional Resources

- Learn more about ICANN Compliance
  http://www.icann.org/en/resources/compliance
- Monthly Updates:
  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
Thank You

Please send general questions:
To: Compliance@icann.org
Subject line: ICANN48 LatAm Outreach Session

Wednesday Contractual Compliance Outreach Session 8:30 – 10:00
Room: Golden Horm