MAGUY SERAD: …sounds like it's martini time. All right. We are about two or three minutes late in starting. So I want to be mindful of everyone's time and the tight schedule we have. Thank you.

Good afternoon, everyone. Welcome to ICANN Contractual Compliance Program Update. My name is Maguy Serad. This session will be recorded. So I just want to give everybody a heads up. This session is open for everyone. And it's our way of… I see Jamie. Jamie, come, come, come. The goal of this session is really to provide you with a brief update, not more than 10 minutes long, and just open it up for questions and answers.

Our role here is to answer contractual compliance-related questions. And where possible, I'm looking around, I want to thank everyone for participating. I see contracted parties and I see general audience from ICANN community. I will facilitate the Q&A, and hopefully get participation from everyone.

Before we get started, I want to recognize three new ICANN team members from Compliance. They've been with us for a few months but this is their first ICANN meeting. I have May with us,

Yien Chyn, and Amanda. It's their first ICANN meeting. They have been on the Compliance team for a while and they're ready and excited to be here with us. Right, guys? Right. And with me also of course is Jennifer who's going to be facilitating the session. And I have Jamie, our senior VP.

So with this, we're going to get started. The presentation is already available on the meeting schedule. We uploaded it on Sunday. We have appendix full of other information that we'll leave it with you for your reference.

JENNIFER SCOTT: Hi, this is Jennifer Scott, ICANN Org Contractual Compliance. Thanks for joining us. Today, we're going to be talking a little bit about registrars and registries. Later in the week, we have closed sessions with the registrars and we'll also be visiting the Registry Stakeholder Group meeting as well. At these meetings, we usually present some lessons learned that we've seen since the last ICANN meetings. A lot of these are targeted registrars and registries. So I'll save those for those other sessions. And today, I'll highlight ones that are more relevant to the broader community.

For the registrars, the transfer policy that went into effect on December 1, 2016 has been something that the Compliance team has been experiencing new issues on just because it's a

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new policy with the change of registrant information. And so we've been seeing an increase in complaints from registrants regarding their ability to confirm the prior registrant request where their information that's in the WHOIS is outdated or they no longer have access to it. So we wanted to remind the community and particularly registrars that there is a way in the transfer policy for registrars to access registrants' additional information to be able to confirm these prior registrant requests for a change of registrant.

And so it's in Footnote 3 of the transfer policy. And it allows registrars to send the confirmation request to information that they have on file for that registrant so that if the information in the WHOIS is something different and outdated, that there's still a way for their customers to be able to make this change.

On the registry side, I'll just touch on the first one of these lessons, which applies to the broader community as well, which is the Centralized Zone Data Service or CZDS. Registry operators are required to provide their zone file to any users that request it through the CZDS based on certain conditions including certain credentialing requirements and agreement to terms of use. The zone file access complaints that ICANN Contractual Compliance receives continue to be the largest volume of registry complaints that we see here. And so we just wanted to point out that

registry operators do need to comply with the requirements under the contract for providing access.

MAGUY SAYAD: The last update for this afternoon I'm going to provide you with is the lot of the effort that's been going on for a few months in Contractual Compliance which we have put a blog out there about it. The effort can be summarized in two space. We have received through the CCT Review Team Public Safety Working Group, but also engaging with the community in this forum and other request where we have received the request for additional granularity in some of the metrics we provide.

The Contractual Compliance monthly dashboard in the past was providing just volume of the complaint by complaint type. We categorize them based on the contract. Now what the community asked for is that "Can you give us more granularity, for example, in the WHOIS? Instead of just giving us a total volume of WHOIS inaccuracy, tell us what type of WHOIS inaccuracy it is." I'm going to show you briefly what the dashboard looks like.

Another area that's very important and if you were in the Cross-Community Working Group, which is a DNS abuse, we are going to also be providing the community with a breakdown of the different types of complaints we received related to abuse.

The team proactively also took on an initiative. As you know, the Contractual Compliance team is part of the policy loop. The Policy Development Team comes to us for data and stats to learn how was the policy implemented, what type of issues were seen. But also they come to us at the beginning, when an issue is risen to validate, is that really an issue? What is compliance seen in that space?

So with that in mind, and the launch of the new transfer policy last December, we have also taken down the transfer policy and the transfer complaint to a level of granularity to proactively publish it and provide everyone that information.

The other type of granularity we did as a couple of new reports. As you know, we used to have structure. The meeting structure has changed. We used to bring a lot of metrics into the ICANN meeting. But then we realized quickly after going through one full cycle of the new ICANN structure meeting, there's a six-month gap between a policy meeting and an annual AGM meeting. And that caused some confusion in our metrics. But also it didn't bring more of a consistency in our reporting.

So what we're doing going forward is we created new quarterly reports. So there's not a big separation anxiety not seeing metrics at the ICANN meeting. We took the same slide deck we used to bring forward at the ICANN meeting. We're still going to

provide you that information and we're going to provide it on a quarterly basis. We also built and learned more for that deck. So whoever is not familiar with it and refers to it, they can refer to the description for it.

In addition, we create a set of reports that are both quarterly and annually. Some kind of reports to provide a level of granularity that brings aggregate data throughout the entire process for compliance, but also takes the complaints that we received and presents it to the community in complaints received and whether the legacy TLD or the new gTLD.

So with that, what I'm going to do is show you a little bit where to find it. We are on the ICANN.org website under Contractual Compliance. You go to Reporting and Performance Measurement. Under there, this is the place where we publish a lot of public facing data to the community. But related to the performance reports, you just go to the Performance Reports tab. This is the page where now we have introduced the new reports.

We have created a metrics and dashboard report that's going to be specific and bring forward in addition to the old monthly reports, you're going to start seeing also section referred to as quarterly reports. If you click on the older month prior to August you'll see the old format of the monthly dashboard. But I'm

going to click on September and show you a very similar dashboard that we've seen in the past. The addition is on the right side. We refer to it as additional information on the subject matter of complaint. And you'll see how it's breaking down by the different complaint types. Again, this is all available and we'll be happy to hear from you and receive your input.

The thing we've done is also if you go back to 2016, for the quarterly and the granularity of the complaint types, it's going to happen from 2017 forward starting with the month of August. We cannot go back to the old data because we've changed a little bit how we capture the data. But from an annual report perspective, we're able to provide you the annual reports.

Since we have not seen an annual report yet in 2017, it's not there yet. But it will be the same as for the quarterly. So I'll show you what the quarterly report which is the same reflection as the annual. So this is the quarterly report that we used to bring to the ICANN meetings to provide you updates on it. There is the same slide deck – I think I went too fast here. Let's go again. Not able to open, here we go.

This is the same type of information like I said earlier in a slide, in a ppt format to provide the information. I'm going to go slowly. Here is the data that's broken down by global registrant,

registry related. You're familiar with the slide deck. And the Learn More from that slide deck is also published.

But the new report here that I want to share with you are these reports. For example, let's start with the compliance process. You're going to see the same type of report by registry and by registrar. Here we go. This is a report that's going to show you at the top level, it's a scorecard. At a high level – breaking down the legacy in new TLD. And then you're going to see for each step of the process how we start off with a total number of complaints received and how through the compliance process, many get resolved. And by the time we get to third notice, when we start with a larger number, we have either reached a resolution or brought an issue to closure. This is one of the new reports that's provided.

Another report that I want to bring to your attention is we heard I think through the different stakeholder groups is an interest in knowing what type of categories of reporters we capture. We have now started to report on this. And the most area in here that was of interest to many community members is that Compliance has different sources of reporters. These are the people that come and submit complaints with contractual compliance.

As you may be familiar with, there is a tool that ICANN has launched about two years now. It's called WHOIS ARS, WHOIS Accuracy Reporting System. And Compliance is on the receiving end of the tickets that gets sent to us and then we process those. Sometimes when you see zero number of tickets, that means it has not come to us yet because that WHOIS ARS is run on a couple of cycles a year.

The WHOIS Inaccuracy [bulk] tool is a tool that we receive and it's been available for a while. But the individual submissions and the ICANN submissions is what I want to highlight here. The ICANN submissions are what we call proactive monitoring that ICANN conducts, whether it's proactive monitoring through our technical tools, or through our own initiative within Compliance that will fall into this category making us almost like a reporter.

The ICANN individual submission tool, you're going to see a breakdown of anonymous versus non-anonymous reporters. So we're hoping to bring more clarity of – and eliminate this myth of you get a lot of anonymous reporters. Well, based on this, the anonymous reporters is 1.66% of the complaints for that period.

So please take a look at those reports and on that site, you will see we do welcome your input and continue to improve our compliance metrics and reporting. We added, like I said, the Learn More is here to provide explanations of these reports.

Additional slides are available. I'm not going to take away from the Q&A. And if questions are asked related to those slides, I'm happy to go to them.

We have slides about the audit. As you know, Contractual Compliance conducts two audits a year by contracted party, two for registrars, two for registries. The audits have specific criteria. We have the slides in here. And different focuses. At the conclusion of every audit round, we publish an audit report on our reports pages.

Also Contractual Compliance is involved in different working groups and policy development discussions and I have those listed in the deck. With that, I'm going to open it up for questions if anyone's interested or has any questions to us.

MAXIM ALZOBA: Maxim Alzoba, .moscow. I have a question. Do you still have a system in place which tracks users of the system by e-mails? I mean our corporate complainants like the members of the same company sending you like three members, sending you abuse reports. Are they still tracked as three entities or one? I mean situations where they do not complain as individual Internet users but as company employees. Because if influences their statistics. Thanks.

MAGUY SERAD:	So I'm going to receive the question to make sure I understand it, Maxim. You're asking, we track it by e-mail right? So as you know, our ticketing system requires an e-mail because we do exchange – that's how we exchange our information. So the tracking is by e-mail, yes.
UNIDENTIFIED MALE:	Amazon Registrar. Does Compliance forward every WHOIS inaccuracy complaint that it receives or does it apply some standard before it sends them along? And I've got a follow-up question.
AMANDA ROSE:	I'll go ahead and address that. Do not just forward any complaint that we receive. We go through a process of verifying that it has an accurate or a reason for an inaccuracy alleged so we might do follow-up with the reporter or if the WHOIS is blatantly inaccurate, we might forward it directly.
UNIDENTIFIED MALE:	So my follow-up question then is when you're doing that analysis, what level of proof are you requiring? Are you just requiring that they have a reason? Or you do any investigation of

the quality of that reason? We received several complaints, one of which stands out. The complaint just said that the person's name couldn't possibly be a name. And it was a Korean name. There was no reason why it wouldn't be a name. It just felt like that was a complaint that maybe there should have been a little investigation into before it was forwarded.

AMANDA ROSE: Generally speaking, we will look at the reason stated first and depending on what that is, we'll decide if it's sufficient to forward onto the registrar. So in that situation, if it was something like Rainbow Brite, we might word it directly to the registrar. If it's an actual name, we would usually go back to the reporter or we would certainly go back to the reporter and ask for further explanation of what their reason is, or the basis of why they have sufficient reason to believe that that is not an accurate name.

UNIDENTIFIED MALE: And then I guess the question is, if they give you a reason, does it have to be a good reason or is it simply sufficient that they give you a reason? I'm just trying to find out kind of what's the standards you all apply before it goes to a registrar.

AMANDA ROSE: As far as the reason that they provide, it would need to be a valid reason to explain that it is an actual inaccurate data listed in the WHOIS. So if they simply restate their complaint for instance, that this isn't an accurate name because I – no sufficient basis to have a reason to believe that. Then we wouldn't push them either further or close the complaint at that time. If they actually have a sufficient basis or an allegation as far as how they believe that or how they've come to believe that, I think at that point, we would then forward it to the registrar and have them begin an investigation on that.

MAGUY SERAD: If I may add, as you all know, and I'm saying y'all, South Carolina accent, if we do send a ticket to the contracted party and you have a concern about it, please respond back to us and let us know what it is. As much as we try to vet the complaints, and vet some of the level of data reported to us, as Amanda was saying, sometimes we may not have the right information.

But again there's not one single database to validate all of this. And we do sometimes do depend on you to help with that. Just send it back to us and tell us what the reason is. Because many of you do, and what we do, we review it further. Based on how you shared it with us, we may also come [awhile]. Either we missed or it's a new scenario, we document it and we share it

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with our team, part of our documentation or criteria. It's like a checklist. Have you seen this? So our checklist has grown extremely long since 2011 and we welcome your input.

If we do determine that we sent this in fault by mistake to you, we retract it, we note it as ICANN issue. And as you all know, we also report on ICANN issues. That means we should not have sent this ticket to you. Reduce it from the count, from that aggregate count, and put it on ICANN count.

UNIDENTIFIED MALE: And is that checklist that you mentioned available for us to see?

MAGUY SERAD: It's an internal operational checklist. But if you have one you'd like to share with us to augment ours, I'm happy to look at it. It's really operational for us because it's part of our learning and part of our reference. Pam?

PAMELA LITTLE: Pam Little with Alibaba. I just want to follow-up on that exchange and I will confess, I'm the one who often sends those tickets to ICANN Compliance saying this inaccuracy report or allegedly inaccurate WHOIS is incorrect or unsupported or unsubstantiated. For example, a report will say, "Based on

Melissa data, this address doesn't exist." So I don't know how Melissa data, how reliable it is to check against Chinese address.

And then I don't know what according to your checklist, why you would just forward that or we ended up getting that ticket, right? Then there will be instances where we get our affiliate proxy private service provider address, which is just a standard template or address contact data was absolutely correct. It's actually our own address that they had quartered. And then the reporter said, there's no such address.

So that is to me, maybe indication that that checklist, what the due diligence you are conducting internally is insufficient. And this is not just an ad hoc. Or you get this didn't make out – ease in substantiate – you tell me so I can improve. I guess we are looking for something that will kind of be more efficient. We're trying to help you to become more efficient and effective, so do we, because every time you send me an inaccuracy WHOIS complaint, it actually costs me as a registrar. Because someone has to manually deal with that ticket and that costs money to do that. So it boils down who is to pay for that compliance cost or that due diligence checks and balances.

So I think we have to strike a balance. I know you can't check everything. And even if you did check the list on everything, something would still fall through the cracks from time to time.

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But what we have been saying is, we don't know what you are checking because we are seeing tickets all over the place.

MAGUY SERAD: The two examples you referred, it was an escalation and thank you for copying on it. It was handled by Roger and his team. And I think Pam can testify – I mean, Roger responded within the hour if not a couple of hours. For me, it was the first time I hear of a Melissa list.

Sometimes, there are new things happening out there. We don't know about it. So that was something and we noted it. But it doesn't mean we're not going to review a ticket. We review every complaint. But now what we do is based on that list, we're going to ask additional questions of the reporter to obtain more information before we send it your way.

So there's always going to be something. But I'm hoping that the team has seen a reduction in this level of data. It's not like every ticket sent your way is bad. And if we see a repeat, then shame on us. But if it's the first time, it's sometimes an education for us or something for all of us. We're learning about it. So thank you. Thank you for letting us know and we'll continue to improve and evolve through the process.

REG LEVY: Reg Levy from eNom and Tucows. It sounds like there's a lot of concern about what the content of that checklist is from – at least that's what I'm hearing around the table. And so I would encourage you to share that checklist with us because this is our contract and we need to collaborate together on what it means. It's entirely possible that we can help identify certain items that are not appropriately being questioned.

MAGUY SERAD: Let me take that back and see what we can do about it. Thank you.

I would like to encourage also non-contracted parties to join the table and ask questions. This is a great opportunity to engage with the contracted parties directly if you have specific questions. But in the meantime, I see Maxim.

MAXIM ALZOBA: I have a question about the recent changes. The current click-through agreement for GD portal for registries seems to be additional legal obligation for the registry. Do you see it as enforceable and if yes, please clarify if it has the same power as Registry Agreement or has more power and, for example, allows to share information with third parties taken from GD portal

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even marked appropriately as confidential as required by Section 7.15. Thanks.

MAGUY SERAD: Thank you for the question, Maxim, but I don't know if this is appropriate for Compliance to answer. I'm not familiar with that. We're not yet on NSP, as you know. But if we have anybody else from ICANN Org that has the answer.

MAXIM ALZOBA: Is it possible to take it offline but to respond later?

MAGUY SERAD: Can we take it offline, if you don't mind? Because this is specific to an application, right? The two.

MAXIM ALZOBA: Specific to all registries.

MAGUY SERAD: Yes. Can we take it offline? Is that okay with you?

MAXIM ALZOBA: Yes, please.

MAGUY SERAD: And I'm looking… Maybe Ross you can stay with us offline. Please, thank you. And I see Sean, too, maybe. Okay, thank you.

I should have acknowledged at the beginning of the session that we do also have with us in the room the Ombudsman and our Complaint Officer with whom we have a strong handshake and we respond to their inquiries of us. We collaborate with them when there are different issues escalated through those channels. So thank you for joining us.

How many in the audience – I'm looking around in the back row. I know everybody around the U-shaped table. I'm glad I know you guys. How many people this is your first time attending this session? Do we have any newcomers in here? New people to ICANN, no? You've attended the Compliance session before? Okay. Because usually the rows are behind us, the setup of the rooms I'm not used [to]. Thank you for joining us. Any other questions from anyone? Only Monday and no questions.

JAMIE HEDLUND: This is a request for input reiterating one that Maguy already said. Contractual Compliance has begun doing a lot on making more data transparent and available. And a lot of that was in response to the work of the CCT Review Team who is nowhere near as involved with the contractual compliance function as obviously you all are. So it would be really great to get input

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either on the page or e-mail me or call me or Maguy. Because we do want to make sure that the information that you need and that we should be making available is posted.

There's still something you wanted to share with the group?

MAGUY SERAD: Thank you for joining our session. This last slide contains information on how to contact us. Anytime, anywhere in the world if you e-mail compliance@ICANN.org, a Compliance Team member will review it globally and will forward it and we will respond to immediately. So we encourage you use that channel for e-mailing us. But of course you all know our own e-mail address, we're happy to respond to you.

With that, I want to thank you for joining us and making our start of the week an easy start. Have a great rest of the week.

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