Contractual Compliance

ALAC Meeting

Tuesday, 14 October 2014

#ICANN51
Agenda

- Registrar Related Update since ICANN 50
- Registry Related Update since ICANN 50
- Audit Programs Update
- Questions & Answers

**Announcement:** The Monthly Compliance Dashboard is now available on ICANN.org at: https://features.icann.org/compliance
Whois Inaccuracy Quality Review

To periodically confirm compliance for suspended domains related to Whois Inaccuracy complaints.

- Reviewed Whois Inaccuracy complaints that were closed due to Domain Suspended

- Out of 1,296 complaints sampled found 81% remained suspended
Remediation Quality Review

A quality process to ensure continued compliance after contracted party completes remediation to resolve formal or informal compliance matter.

An Escalated compliance notice is sent for a repeat of a matter that was claimed to be previously cured.
Abuse Reports Handling

• Most common abuse reports are about online pharmaceuticals, malware, viruses and spam.

• Examples of out of scope reports:
  • Registrars on the 2009 RAA
  • Reporter did not contact the registrar first

• Conducted outreach efforts with registrars, abuse reporters and IP rights protection groups
Domain Registration “scams”

• Email solicitations sent to registrants worldwide to register domains, pay certification/valuation fees, or protect trademarks at high premium
  • Campaigns may only target trademark owners
  • Solicitations may have high degree of customization or official appearance
  • Usually link to website to collect payment and personal information

• ICANN blog to warn the community: https://www.icann.org/news/blog/be-careful-what-you-click-alert-of-new-fraudulent-domain-renewal-emails
2013 RAA Common Lessons Learned

• Whois Accuracy Program Specification - distinguishing verification/validation

• Abuse Reports Requirements: establishing investigative processes

• Domain Renewal Requirements: sending timely reminders to registered name holder

• General UDRP Issue: verifying with providers and preventing improper transfer
Public Interest Commitments

• PICDRP panel is constituted and on boarded
  http://newgtlds.icann.org/en/announcements-and-
  media/announcement-17sep14-en

• Initiated the Mandatory and Voluntary PIC reviews in an effort to
  proactively enforce the PIC requirements & address the GAC and
  community concerns

• The gTLDs under review are those that are in General Availability
  phase as of 1 Oct 2014; responses are under review.

Note: Project details are at this link:
https://features.icann.org/plan/project/532212e2002da01f4c379f077c1604e0
ICANN is monitoring that Registry Operators are:

• Only using 2013 RAA Registrars (Section 1)
• Including the mandatory provisions in the RRA (Section 3a)
• Maintaining statistical reports on security threats detected and actions taken based on security threats detected (Section 3b)
• Publishing registration policies (Section 3c)
• Not imposing restrictive eligibility criteria (Section 3d)
Monitoring of PIC – Voluntary Provisions (Continued)

- Not all Registry Operators have voluntary commitments
- Some of the voluntary commitments being monitored are:
  - Performing Whois Audits and taking Remediation steps
  - Excluding Registrars with a history of non-compliance
  - Establishing a pathway to collaborate with governments and industry, self-regulatory bodies on abuse reports
  - Limiting domain name proxy and privacy services only to registrars that enforce the accuracy of registrant data and collaborate with law enforcement groups
Monitoring of Publication of Abuse Contact Data

• ICANN is monitoring that Registry Operators are publishing on their websites: Email address; Mailing address; Primary contact to manage abuse reports

• Preliminary Statistical Update – over 50% of TLDs were either missing the mailing address or the primary contact.
  • Sent 83 notices to Registry Operators;
  • Notices were grouped by “family” or “portfolio”
  • Impact is to 100% of TLDs in General Availability
  • 35 notices in progress
  • 48 notices are resolved (closed)
ICANN is monitoring that Registry Operators are:

- Timely delivering the List Of Registered DN files to TM Data Base
- Publishing the Registration Policies on TLD’s website
- Abiding by prohibition of Allocating domain names, before Sunrise registrations unless per Specification 5, Section 3.2

Preliminary Results:
81% are publishing the registration policy as of 9 October 2014
Monitoring of Implementation of the Name Collision Occurrence Assessment

ICANN is monitoring Registry Operators are in compliance with:

- 4 August 2014 Name Collision Occurrence Assessment
- 12 September 2014 SLD CI Variations Letter as applicable
- The types of TLDs being monitored are:
  - gTLDs delegated on or after 18 Aug 2014
  - gTLDs delegated before 18 Aug 2014 and names activated other than nic.tld
  - gTLDs delegated on or after 18 Aug 2014 and no names activated, other than .nic
## Contractual Compliance Audit Programs

<table>
<thead>
<tr>
<th>Compliance Program</th>
<th>Pre-Audit Notification</th>
<th>RFI - 1st Notice</th>
<th>RFI - 2nd Notice</th>
<th>RFI - 3rd Notice</th>
<th>RFI - 3rd Notice Due</th>
<th>Start</th>
<th>End</th>
<th>Start</th>
<th>End</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Registry Agreement Audit Program</td>
<td>30-Jun-14</td>
<td>14-Jul-14</td>
<td>05-Aug-14</td>
<td>12-Aug-14</td>
<td>18-Aug-14</td>
<td>19-Aug-14</td>
<td>19-Sep-14</td>
<td>22-Sep-14</td>
<td>N/A</td>
<td>22-Sep-14</td>
<td>28-Oct-14</td>
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</table>

- Launching the Three-Year Audit program; 6 registries and 312 registrars will be audited in FY 2015.

- New Registry Agreement Audit in progress – as of 10 October, out of the 14 gTLDs in scope, seven are “in compliance”, the other seven are in the remediation phase.

#ICANN51
Questions & Answers

Please send general questions:
To: Compliance@icann.org
Subject line: ICANN51 ALAC Session

Please join us on:
Wednesday 15 October 2014
Contractual Compliance Program Update Session
8:30 – 9:45 - Location: Westwood
Registrar Complaint Type Volume  June – Sept 2014

Complaint Distribution

- WHOIS INACCURACY: 72.3%
- TRANSFER: 18.7%
- DOMAIN RENEWAL: 1.6%
- WHOIS FORMAT: 1.1%
- DATA ESCROW: 0.9%
- ABUSE: 0.9%
- Misc: 4.5%

Registrar TAT (in days)
- Avg TAT 1st Notice: 12.7
- Avg TAT 2nd Notice: 6.3
- Avg TAT 3rd Notice: 10.0

Formal Notices

<table>
<thead>
<tr>
<th>Event</th>
<th>#</th>
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<tbody>
<tr>
<td>Volume Breach</td>
<td>29</td>
</tr>
<tr>
<td>Volume Non-Renewal</td>
<td>1</td>
</tr>
<tr>
<td>Volume Suspension</td>
<td>3</td>
</tr>
<tr>
<td>Volume Termination</td>
<td>4</td>
</tr>
</tbody>
</table>

REGISTRAR Complaints

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABUSE</td>
<td>108</td>
</tr>
<tr>
<td>CUSTOMER SERVICE</td>
<td>41</td>
</tr>
<tr>
<td>DATA ESCROW</td>
<td>113</td>
</tr>
<tr>
<td>DNSSEC, IDN, IPV6</td>
<td>7</td>
</tr>
<tr>
<td>DOMAIN DELETION</td>
<td>87</td>
</tr>
<tr>
<td>DOMAIN RENEWAL</td>
<td>198</td>
</tr>
<tr>
<td>FAILURE TO NOTIFY</td>
<td>41</td>
</tr>
<tr>
<td>FEES</td>
<td>26</td>
</tr>
<tr>
<td>PRIVACY/PROXY</td>
<td>6</td>
</tr>
<tr>
<td>REGISTRAR CONTACT</td>
<td>41</td>
</tr>
<tr>
<td>REGISTRAR INFO SPEC</td>
<td>18</td>
</tr>
<tr>
<td>REGISTRAR OTHER</td>
<td>36</td>
</tr>
<tr>
<td>RESELLER AGREEMENT</td>
<td>13</td>
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<tr>
<td>TRANSFER</td>
<td>2,348</td>
</tr>
<tr>
<td>UDRP</td>
<td>83</td>
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<tr>
<td>WHOIS FORMAT</td>
<td>140</td>
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<tr>
<td>WHOIS INACCURACY</td>
<td>9,056</td>
</tr>
<tr>
<td>WHOIS QUALITY REVIEW</td>
<td>58</td>
</tr>
<tr>
<td>WHOIS SLA</td>
<td>27</td>
</tr>
<tr>
<td>Total Complaints Processed</td>
<td>12,524</td>
</tr>
<tr>
<td>Total Complaints Closed</td>
<td>13,097</td>
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Registry Complaint Type Volume  
June – Sept 2014  
North America

Complaint Distribution

<table>
<thead>
<tr>
<th>Registry TAT (in days)</th>
<th>Formal Notices</th>
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</thead>
<tbody>
<tr>
<td>Avg TAT 1st Notice</td>
<td>Volume Breach</td>
</tr>
<tr>
<td>Avg TAT 2nd Notice</td>
<td>Volume Termination</td>
</tr>
<tr>
<td>Avg TAT 3rd Notice</td>
<td>n/a</td>
</tr>
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<table>
<thead>
<tr>
<th>REGISTRY Complaints</th>
<th>Qty</th>
</tr>
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<tbody>
<tr>
<td>ABUSE CONTACT DATA</td>
<td>1</td>
</tr>
<tr>
<td>PIC-DRP</td>
<td>146</td>
</tr>
<tr>
<td>REGISTRY DATA ESCROW</td>
<td>1</td>
</tr>
<tr>
<td>REGISTRY OTHER</td>
<td>11</td>
</tr>
<tr>
<td>RR-DRP</td>
<td>15</td>
</tr>
<tr>
<td>URS</td>
<td>3</td>
</tr>
<tr>
<td>ZONE FILE ACCESS</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total New Complaints Processed</strong></td>
<td>178</td>
</tr>
<tr>
<td><strong>Total Complaints Closed</strong></td>
<td>42</td>
</tr>
</tbody>
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Registrar Complaint Types & Their Top 5 Closure Reasons: June - Sept 2014

Whois Inaccuracy: Closure Reasons
- Domain suspended or canceled: 42.0%
- Domain not registered: 13.6%
- Registrar verified correct: 11.8%
- Complainant's own domain name: 16.3%
- Duplicate complaint (closed): 16.3%

Transfer: Closure Reasons
- Auth-code provided/Domain unlocked: 35.6%
- Duplicate complaint (open) - Rr: 29.3%
- Transfer completed: 17.2%
- Non-response from Reporter: 8.6%
- Complainant not Transfer Contact: 9.4%
Registrar Complaint Types & Their Top 5 Closure Reasons: June - Sept 2014

**Domain Renewal: Closure Reasons**
- Registrar compliant: 32.4%
- Duplicate complaint (open) - Rr: 21.3%
- Private dispute: 8.3%
- Domain renewed with same Registrant: 26.9%
- Customer service not in RAA: 11.1%

**Whois Format: Closure Reasons**
- Rr corrected format: 53.7%
- Fixed issue: 14.6%
- Customer service not in RAA: 12.2%
- Format compliant at submission: 9.8%
- Invalid Rr: 9.8%
Registrar Complaint Types & Their Top 5 Closure Reasons: June - Sept 2014

**Data Escrow: Closure Reasons**
- Missed weekly deposits resumed 70.1%
- Invalid issue resolved 24.1%
- Content issue resolved 1.1%
- Terminated 2.3%

**Abuse: Closure Reasons**
- Domain suspended or canceled 23.8%
- Non-response from Reporter 14.3%
- Invalid Rr 21.4%
- Non-2013 RAA 21.4%
- Demonstrated compliance… 50.9%