



**ICANN** NO. 51 | 12-16 OCTOBER 2014  
LOS ANGELES

#ICANN51

Contractual Compliance

# Intellectual Property Constituency (IPC)

Tuesday, 14 October 2014

#ICANN51



# Agenda

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- [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>

# Registrar Related Update since ICANN 50

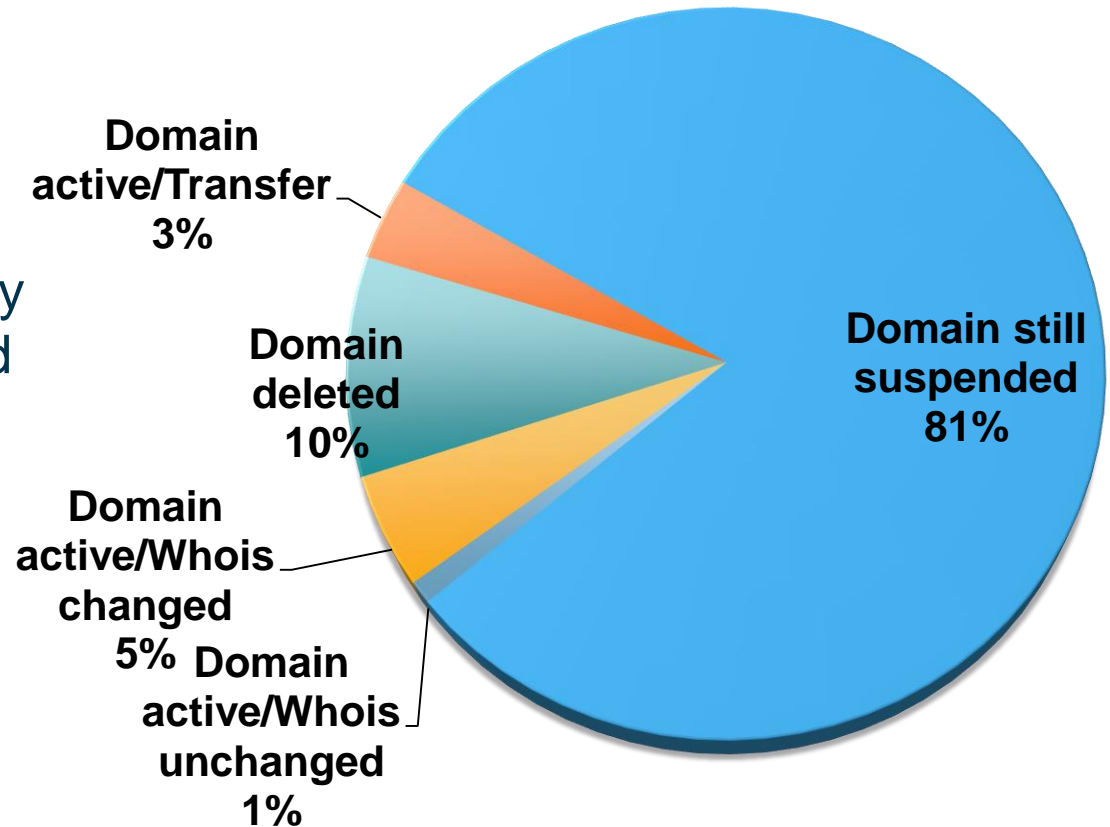
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- Whois Inaccuracy Quality Review
- Remediation Quality Review
- Abuse Reports Handling
- Domain Registration Scams
- 2013 RAA Common Lessons Learned

# 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



# Abuse Reports Handling (Registrar)

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- 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” (Registrar)

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- 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>

# Registry Related Update since ICANN 50

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- Update on Public Interest Commitment
- Update on Additional Proactive Reviews of:
  - Abuse Contact Data
  - Rights Protection Mechanisms and
  - Name-Collision Occurrence Assessment



# Public Interest Commitments

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- 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>

# Monitoring of PIC – Mandatory Provisions

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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

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- 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

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- 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)

# Monitoring of Rights Protection Mechanisms

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## Specification 7

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

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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

		RFI Notification Phase				Audit Phase		Reporting Phase		Remediation Phase	
Compliance Program	Pre-Audit Notification	RFI - 1st Notice	RFI - 2nd Notice	RFI - 3rd Notice	RFI - 3rd Notice Due	Start	End	Start	End	Start	End
New Registry Agreement Audit Program	30-Jun-14	14-Jul-14	05-Aug-14	12-Aug-14	18-Aug-14	19-Aug-14	19-Sep-14	22-Sep-14	N/A	22-Sep-14	28-Oct-14
Y3 Registry and Registrar Compliance Program	06-Oct-14	20-Oct-14 *Outreach session(s): 21 and 22 Oct 2014	11-Nov-14	18-Nov-14	24-Nov-14	01-Dec-14	06-Mar-15	09-Mar-14	23-Mar-15	09-Mar-15	29-May-15

- 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.

# Questions & Answers

- Please send general questions:  
To: [Compliance@icann.org](mailto:Compliance@icann.org)  
Subject line: **ICANN51 IPC Session**

**Please join us on:**

Wednesday 15 October 2014

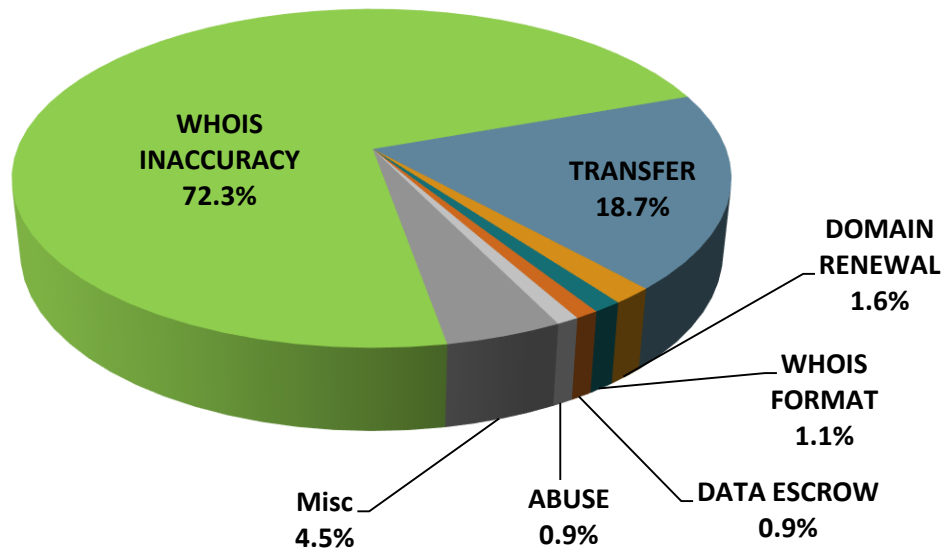
Contractual Compliance Program Update Session

8:30 – 9:45 - Location: Westwood



# Registrar Complaint Type Volume June – Sept 2014

## Complaint Distribution



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

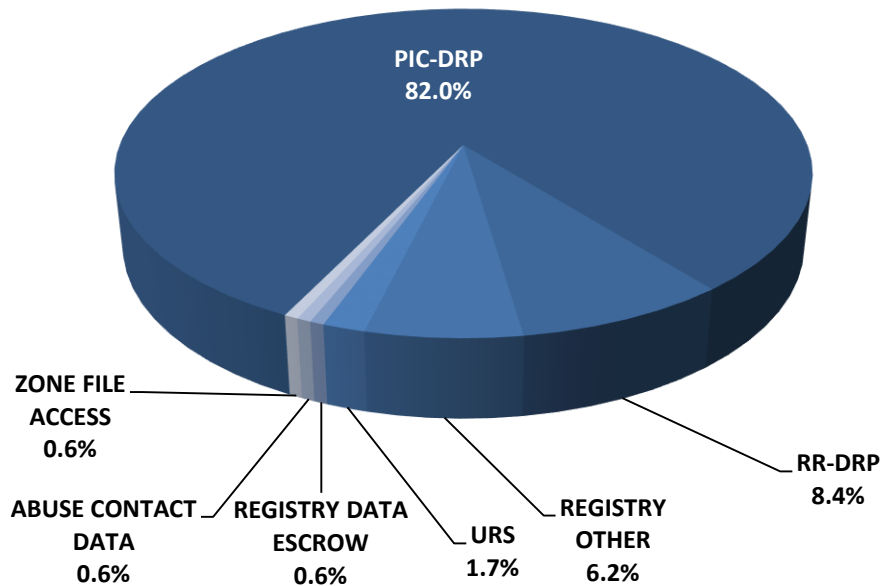
Formal Notices	#
Volume Breach	29
Volume Non-Renewal	1
Volume Suspension	3
Volume Termination	4

REGISTRAR Complaints	Quantity
ABUSE	108
CUSTOMER SERVICE	41
DATA ESCROW	113
DNSSEC, IDN, IPV6	7
DOMAIN DELETION	87
DOMAIN RENEWAL	198
FAILURE TO NOTIFY	41
FEES	26
PRIVACY/PROXY	6
REGISTRAR CONTACT	41
REGISTRAR INFO SPEC	18
REGISTRAR OTHER	36
RESELLER AGREEMENT	13
TRANSFER	2,348
UDRP	83
WHOIS FORMAT	140
WHOIS INACCURACY	9,056
WHOIS QUALITY REVIEW	58
WHOIS SLA	27
Total Complaints Processed	12,524
Total Complaints Closed	13,097

# Registry Complaint Type Volume June – Sept 2014

## North America

### Complaint Distribution



REGISTRY Complaints	Qty
ABUSE CONTACT DATA	1
PIC-DRP	146
REGISTRY DATA ESCROW	1
REGISTRY OTHER	11
RR-DRP	15
URS	3
ZONE FILE ACCESS	1
Total New Complaints Processed	178
Total Complaints Closed	42

Registry TAT	(in days)
Avg TAT 1st Notice	5.7
Avg TAT 2nd Notice	5.7
Avg TAT 3rd Notice	n/a

Formal Notices	
Volume Breach	0
Volume Termination	0