



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

#ICANN51

Contractual Compliance

# Registrar Stakeholder Group

Tuesday, 14 October 2014

#ICANN51



# Agenda

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## Update since ICANN 50

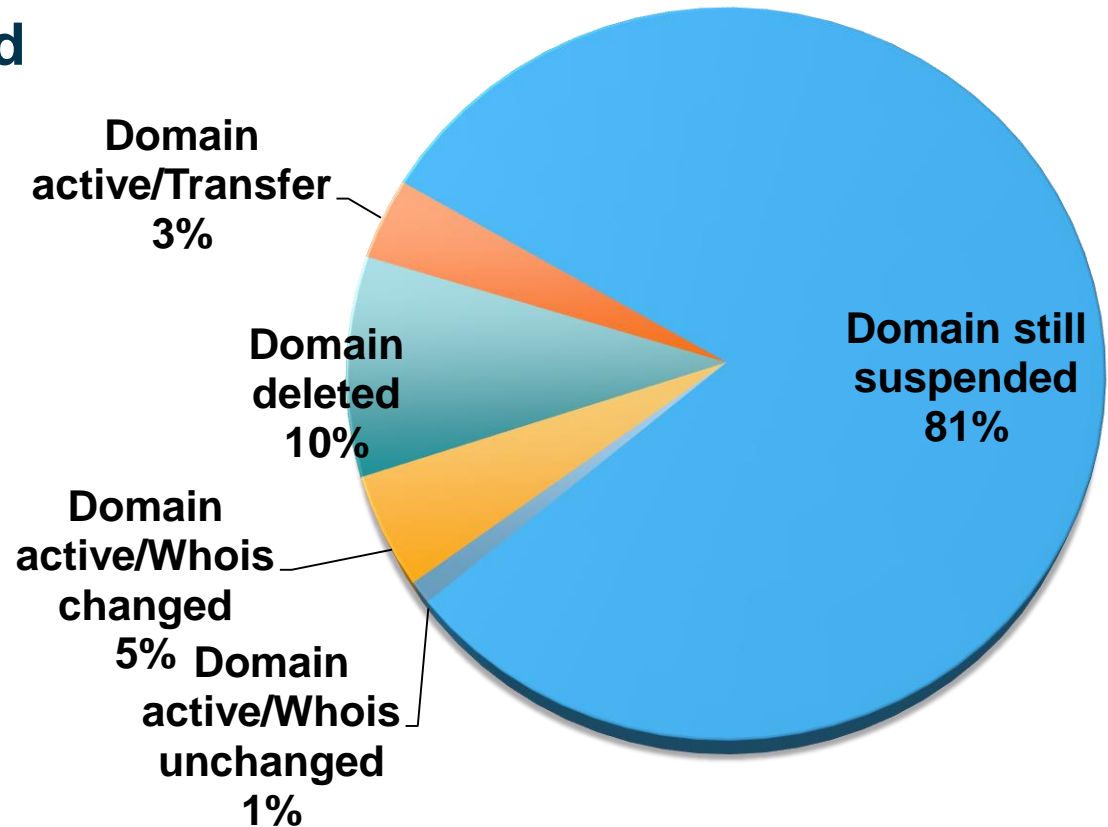
- [Whois Inaccuracy Quality Review](#)
- [Remediation Quality Review](#)
- [Abuse Reports Handling](#)
- [Domain Registration Scams](#)
- [2013 RAA Common Lessons Learned](#)
- [Continuous Improvement Efforts](#)

## [Questions & Answers](#)

# 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

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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.

For process guidelines and clarification, please refer to slides 19-21 or at this link

<https://www.icann.org/en/system/files/files/overall-03oct14-en.pdf> .

# Abuse Reports Handling

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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”

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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>



# 2013 RAA Common Lessons Learned

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1. [Whois Accuracy Program Specification](#) - distinguishing verification/validation
2. [Abuse Reports Requirements](#): establishing investigative processes
3. [Domain Renewal Requirements](#): sending timely reminders to registered name holder
4. [General UDRP Issue](#): verifying with providers and preventing improper transfer



# 1. Whois Accuracy Program Specification - distinguishing verification/validation

- **Verify**
  - “to confirm or correct accuracy of Whois data”
  - Requires contacting and receiving response from RNH
- **Validate**
  - “to ensure format of Whois data is consistent with standards”
  - RNH cannot validate

## 2. Abuse Reports Requirements

### Section 3.18 of the 2013 RAA

- Confusing Sections 3.18.1 and 3.18.2
  - 3.18.1: anyone can file an abuse report
  - 3.18.2: law enforcement, consumer protection, quasi-govt.
- Court order NOT required to investigate
- Registrar must investigate reports
  - Investigative process can vary depending on report
- No jurisdictional limitations once law enforcement entities are designated by registrar's local government
- Home page must link to process and email address

# 3. Domain Renewal Requirements –

## Expired Registration Recovery Policy

- Renewal reminders must be sent at required times and to RNH
  - Approximately 1 month and 1 week prior to expiration and within 5 days after expiration
  - Required whether registration is on auto-renew
  - Must be communicated in a way that does not require an affirmative action to receive the notice
  - Can be sent to other email addresses *in addition to* the RNH email address

## 4. General UDRP Issues

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- Verify with providers and prevent improper transfer
- Registrar not responding to verification requests from service providers
- Complexity of matters involving “mutual jurisdiction”
- Complainants not providing information for registrars to update Whois
- Registrars transferring names during proceedings or instead of implementing Decision

# Continuous Improvement Update

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- Whois Process Improvement
  - Reduce WHOIS processing time by 5 days – due to additional system validation, ICANN removed email affirmative requirement for reporters to confirm Whois inaccuracy reports
- Form Submission Clarification
  - Added a note to most submission forms reminding reporters to request anonymity as complaints are forwarded to the contracted parties
  - Does not apply to Transfer or Renewal complaints
- Compliance Staff TAT now included in Monthly Dashboard (<https://features.icann.org/compliance>)

# Policy and Working Group Efforts

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- Provide compliance statistical data and trends to guide policy changes and ongoing implementation strategies
- Contribute to IRTP parts C and D working group efforts
- Support UDRP revision implementation
- Participate in Thick Whois (registry) implementation
- Evaluate ERRP effectiveness

# Update to Inter-Registrar Transfer Policy

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- Compliance required by 31 January 2015
- “ClientTransferProhibited” EPP status
  - May only be imposed with RNH consent and when included in registration agreement terms
  - Must be removed within 5 days of RNH’s initial request
  - Removal cannot be more restrictive to RNH than mechanisms for changing RNH contact/server information



# Update to Additional Whois Information Policy

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- Compliance required by 15 February 2015
- Registrars must:
  - Only refer to registration statuses in Whois by EPP status codes
  - Include a link for each EPP status code in Whois to ICANN webpage explaining each code
  - Include this message in Whois output: “For more information on Whois statuses, please visit:  
<https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en> .”

# Questions & Answers

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

- **Please join us on:**

Wednesday 15 October 2014

Contractual Compliance Program Update Session

8:30 – 9:45 - Location: Westwood

Thursday 16 October 2014

Contractual Compliance Registrar Outreach Session

8:30 – 9:45 – Location: Olympic

# Informal Resolution Process Guidelines

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**Inquiries** are sent when:

- Information gathering is required
- There is no known compliance violation
- Proactive compliance monitoring effort
- Non-response to inquiry can result in a notice

**Escalated compliance notices** apply to compliance matters that:

- Require immediate resolution
- Are a repeat of a matter that was claimed to be previously cured
- Would be grounds for termination

# Informal Resolution Process Clarification

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- **Inquiry or Notice deadlines** are generated on UTC time
  - Due dates advance at 00:00 UTC
  - Staff processing across 3 global hubs
  - Inquiries or Notices sent same day may have different deadlines
- To avoid advancing to next notice:
  - Respond to compliance inquiries and notices no later than the deadline
  - As early as possible to allow for collaboration on insufficient responses

# Informal Resolution Process Clarification

## Follow up inquiry or notice vs. advancing to next phase

- ICANN will generally send a follow up for:
  - Insufficient response received before due date and time remains
  - Insufficient response received and ICANN delay in responding
  - Extension requested by contracted party
  - Clarification needed from contracted party
- ICANN will advance to next phase for:
  - No response from contracted party
  - Insufficient response received on due date

# Audit Program Timeline

## Year Three Audit Program Milestone Dates

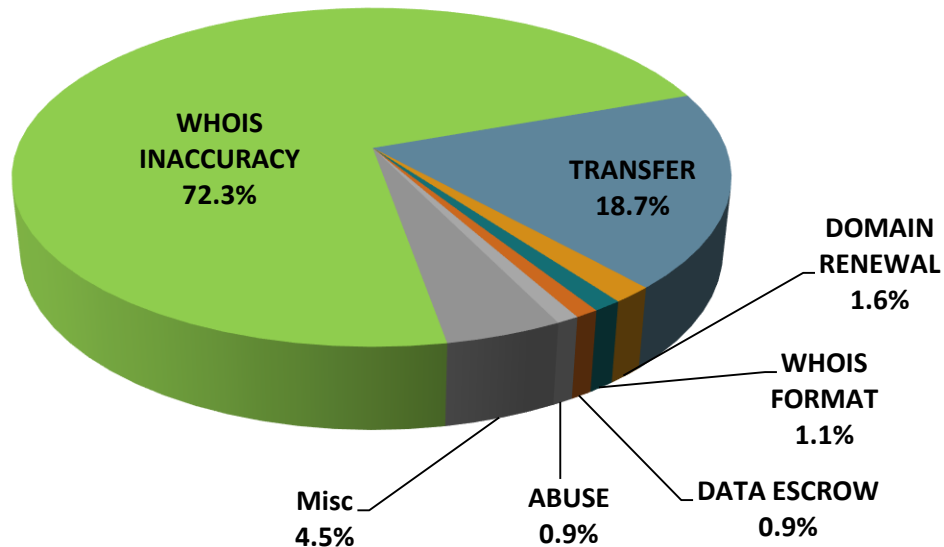
Pre-Audit Notification	RFI Notification Phase				Audit Phase		Reporting Phase		Remediation Phase	
	RFI - 1st Notice	RFI - 2nd Notice	RFI - 3rd Notice	RFI - 3rd Notice Due	Start	End	Start	End	Start	End
06-Oct-14	10/20/2014 *Outreach session(s): 21 and 22 Oct 2014	11-Nov-14	18-Nov-14	24-Nov-14	01-Dec-14	06-Mar-15	09-Mar-14	23-Mar-15	09-Mar-15	29-May-15

# Registrar Metrics



# Registrar Complaint Type Volume June – Sept 2014

## Complaint Distribution

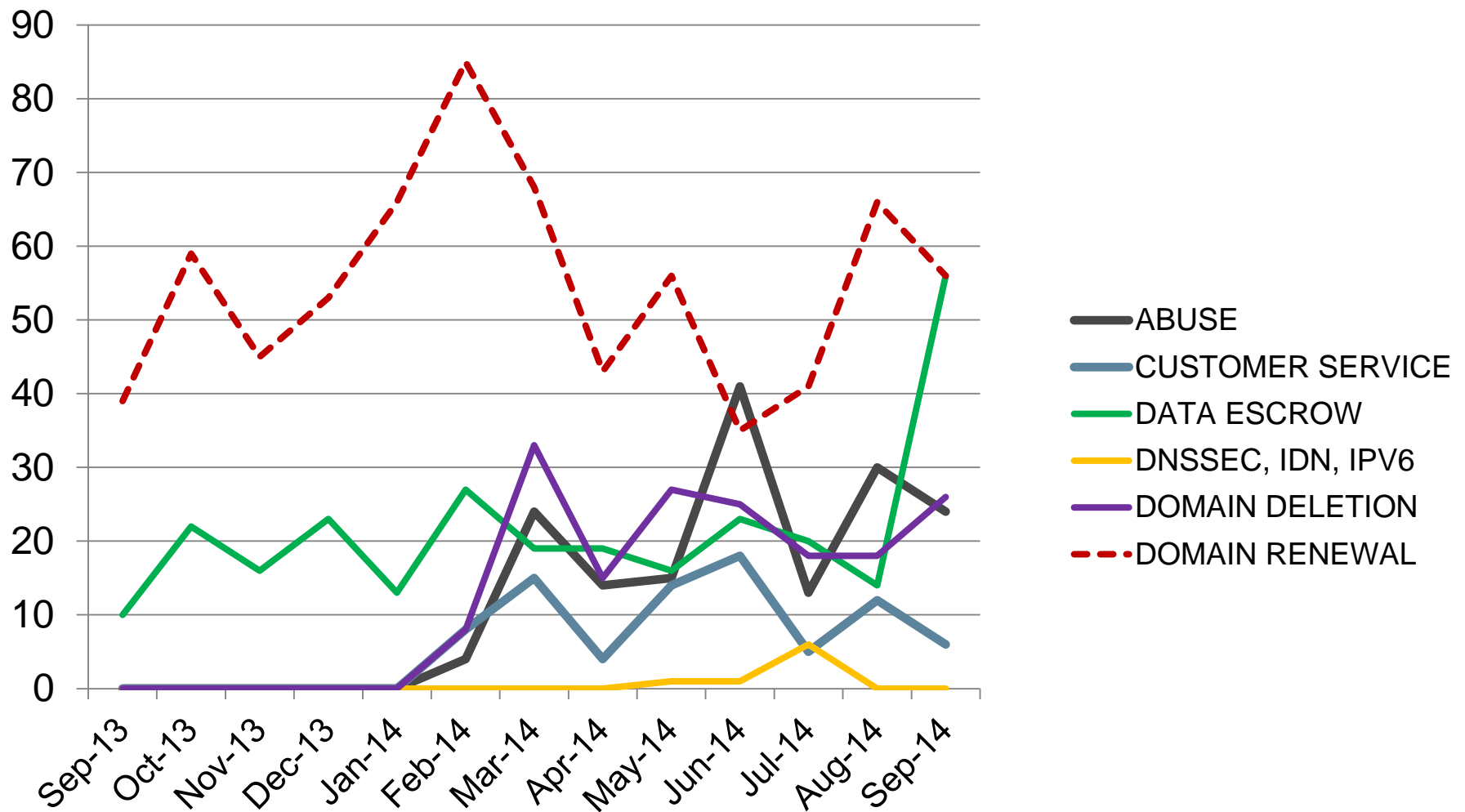


Registrar TAT	(in days)
Avg TAT 1st Notice	12.7
Avg TAT 2nd Notice	6.3
Avg TAT 3rd Notice	10.0

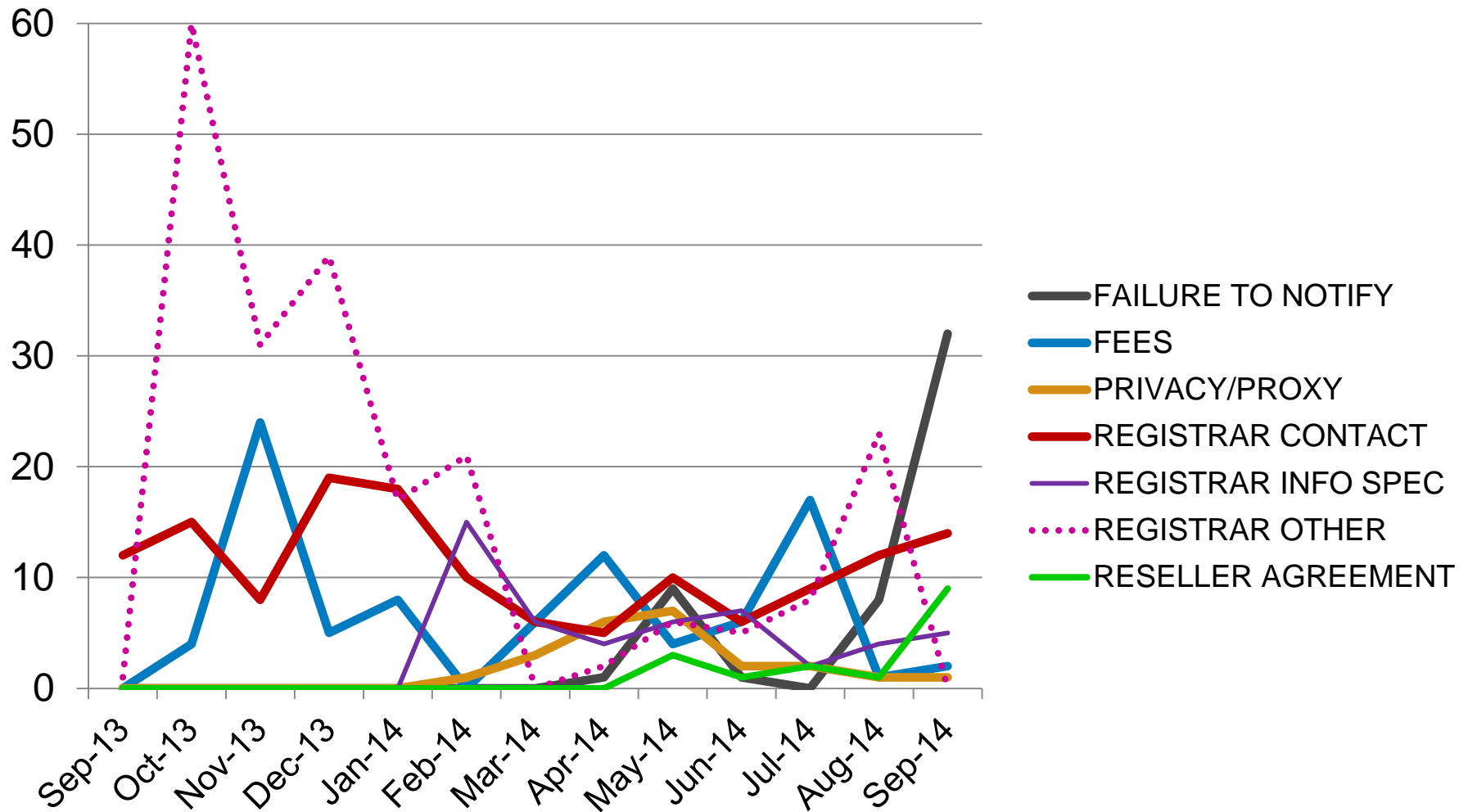
Formal Notices	#
Volume Breach	29
Volume Non-Renewal	1
Volume Suspension	3
Volume Termination	4

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

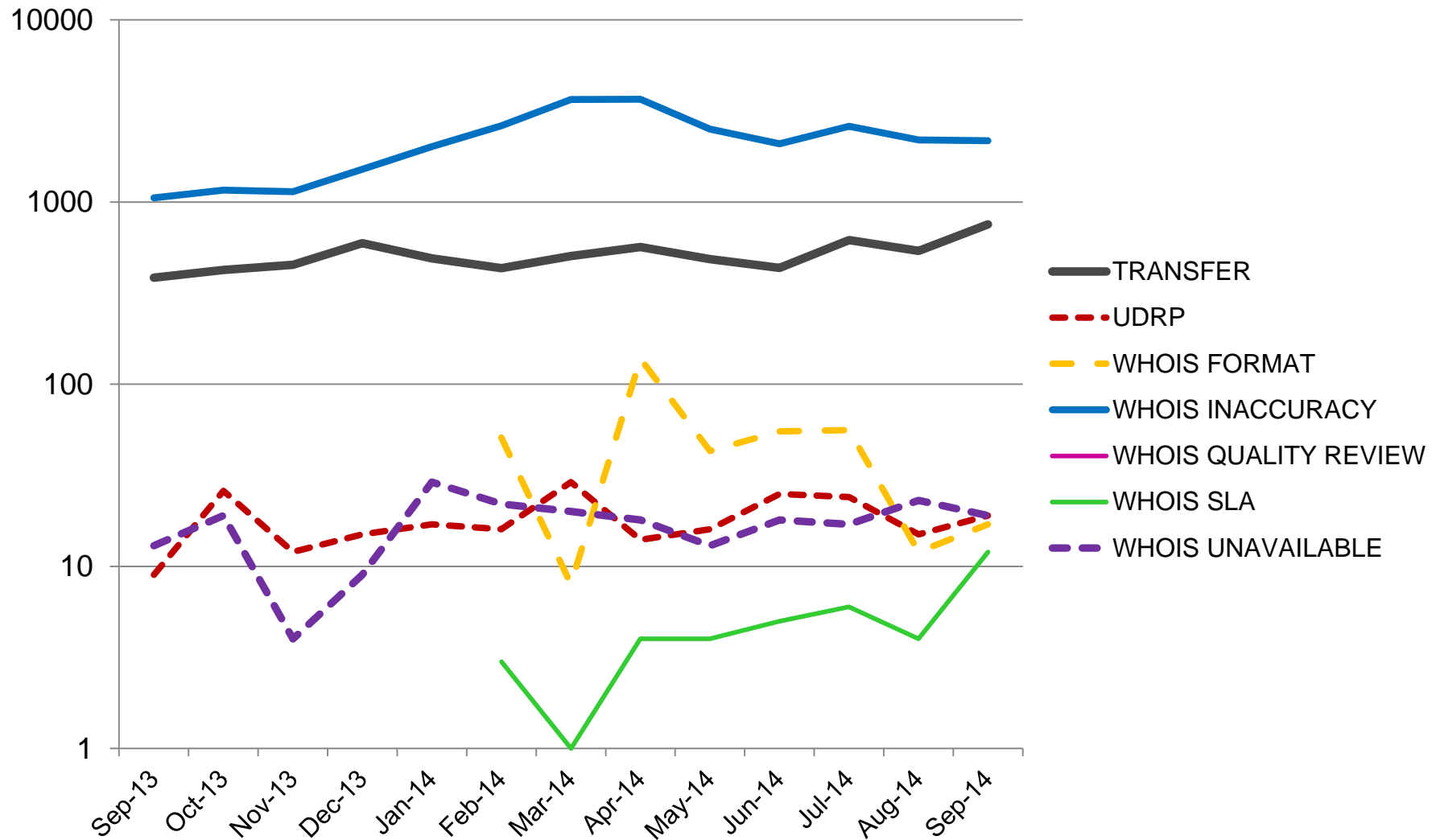
# Registrar Complaint Trend: Sept 2013 - Sept 2014



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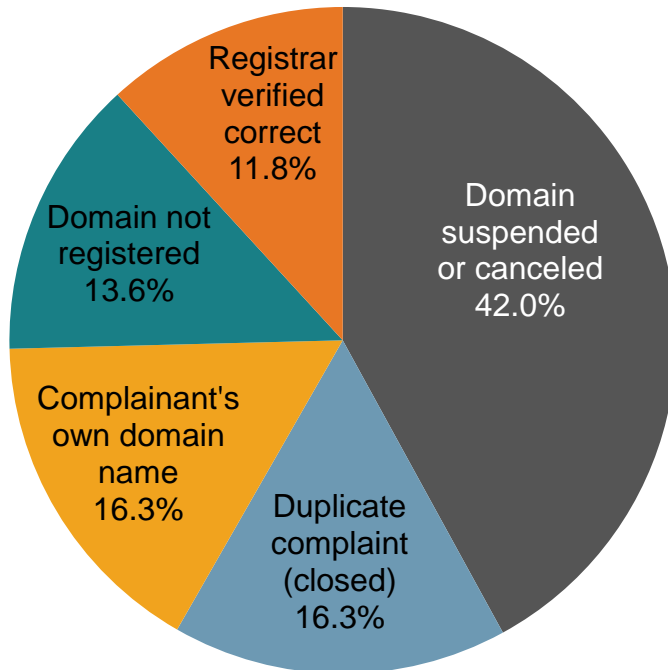
# Registrar Complaint Trend: Sept 2013 - Sept 2014



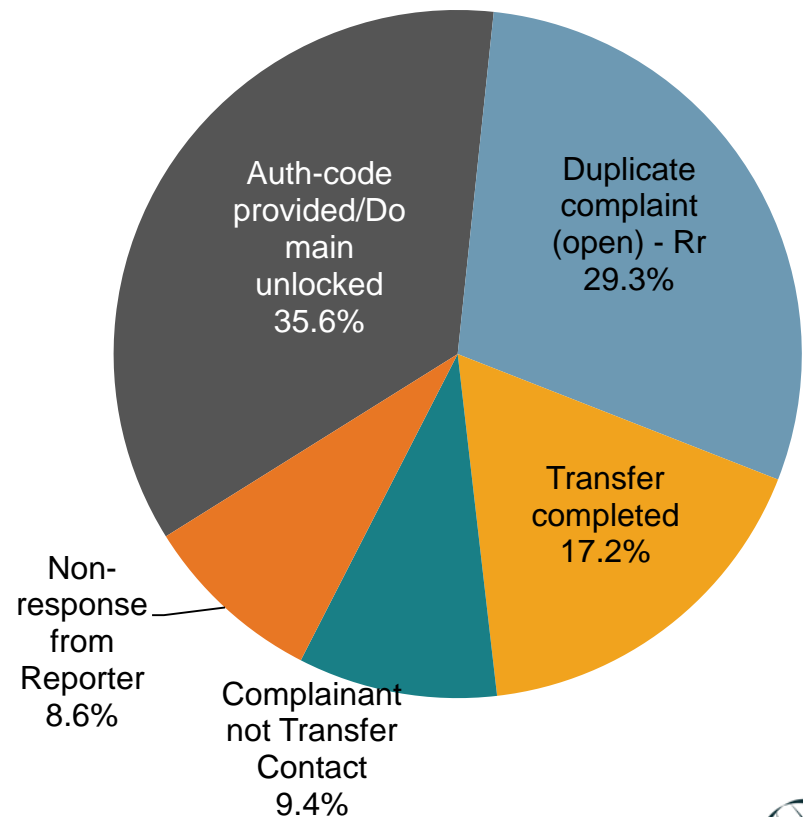
# Registrar Complaint Types & Their Top 5 Closure Reasons

Reasons: June - Sept 2014

## Whois Inaccuracy: Closure Reasons



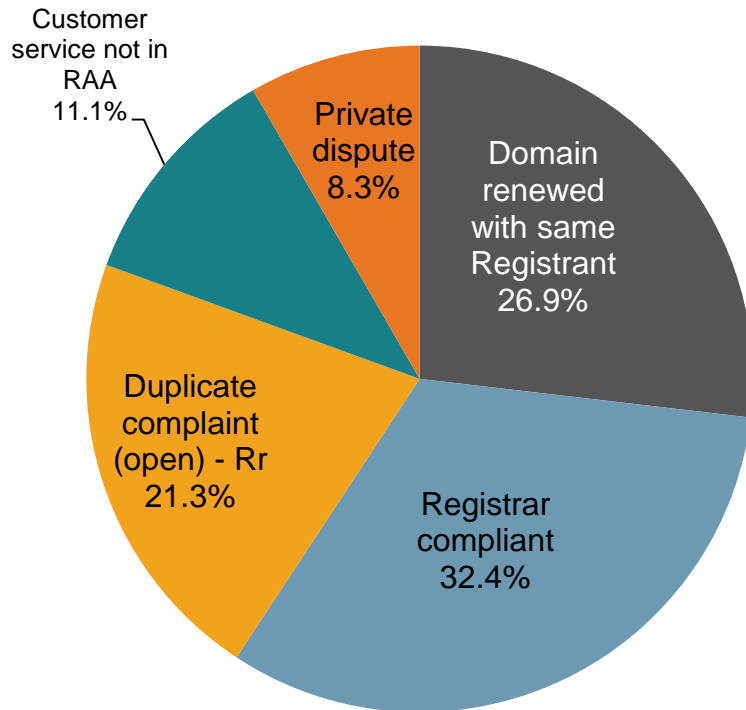
## Transfer: Closure Reasons



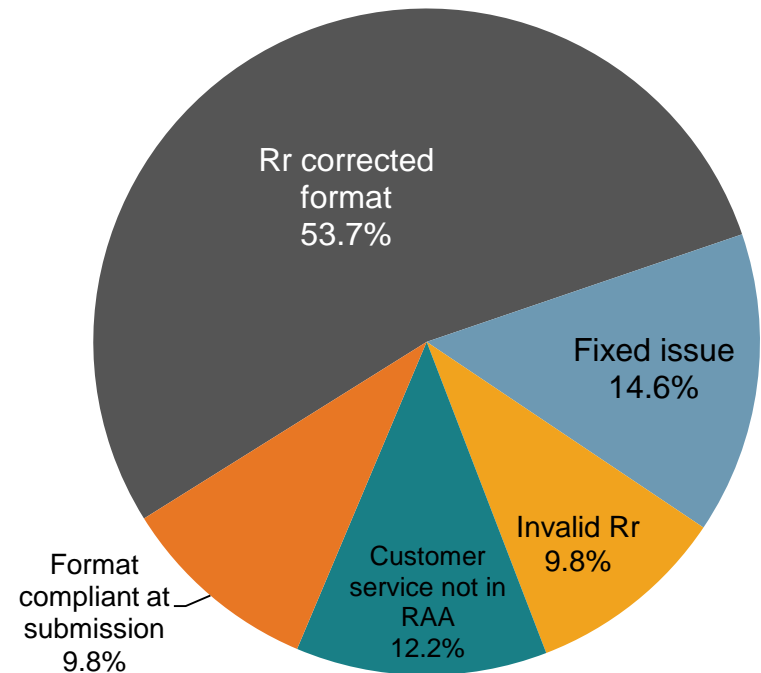
# Registrar Complaint Types & Their Top 5 Closure Reasons

## Closure Reasons: June - Sept 2014

### Domain Renewal: Closure Reasons



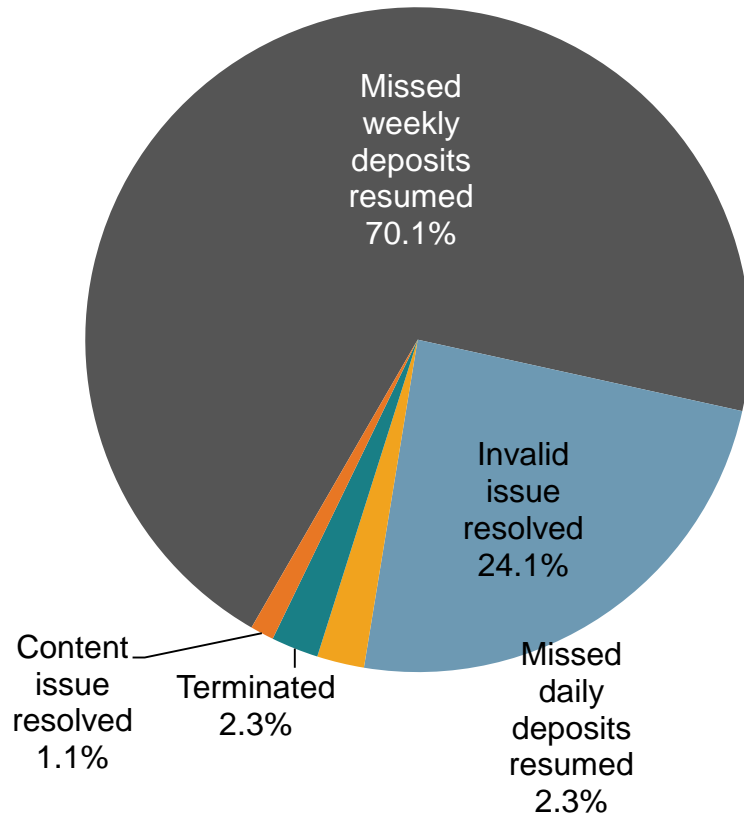
### Whois Format: Closure Reasons



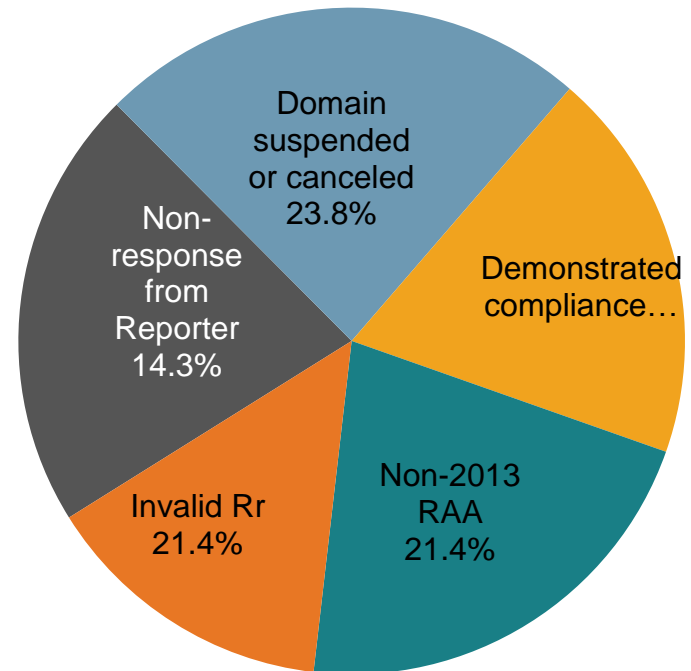
# Registrar Complaint Types & Their Top 5 Closure Reasons

## Closure Reasons: June - Sept 2014

### Data Escrow: Closure Reasons



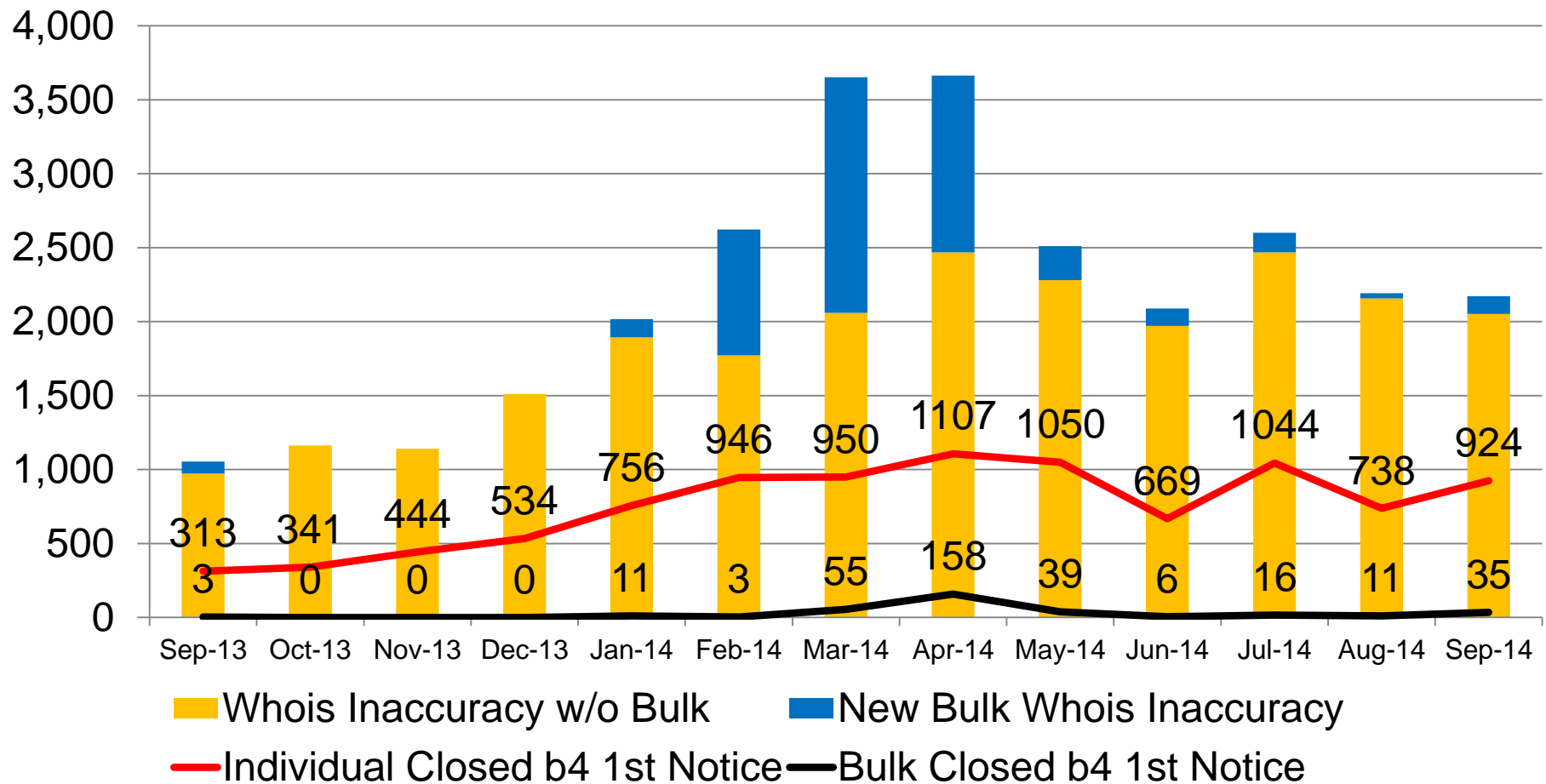
### Abuse: Closure Reasons





# Whois Inaccuracy Complaints – Individual vs. Bulk

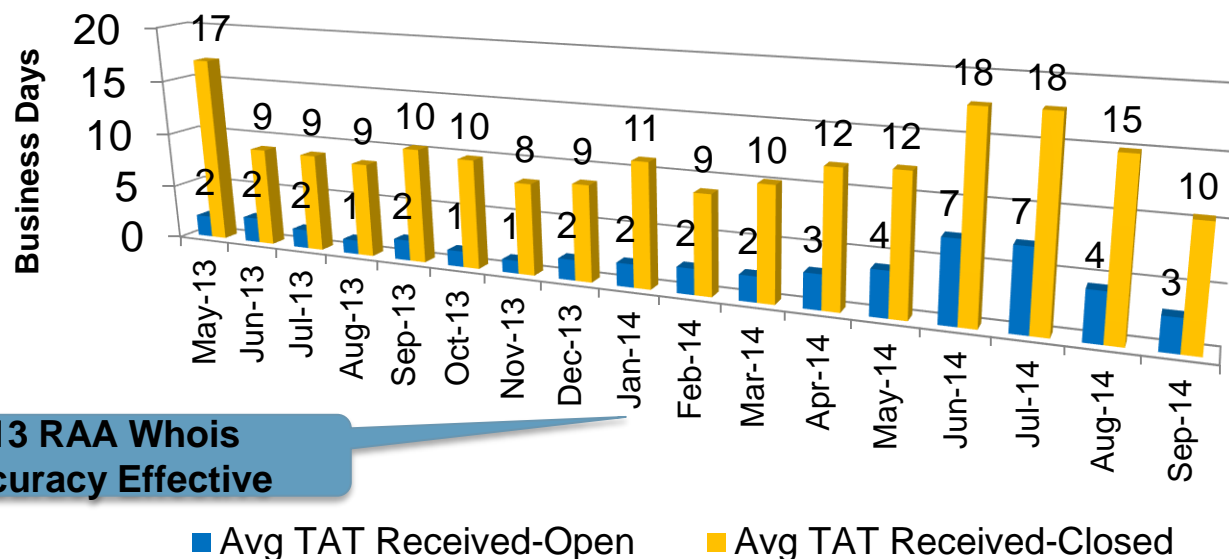
## Sep 2013 – Sep 2014



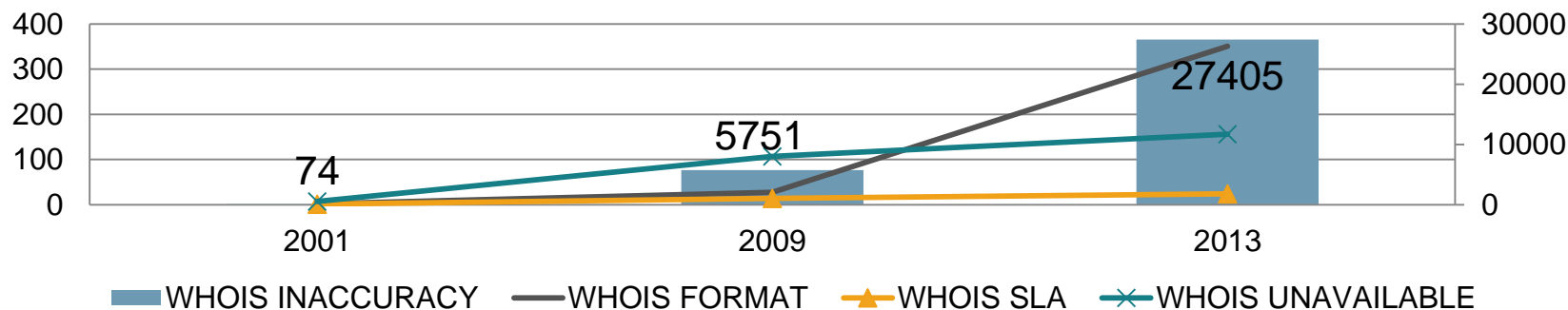
# Whois Inaccuracy Impact of 2013 RAA

## Average Business Days Turn Around Time

- Complaint Received by ICANN to Submitted to Registrar
- Complaint Received by ICANN to Closed



## Registrar Complaints by Contract Year May 2013 – Sep 2014



# Whois Inaccuracy Impact of 2013 RAA

## Registrar Complaints by Contract Year May 2013 – Sep 2014

