

**Transcription ICANN Los Angeles  
IRTP D Update to the Council  
Saturday 11 October 2014**

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So the next session is on the Inter Registrar Transfer Policy Part D. I'll just wait for an indication from the back that we can start the recording. Thank you, we're good to go.

So this next session is the Inter Registrar Transfer Policy Part D PDP Working Group and the group has submitted its final report and we'll be hearing from James Bladel on this.

I'll remind you that there is a motion before the Council to deal with this on Wednesday and there is a section in today's agenda, I believe, to discuss motions so we will get more time to discuss this - the motion as well. So, James, if you could give us an update here and then recognize that we'll also be able to pick this up in a later discussion on motions.

James Bladel: Thanks, Jonathan. And given that we're going to discuss this later in the week and that we also discussed it in our last call I will try to recover some of our schedule time today and tear through these slides quickly.

So as you indicated and as you can tell from the name this is the fourth in a series of PDPs to address transfer issues that was kicked off I believe with a task force working party committee back in 2008. The first group launched in 2009 and this is the last in that series of PDPs.

We started our work in February right before the meeting in Beijing; published our initial report earlier this year; received, unlike some of the previous IRTPs, received a very substantial amount both - or I'm going to say both in the quantity and quality of the comments and feedback from the public on some of our early initial recommendations.

And incorporated those back into our review and published our final report. It says today on the slide but that's probably an old slide, I think we published our final report in September.

Next slide please. So we had six charter questions. We ended up with 18 recommendations and all of them were supported by full consensus. Next. Here's an overview, and I don't think, you know, we should necessarily read these out to you. But in general we examined the process known as the transfer dispute resolution process which is the TDRP.

We discussed something that came up yesterday during a closed session on the PPSAI which is a phenomenon or a practice called domain hopping or domain flight or domain laundering where a domain name is transferred very rapidly between multiple registrars to either evade a dispute or obfuscate some sort of a hijacking scenario.

We did make a major modification to the TDRP in that previously you could start that process either at the registry level or with a dispute resolution provider.

We've removed the registry level or recommended that the registry level be removed for a number of reasons primarily because this is such a infrequently used policy and also because this is something that as the number of registries proliferate it's becoming increasing burden to have that at that registry level to resolve those disputes at that level. So that is one of the recommendations I think that will definitely have an impact in how this policy is executed.

We extended the statute of limitations from six months to 12 months as well, and that's the time period in which someone has the ability to file a dispute. Next slide.

There is not any option, a direct option for registrants to initiate a inter-registrant or, I'm sorry, initiate a dispute for an inter-registrant transfer but we did provide a list of scenarios and use cases that refer to existing policies and other mechanisms like where those can be resolved.

And we would hope that if this is something that the GNSO would want to take up as policy work in the future that they would reference that comprehensive list of scenarios in its work to examine that particular problem.

We called for some improvements in the information that's available on ICANN's Website. We did examine the utility of the FOA. Those of you who aren't familiar an FOA is a authorization via email that the transfer is legitimate. A lot of folks believe that that was obsolete by the use of auth info codes, which is a technical code or a key or a password for a domain name.

And the question before the group was whether or not the FOA was still necessary. What we found in our discussions with registrars, dispute providers and ICANN compliance staff is that the at the way in 99% of cases is just a kind of a bureaucratic piece of paper and a box that needs to be ticked.

However, in those rare situations where something goes wrong with the transfer process the FOA is the only paper trail that we have to try and untangle what happened and where those authorizations were sent and where they were received from. So unfortunately it's one of those situations where it's a minor burden for the vast majority but an essential lifeline for the significant few.

And then finally, we asked - and this is important because it wasn't part of our charter. But we did ask in the recommendation that that counsel consider a review of all of these implementations - or all of these recommendations once they're implemented and see have we fixed the problem?

Because the transfer issue, for those of you who aren't aware, I mean, we spend a lot of time in GNSO talking about really high-level things like intellectual property rights. But if you go to ICANN staff and say what is the number one driver of people to your Website, emails and telephone calls to ICANN, it's transfer problems.

So this is something that - it's not sexy but it's something that is really the first encounter that most members of the public have with ICANN is something's gone wrong with my domain name, I've lost control, someone else has it or I tried to transfer and I don't know how are my registrar won't let me transfer or something like that. And that's the vast majority of the support cases and the complaints that are opened at ICANN and a big chunk of the compliance tickets that are opened with registrars.

So what we've asked, since this is the last opportunity for this PDP to examine this issue is let's take a look, let's measure our success or lack thereof, you know, let's get on the ball here as far as collecting that data now so we can see if the environment is improving as a result of all of this work.

And if it's not, and if these recommendations and IRTP-A and IRTP-B and IRTP-C have not moved the needle or improved the experience for the general registrant then we need to take a top to bottom look at the transfer process and say, have we made this too complicated, too cumbersome, too vulnerable, too insecure and what can we do to improve it and make it more accessible and more useful of the process.

So that's something that we did add on as a result of our public comments. And it was not part of our original charter. Next slide.

So, final report presented during GNSO we can session; check. Motion tabled for GNSO Council; check. And thank you, Avri, for the second. Public comment will open on the final report after this meeting and then we are hoping the Board will consider and adopt our recommendation sometime early next year.

And with that I guess we'll tie it off and open for questions.

Jonathan Robinson: Thank you James. As I said a moment ago, we will get a chance to come back to this because there's a motion on the table on this. But if anyone has any questions or comments right now feel free to do so. I think it's an interesting point about looking at this top to bottom draft or process in the future and keeping this under review. Alan.

Alan Greenberg: Just a very brief comment, this is one of a series of recent PDPs that I think have been conducted with a level of professionalism and care and everyone entering into it as people that want to see better policy, not necessarily pushing their own agendas. And I think it's a good sign for the future.

Jonathan Robinson: Chuck.

Chuck Gomes: Chuck Gomes from VeriSign. I'm too happy I haven't got up to the mic yet?

James Bladel: I knew I would be your first question, Chuck.

Chuck Gomes: I want to recognize what's actually ended up being five PDP working groups; there was one even before PDP A. And in large part, as far as I'm aware, some of the same people participated, including James, and all five of those working groups over many years.

And we are seeing the results of that, really important results. And we really need to recognize all of the people that not only participated in one or two of these but many that participated in every one of the five IRTP working groups. So, certainly myself I want to express a very sincere thanks and compliments to the work they've done.

Jonathan Robinson: Noted. Thanks, Chuck, for making that point and recognizing the bread and butter work that's been done. And James, go ahead.

James Bladel: Just a quick response. Thanks, Chuck. They were actually six. There was an IRTP-E but one of the motions that we did was to fold those into - yeah, so we were able to short-circuit the last - the sixth.

But one of that - to your point, and this was a little bit like building a cathedral, you know, the laid the foundations that your grandchildren actually see the, you know, see the spires go up. It felt like that at times.

But I think that one of the reasons why this working group, this series of PDPs worked so well together, to Alan's point about the professionalism and the general, you know, productivity of these groups, is because we maintained that core team throughout the process going back now to, you know, five, six years ago.

And the people who were involved, some of them changed jobs, changed companies, change careers but stuck with the IRTP. So we transcended a number of life-changing - life changes for a number of folks and they stuck with it and that was one of the reasons why I think we were successful.