



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

#ICANN51

Contractual Compliance

Contractual Compliance Update

Wednesday, 15 October 2014

#ICANN51



Agenda

- Learn More about Compliance Metrics
- Audit Program Update
- Registrar Related Update
- Registry Related Update
- Questions & Answers

Compliance Metrics



Contractual Compliance Performance Reports



- New Monthly Dashboard with complaint & process volumes for Registrar & Registry
- Archive for Dashboards
- Global Reports include all TLDs



ICANN Contractual Compliance Performance Reports

Performance metrics provide information to the community on compliance activities through dashboards and reports.

Monthly Dashboard

The monthly dashboard presents data on the complaint volume, the process volume and turn-around times. For a more detailed explanation, [learn more about the dashboard report](#).

- [August 2014](#)
- [Previous months](#)

Global Reports

Click on the links below for contractual compliance metrics for a rolling 13-month period.

- [Percentage of Registrars with Complaints by Region & Country](#)
- [Complaints per Notification Cycle by Region](#)
- [Informal Complaints by Region](#)
- [Formal Complaints by Type & Region](#)
- [Formal Notices \(Enforcement\)](#)
- [Complaint Counts by TLD](#)
- [Domain Count & Trending by TLD](#)
- [Registrars List](#)
- [Registry List](#)

Complaint Count August 2013 - August 2014
Registrar Informal: 36,723
Registry Informal: 853
Formal: 72

% of Registrars with Complaints by ICANN Region



Hover to see % for that region, and click to see a table with detailed met

<https://features.icann.org/compliance>



New Compliance Scorecard

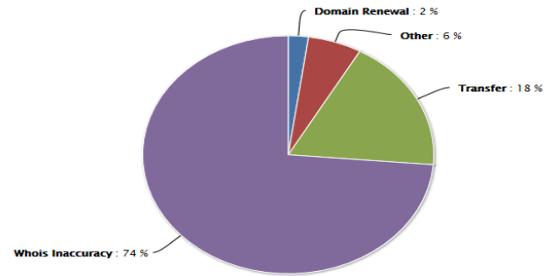
Registrar & Registry

- Pie chart shows breakdown of the complaint types
- List current and prior month complaint type volume
- Lists the Compliance process volume and turnaround time of a contracted party for Informal and Formal Notices

ICANN Contractual Compliance Dashboard for August 2014

ICANN provides a monthly dashboard summarizing contractual compliance complaint activity. These monthly metrics show the complaint volume as they advance through the overall contractual compliance Informal & Formal process. [Learn more about this dashboard report »](#)

Registrars



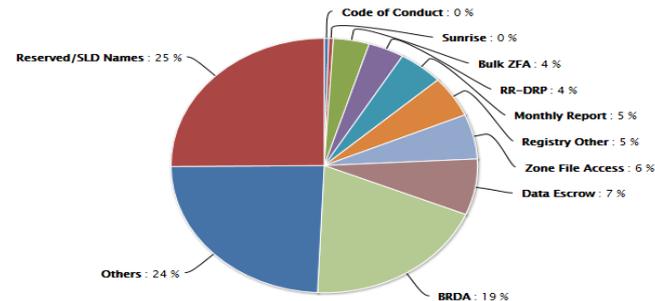
Registrar Complaint Volume & Distribution

Complaint Type	July 2014	August 2014
ABUSE	13	30
CUSTOMER SERVICE	5	12

Compliance Process Volume & Turnaround Time

August 2014	Volume	Turnaround Time
1st Notice	1908	13.1
2nd Notice	698	6.5

Registries



Registry Complaint Volume & Distribution

Complaint Type	July 2014	August 2014
ABUSE CONTACT DATA	2	22
BRDA	-	41

Compliance Process Volume & Turnaround Time

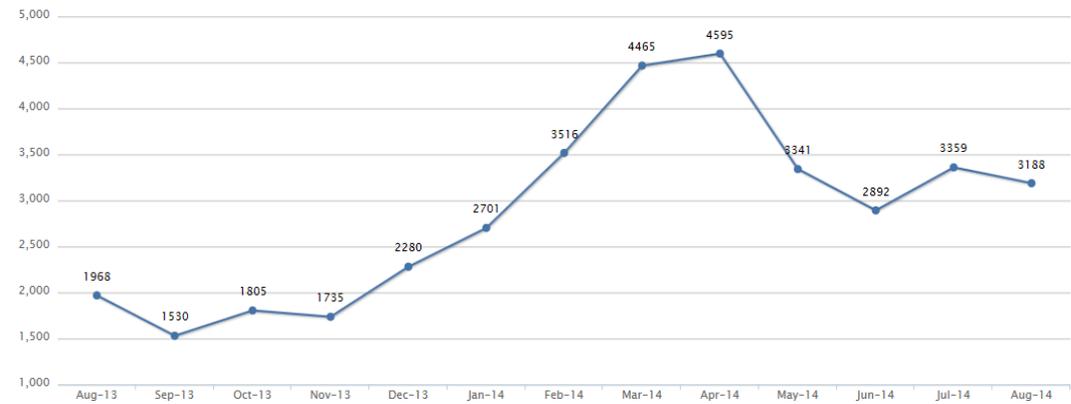
August 2014	Volume	Turnaround Time
1st Notice	163	5.3
2nd Notice	26	5.7

New Compliance Scorecard

- **Volume Trend** - Rolling thirteen months of complaint volume
- **Total Volume** - New complaints received and the total complaints closed in a month
- **Closure Rate:**
 - **Current Month** - New complaints received and closed during the same month
 - **Received All** - Not all complaints can be closed in one month where some carry-forward to the next month. This compares all complaints closed in a month regardless of when the complaint was received
 - **ICANN Staff Turnaround Time** - The internal Work In Progress queues measure ICANN time to advance or close the complaints

Complaint Volume & Closure Rate

Volume Trend



Total Volume

Counts	July 2014	August 2014
Total New	3,560	3,188

Closure Rates

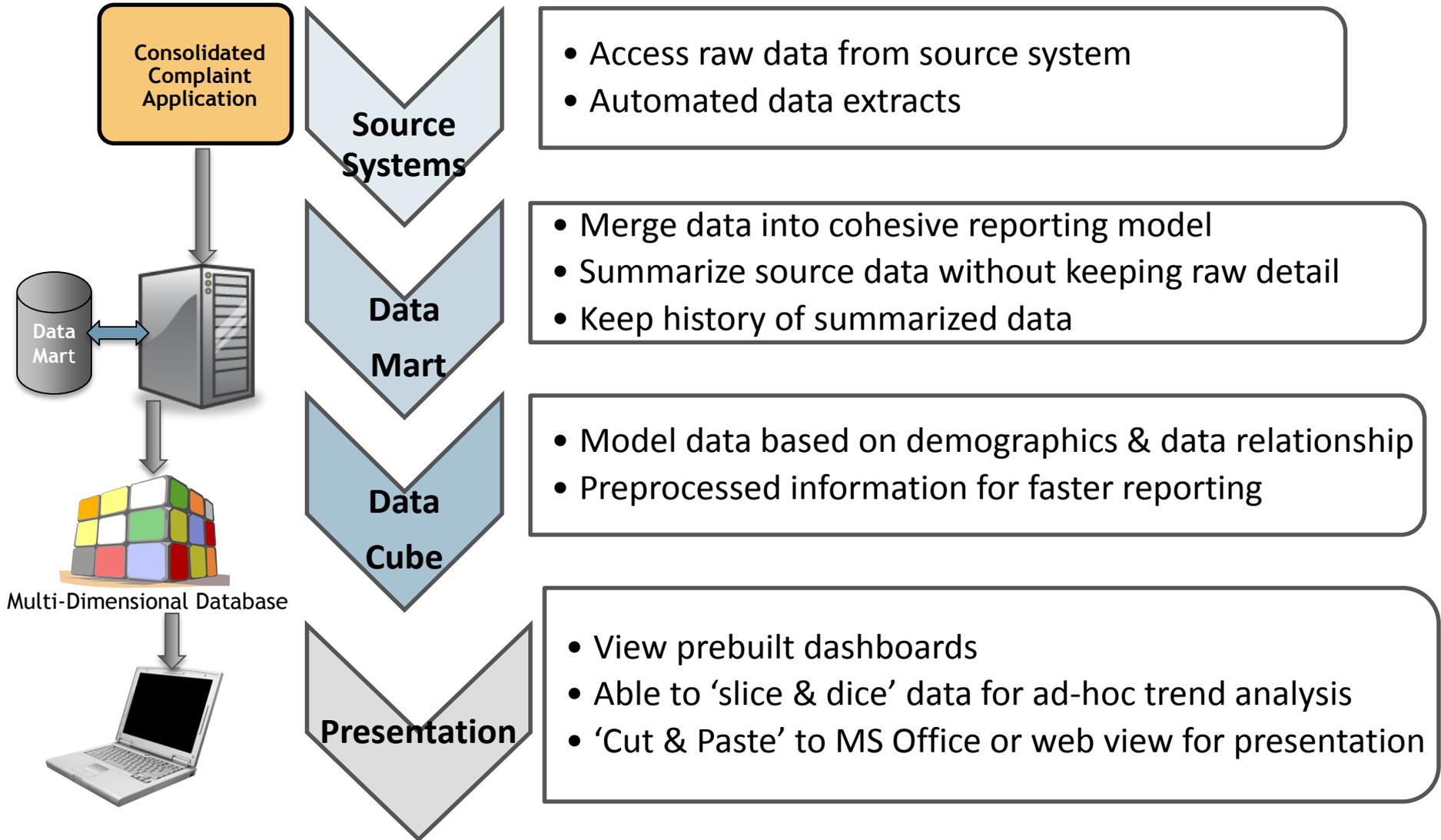
Stage	July 2014	August 2014
Current Month	49%	52%

ICANN Staff Average Turnaround Time

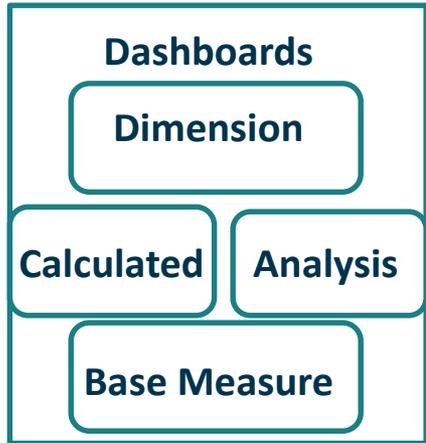
Measures	July 2014	August 2014
Open to 1st Notice	1.4	1.5
2nd WIP	3.1	2.2



Compliance Metric Process



Compliance Metric Types

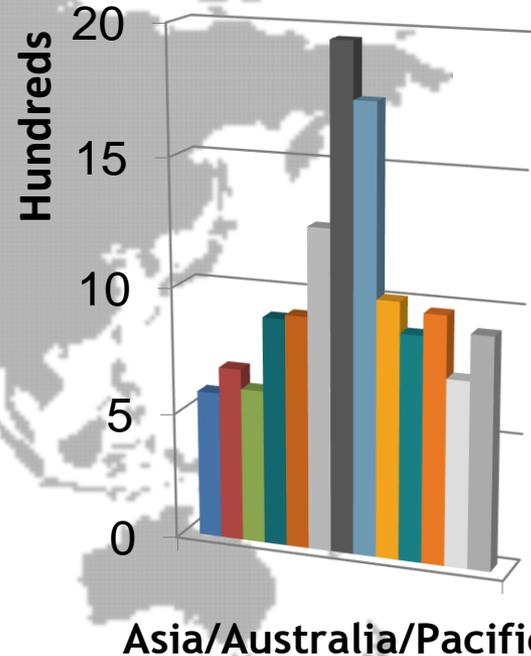
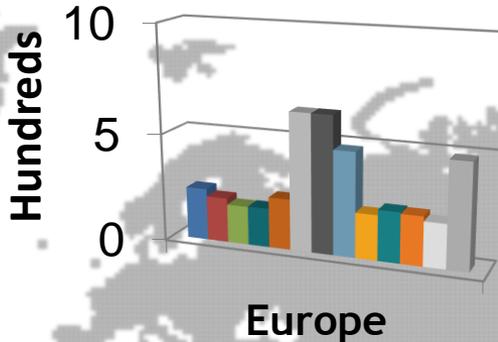
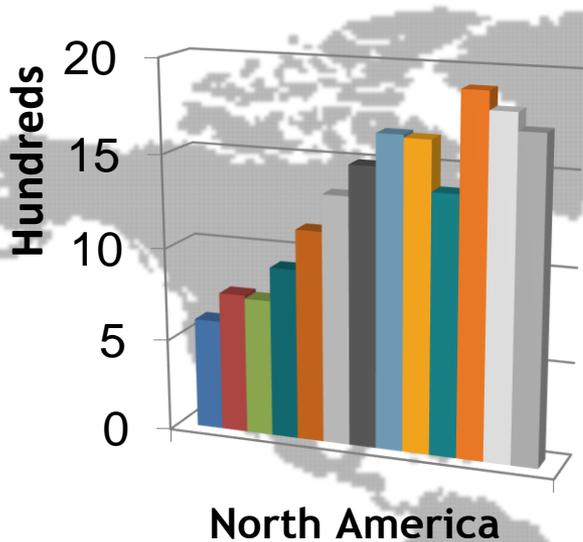


Metric Type	Explanation	Example	# Metrics
Base Measure	Actual or Raw value from source system	1,126 Registrars	334
Analysis Rules	Value compared to threshold	95% of target	111
Calculated Measure	Two Base measures calculated together to create a new result	Registrar complaints plus Registry complaints equals Total complaints	109
Dimensions	Information that give the answer meaning or context	1,126 Registrars, 2014 = year	38
Grand Total			592

The quantity and type of metrics gives the ability to analyze different intersections of data via the Dimensions, such as:

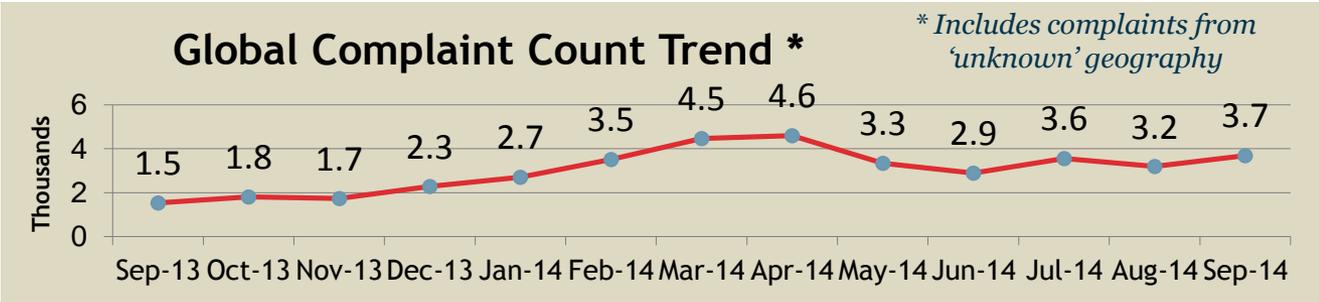
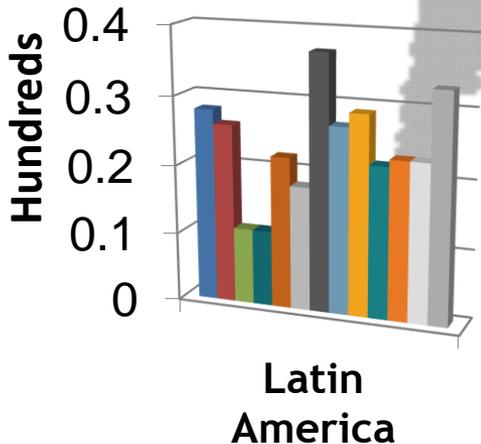
Complaint Volume	Turnaround Time Registrar, Registry, ICANN	Complaint Closure Reasons	Geography
Pre & Post 2013 RAA	TLD Round Date (Legacy & new GTLD)	Compliance FAQ web views	Bulk Whois Inaccuracy volume

Global Complaint Trend – Sep 2013-Sep 2014



- Sep-13
- Oct-13
- Nov-13
- Dec-13
- Jan-14
- Feb-14
- Mar-14
- Apr-14
- May-14
- Jun-14
- Jul-14
- Aug-14
- Sep-14

Africa - 4 compl in Oct; 1 in Jan; 4 in Feb; 2 in Mar; 1 in Apr; 2 in Jun; 1 in Jul; 2 in Sep



[Registrar & Registry complaints]

Regional Domain, Registrar & Registry Complaints June - Sep 2014

N. America	104.0M	6,826	.007%
	890	410	46.1%
	242	162	66.9%

Europe	24.1M	1,152	.005%
	176	128	72.7%
	154	80	51.9%

Asia/A/P	25.6M	3,507	.014%
	193	149	77.2%
	68	32	47.1%

Latin America	1.1M	101	.009%
	24	23	95.8%
	5	3	60.0%

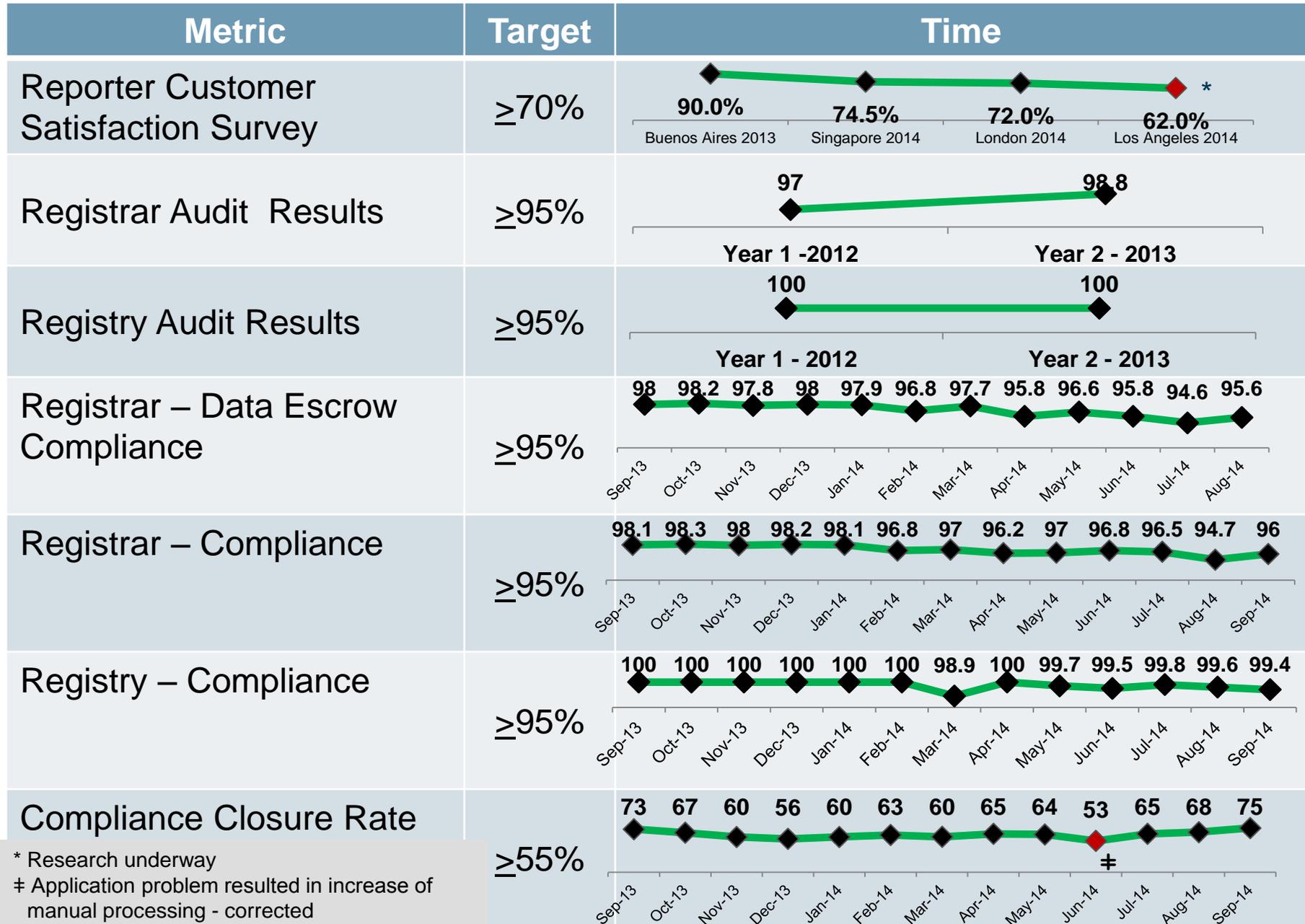
Africa	20,679	5	.024%
	8	6	75.0%
	4	0	0.0%

LEGEND	Domain Volume (as of June 2014)	# Complaints	% Complaints per Domain Volume
	# registrars per region	# registrars w/ Complaints	% registrars with complaints per region
	# registries per region	# registries w/ Complaints	% registries with complaints per region

Notes: "# registrars per region" data may contain some obsolete registrars but is retained for reporting history
"# of registries per region" includes all TLD's



Contractual Compliance – Governance Metrics



* Research underway

‡ Application problem resulted in increase of manual processing - corrected

Audit Program Update



New Registry Agreement Audit Update

Requests for Information were sent on July 15th to the sample of the new gTLDs selected and their respective DEAs. The RFI data and documentation collection phase was completed in August, followed by the audit phase. Audit reports were issued to Registries on September 22nd. Reports list initial deficiencies noted (based on review of data collected as of July 30th). ICANN requested Registries to address deficiencies; remediation stage is in progress.

- Number of gTLDs under audit: 14
- Data Sources: Registers; Data Escrow Agents; Trademark Clearing House; ICANN IT
- Approximate Number of Documents Received: 877
- Foreign Languages encountered: 2 (German; French)
- Approximate Number of Documents in Foreign Languages: 31

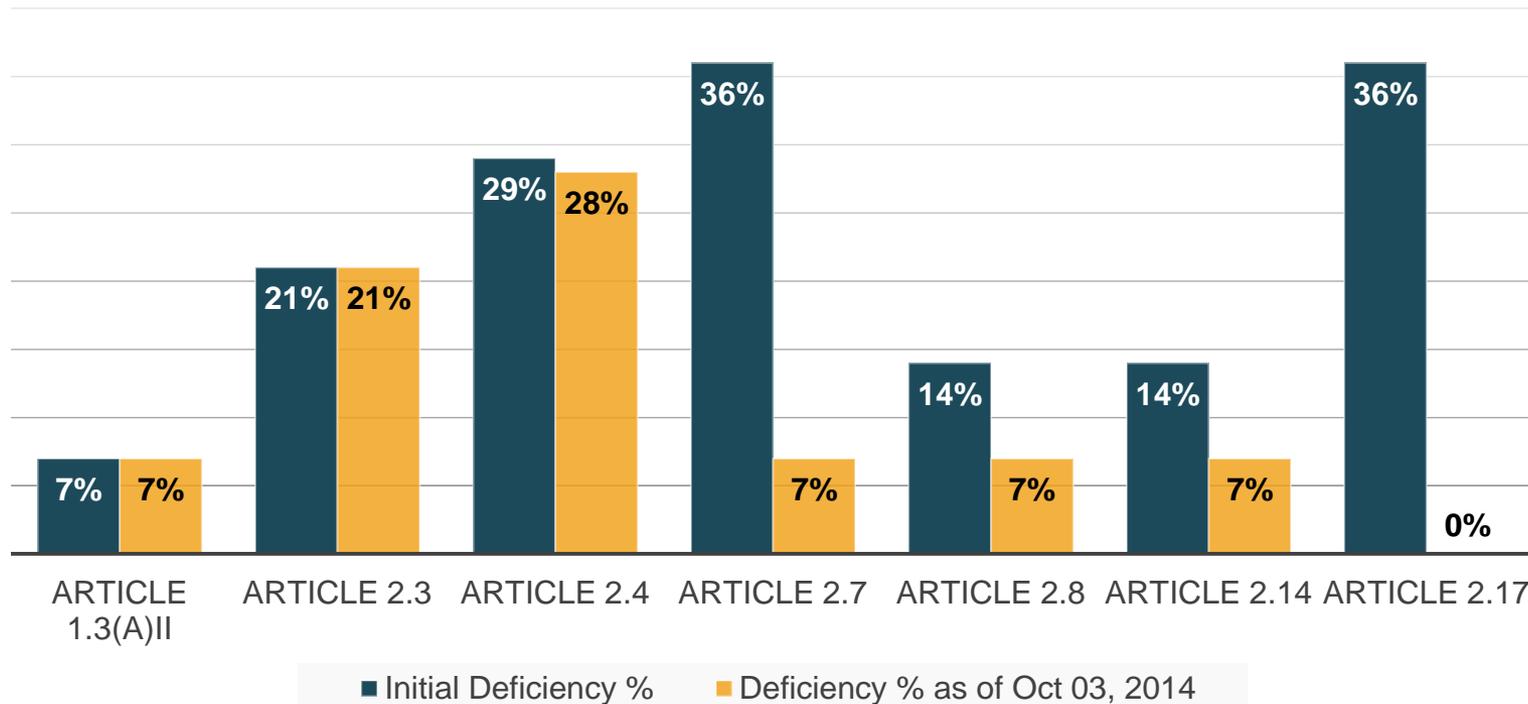
New Registry Agreement and Year 3 Audits Program Timelines

Compliance Program	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
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	10-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

Audit Statistics: Registries where initial deficiency noted

Article	Number of gTLDs Deficient	Percentage
Article 1.3 (a) ii - Representations & Warranties; inability to provide updated requested documentation	1	7%
Article 2.3 - Data Escrow deposit (Specification 2); discrepancies in Data Escrow file	3	21%
Article 2.4 - Monthly Reporting (Specification 3); discrepancies in number of registered domains reported to ICANN	4	29%
Article 2.7 - Registry Interoperability and Continuity (Specification 6); BCP is not available and/or periodic testing is not performed	5	36%
Article 2.8 - Protection of Legal Rights of Third Parties (Specification 7) – TMCH Claims Period; improper domain registrations	2	14%
Article 2.14 - Registry Code of Conduct (Specification 9 – Parts A, B, D); self-registrations	2	14%
Article 2.17 - Additional Public Interest Commitments (Specification 11); no evidence of Technical Analysis being developed	5	36%

Remediation Phase Progress



Legend

Article 1.3 (a) ii - Representations & Warranties; inability to provide updated requested documentation

Article 2.3 - Data Escrow deposit (Specification 2); discrepancies in Data Escrow file

Article 2.4 - Monthly Reporting (Specification 3); discrepancies in number of registered domains reported to ICANN

Article 2.7 - Registry Interoperability and Continuity (Specification 6); BCP is not available and/or periodic testing is not performed

Article 2.8 - Protection of Legal Rights of Third Parties (Specification 7) – TMCH Claims Period; improper domain registrations

Registrar Related Update

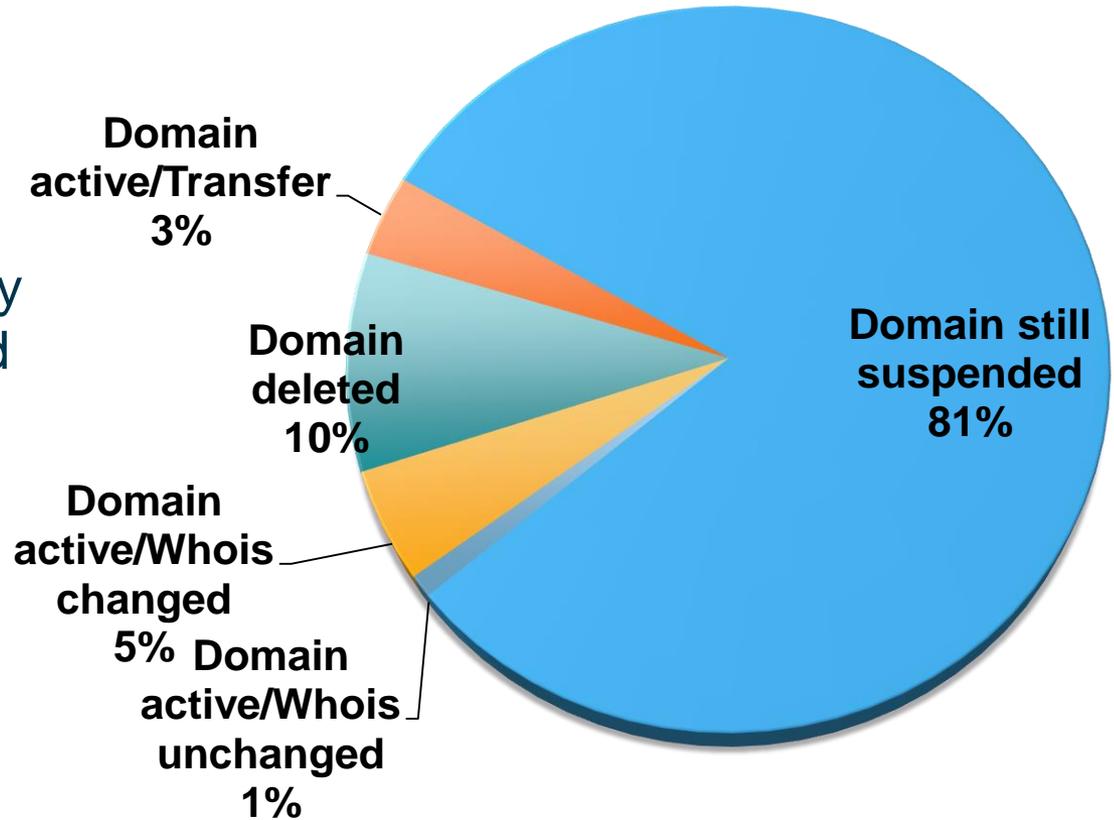
Since ICANN 50

- 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



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

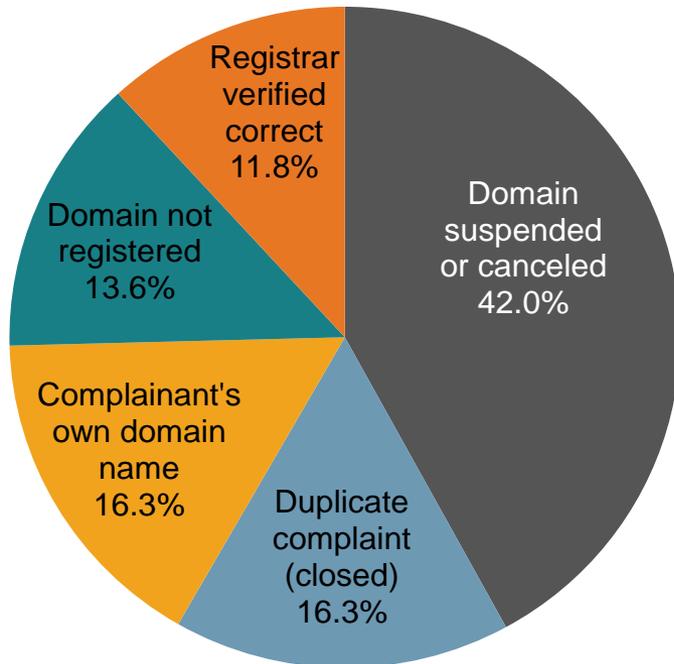
- Most common abuse reports are about online pharmaceuticals, malware, viruses and spam.
- Examples of out of scope reports:
 - Registrars on the 2009 RAA
 - Reporter did not contact the registrar first
- Conducted outreach efforts with registrars, abuse reporters and IP rights protection groups

Domain Registration “scams”

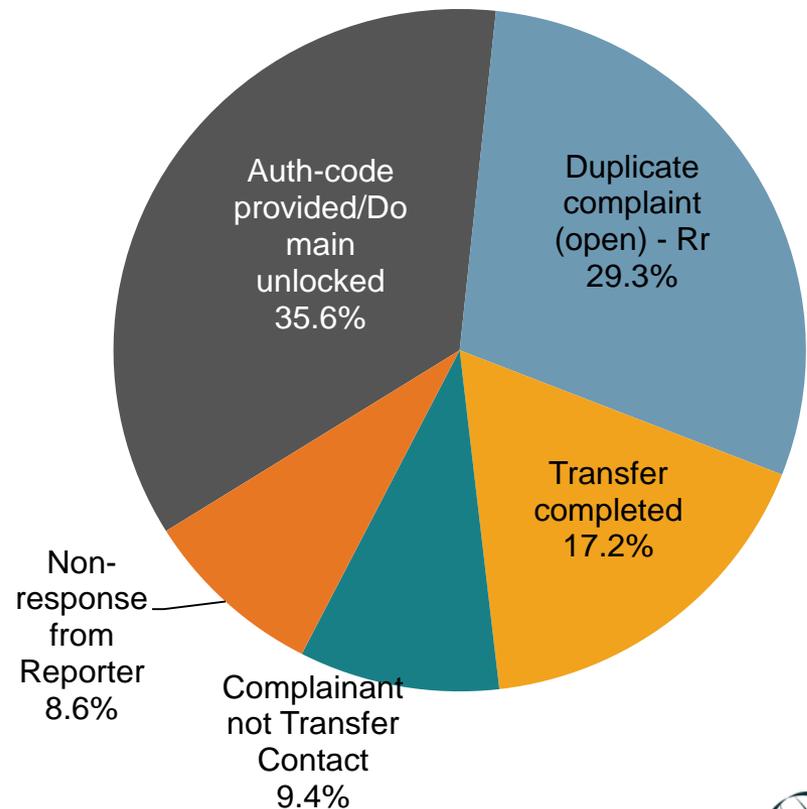
- Email solicitations sent to registrants worldwide to register domains, pay certification/valuation fees, or protect trademarks at high premium
 - Campaigns may only target trademark owners
 - Solicitations may have high degree of customization or official appearance
 - Usually link to website to collect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

Registrar Complaint Types & Their Top 5 Closure Reasons: June - Sept 2014

Whois Inaccuracy: Closure Reasons



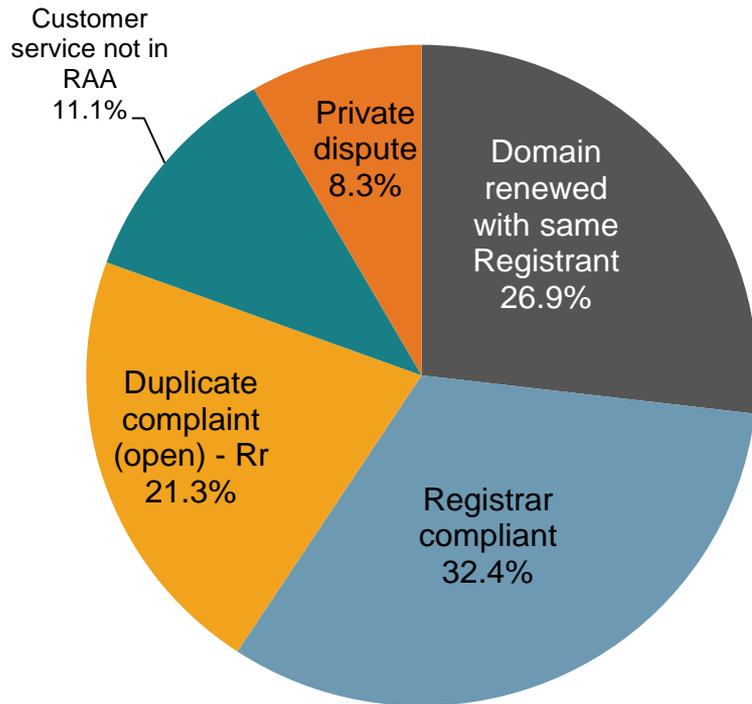
Transfer: Closure Reasons



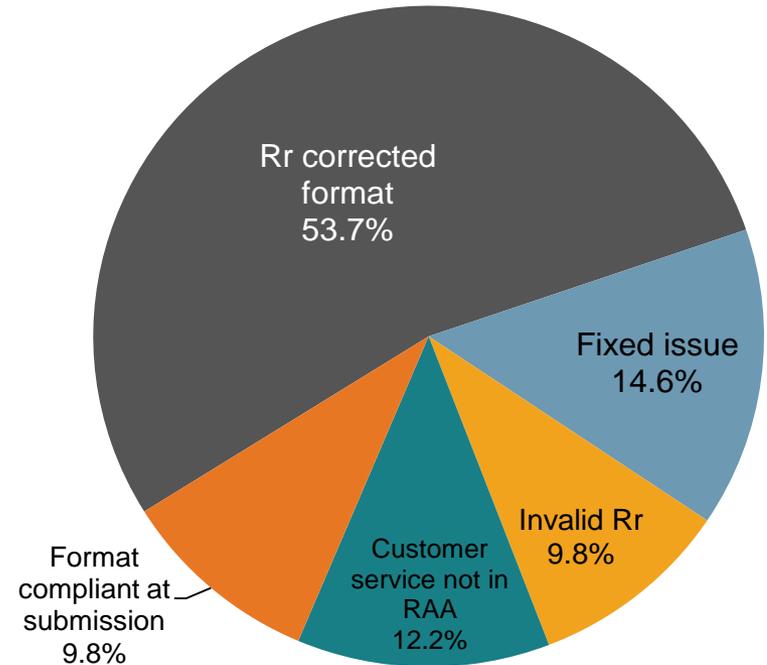
Registrar Complaint Types & Their Top 5 Closure Reasons

Closure Reasons: June - Sept 2014

Domain Renewal: Closure Reasons



Whois Format: Closure Reasons



Registry Related Update

Since ICANN 50

- 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

- 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

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)

Monitoring of Rights Protection Mechanisms

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

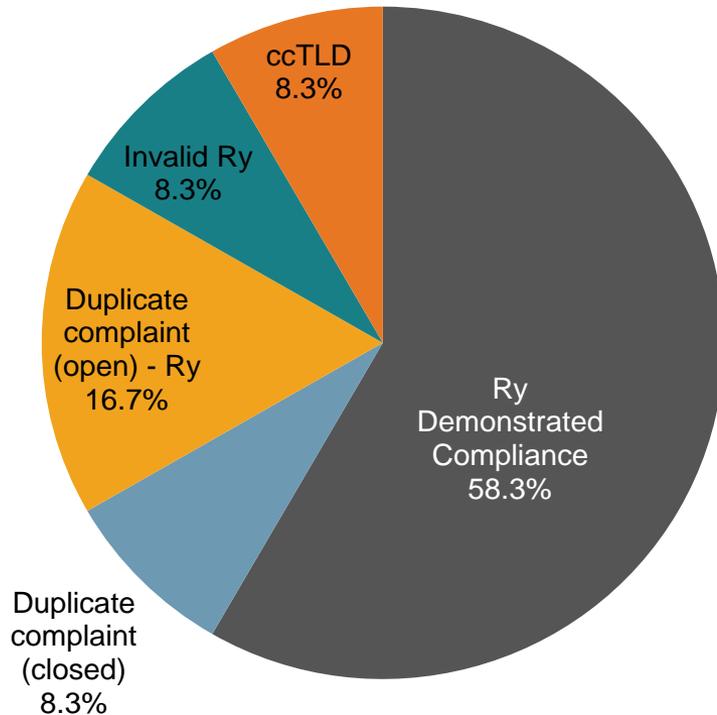
ICANN is monitoring Registry Operators are in compliance with:

- 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

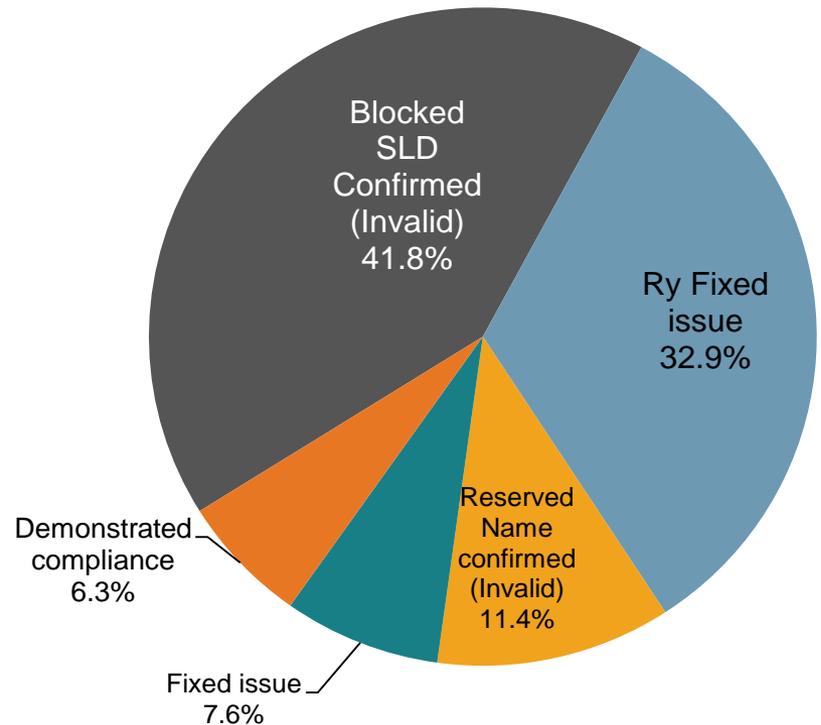
Registry Complaint Types & Their Top 5 Closure Reasons

June - Sept 2014

PIC-DRP: Closure Reasons



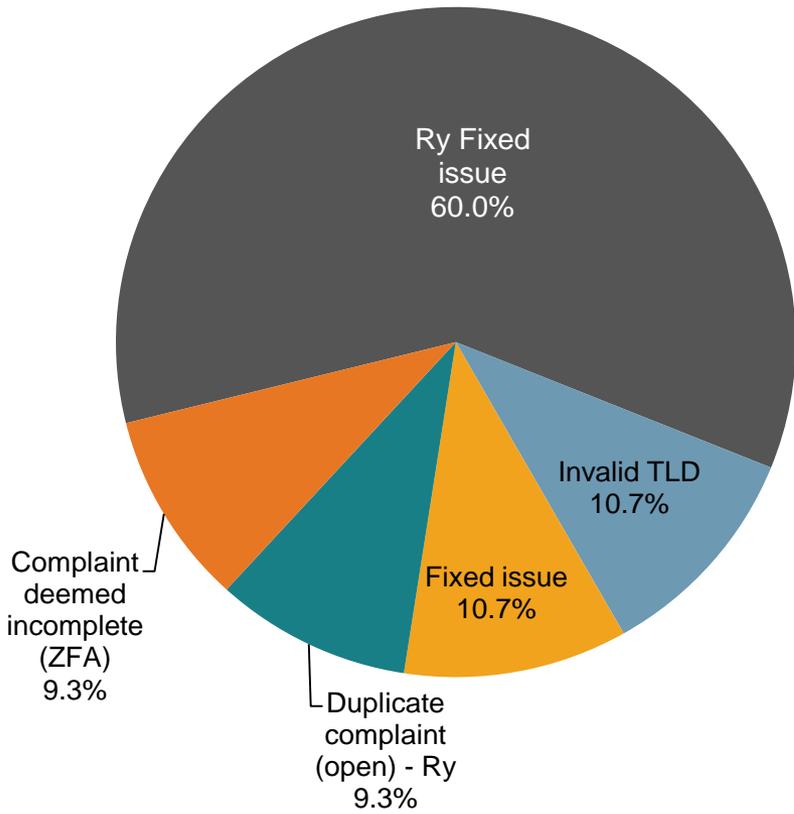
RESERVED/SLD NAMES: Closure Reasons



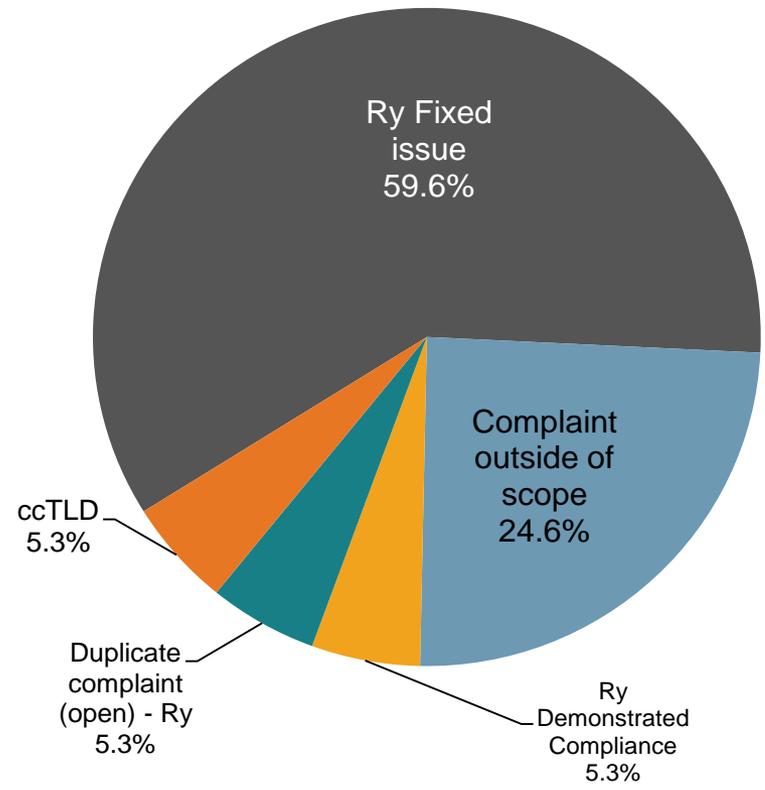
Registry Complaint Types & Their Top 5 Closure Reasons

June - Sept 2014

ZONE FILE ACCESS: Closure Reasons



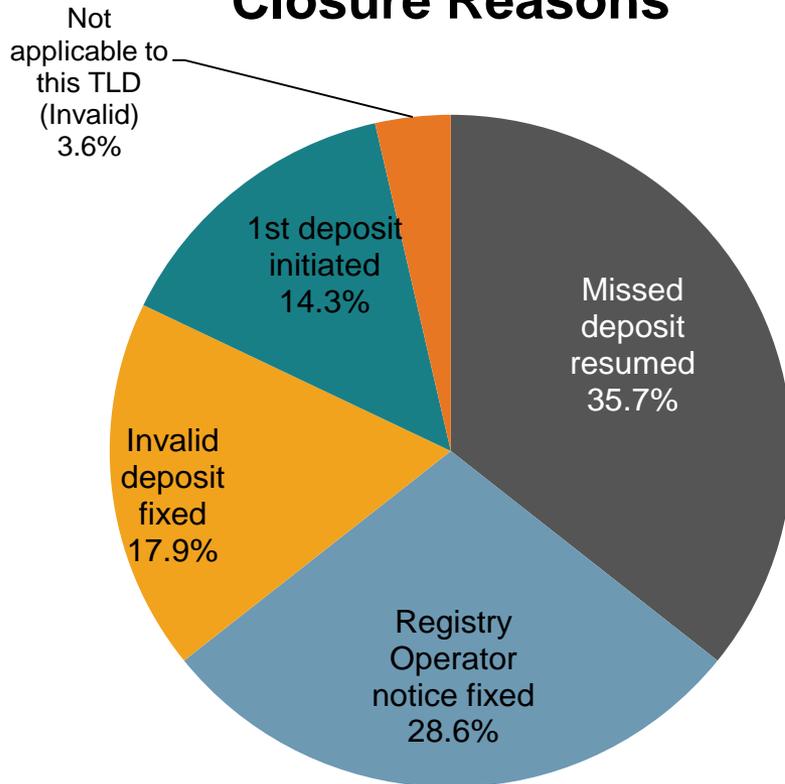
OTHER: Closure Reasons



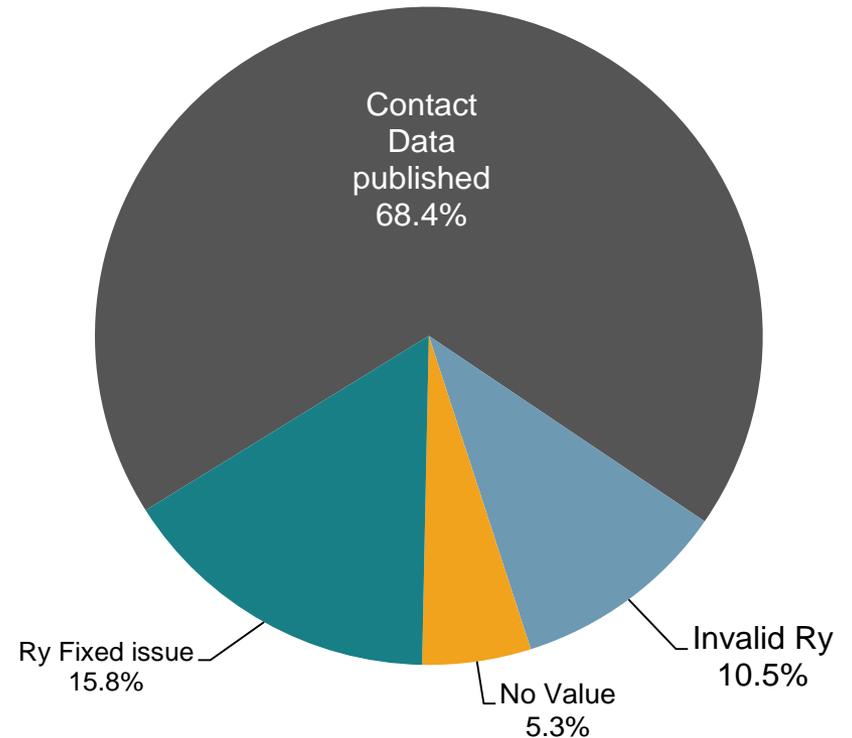
Registry Complaint Types & Their Top 5 Closure Reasons

June - Sept 2014

DATA ACCESS: Closure Reasons



ABUSE CONTACT DATA: Closure Reasons



Questions & Answers

Please send general questions:

To: Compliance@icann.org

Subject line: **ICANN51 CC Session**

Please join us on:

Thursday 16 October 2014

Contractual Compliance Registrar Outreach Session

8:30 – 9:45 – Location: Olympic

Thursday 16 October 2014

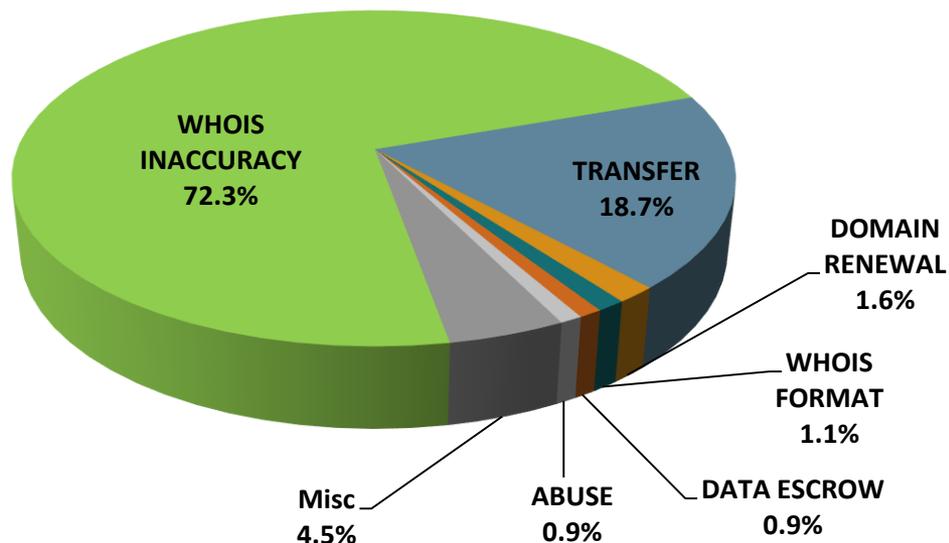
Contractual Compliance Registry Outreach Session

10:00 – 11:15 – Location: Olympic

Registrar Metrics

Registrar Complaint Type Volume June – Sept 2014

Complaint Distribution

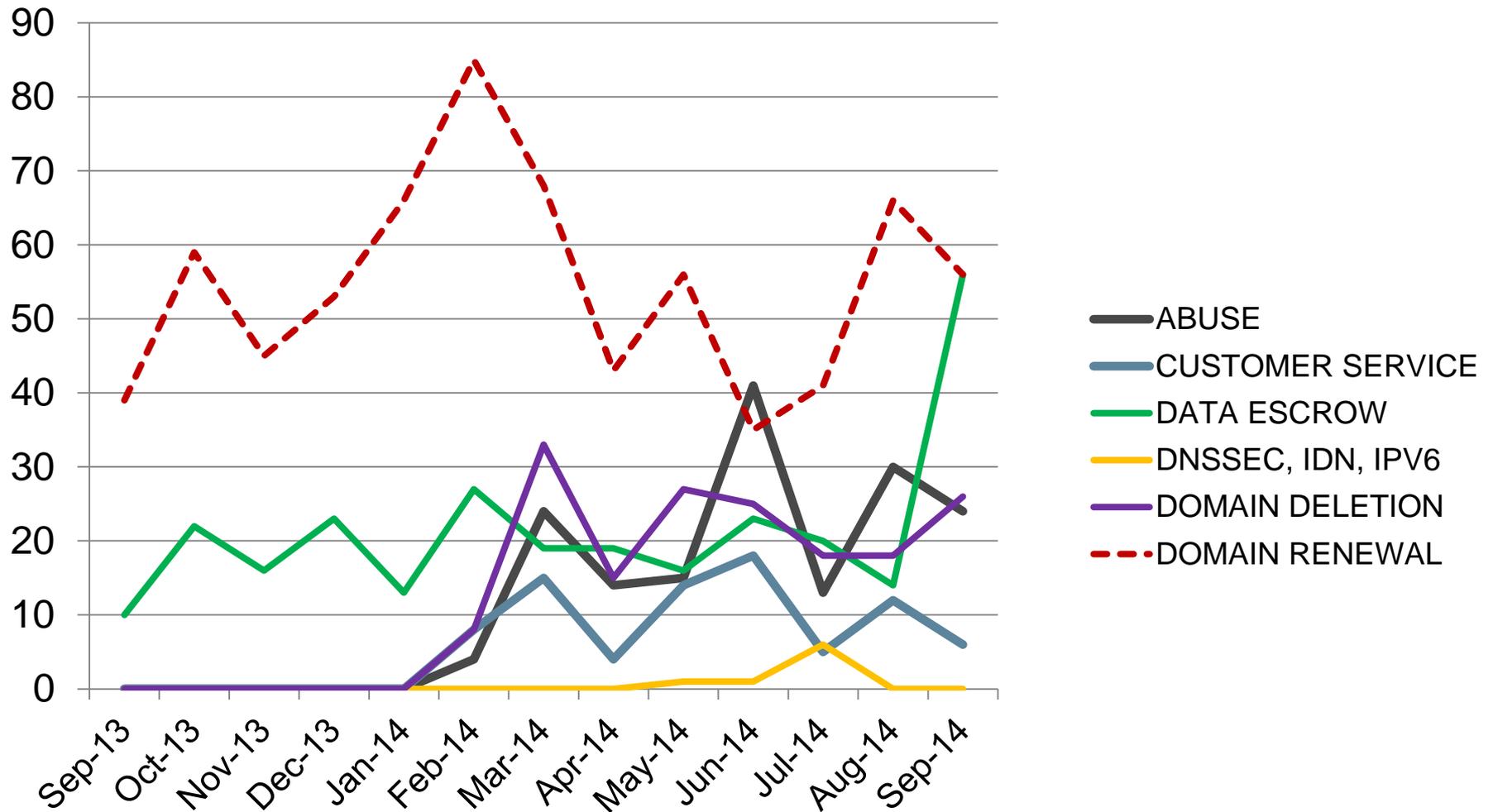


Registrar TAT	(in days)
Avg TAT 1st Notice	12.7
Avg TAT 2nd Notice	6.3
Avg TAT 3rd Notice	10.0

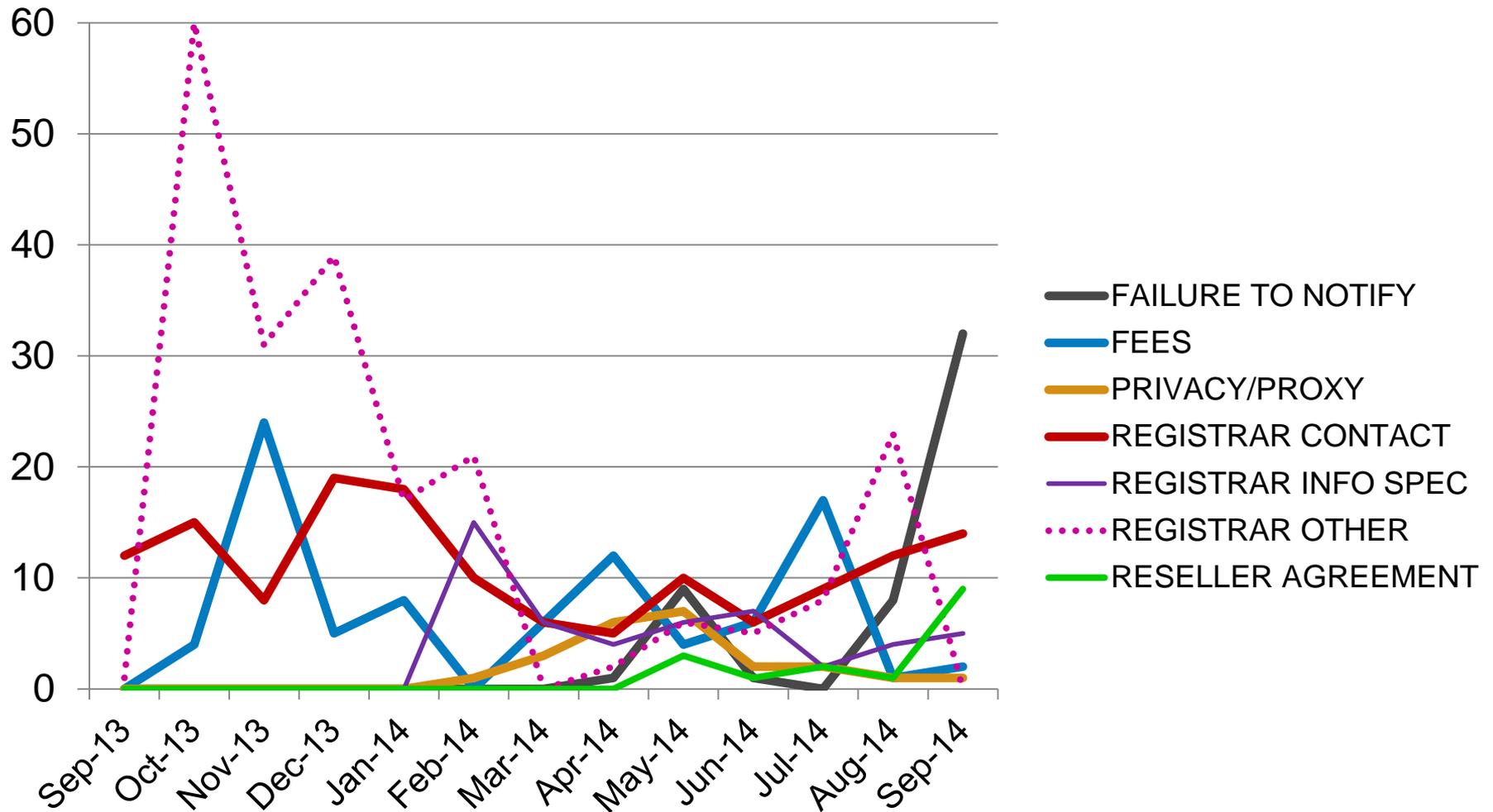
Formal Notices	#
Volume Breach	29
Volume Non-Renewal	1
Volume Suspension	3
Volume Termination	4

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

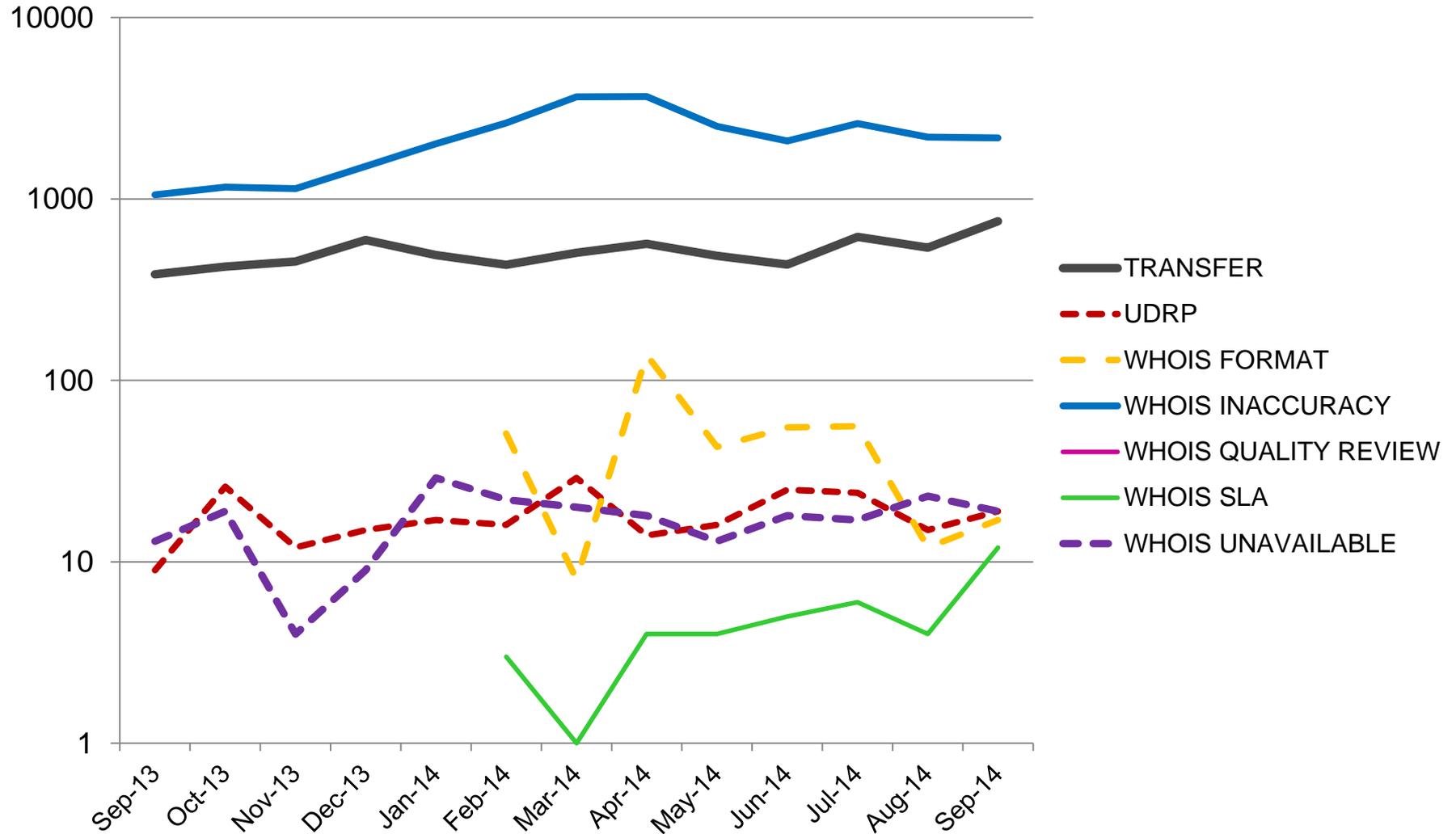
Registrar Complaint Trend – Sept 2013-Sept 2014



Registrar Complaint Trend – Sept 2013-Sept 2014



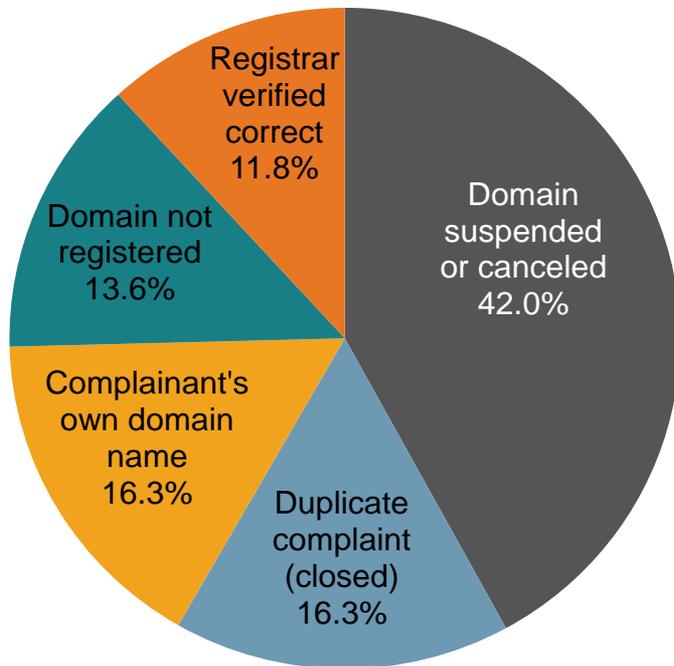
Registrar Complaint Trend – Sept 2013-Sept 2014



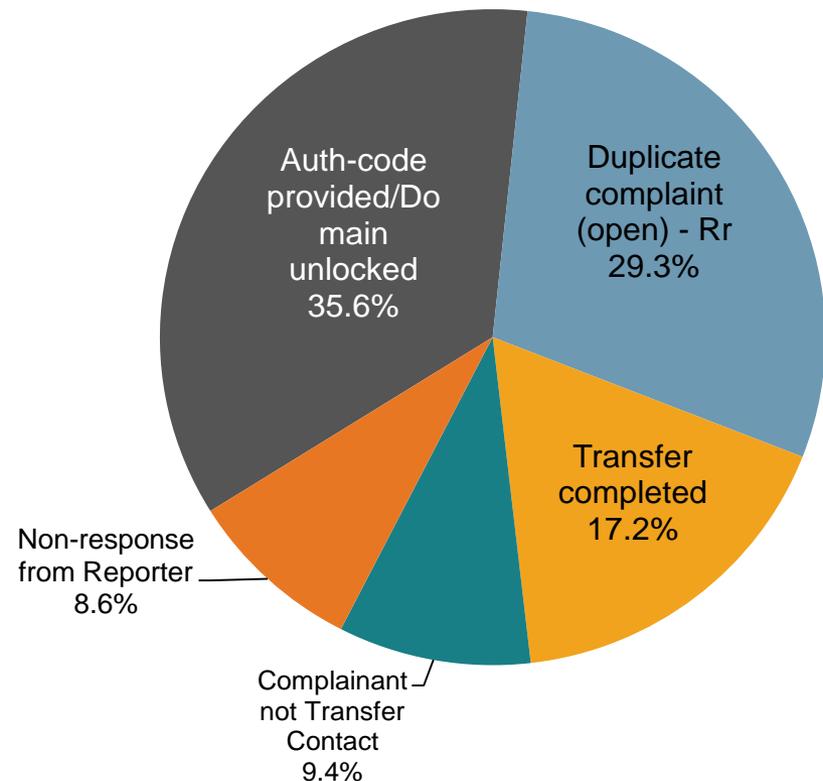
Registrar Complaint Types & Their Top 5 Closure Reasons

Whois Inaccuracy: June - Sept 2014

Whois Inaccuracy: Closure Reasons

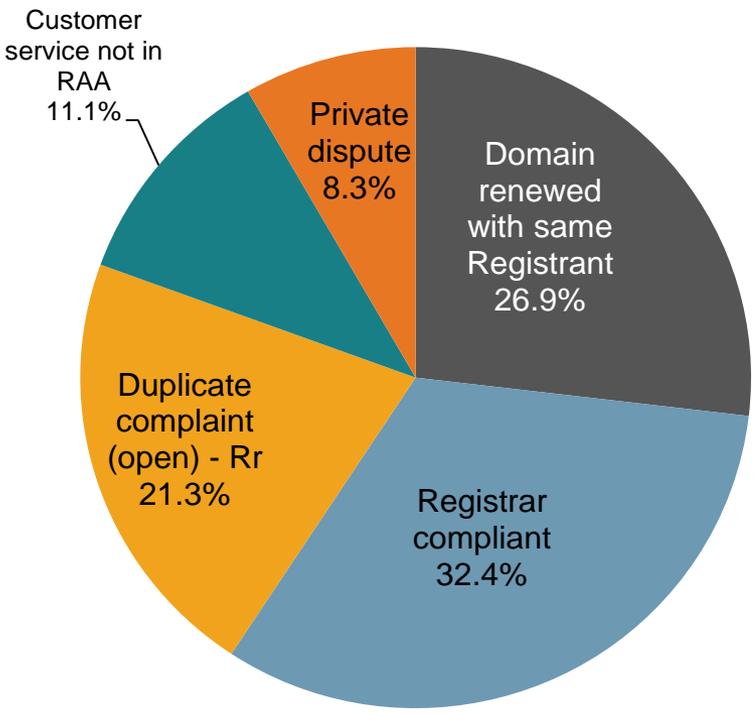


Transfer: Closure Reasons

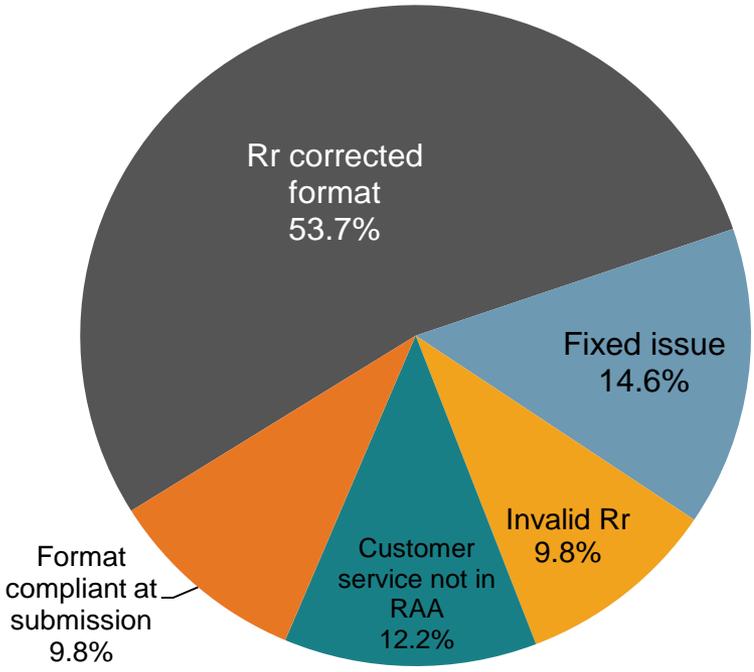


Registrar Complaint Types & Their Top 5 Closure Reasons - June - Sept 2014

Domain Renewal: Closure Reasons



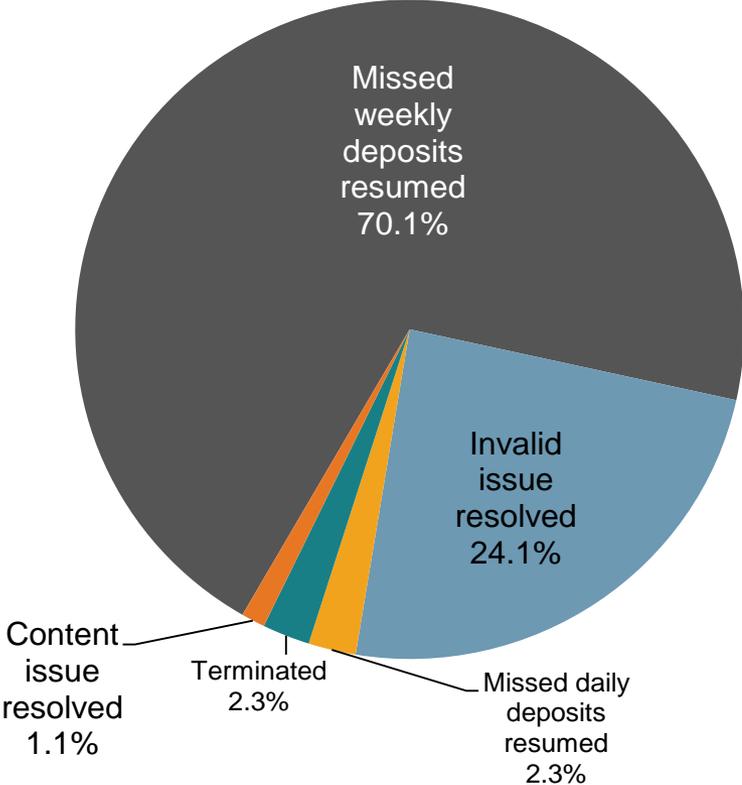
Whois Format: Closure Reasons



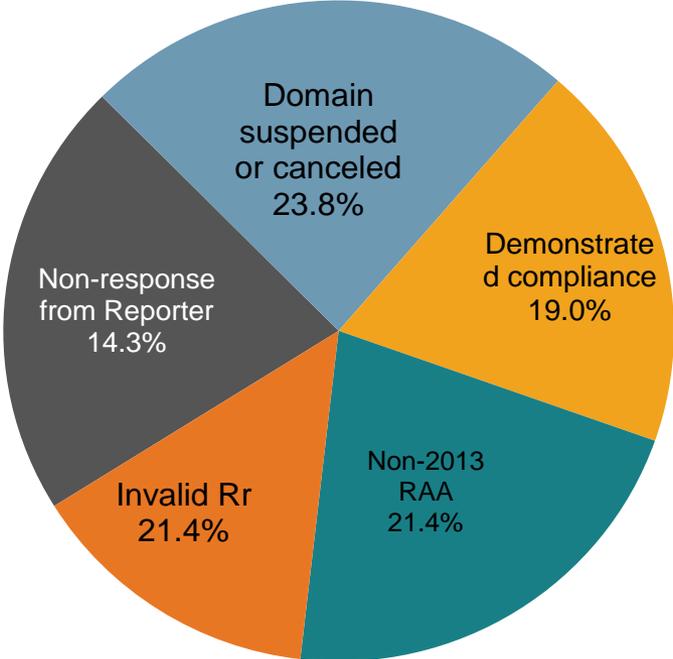
Registrar Complaint Types & Their Top 5 Closure Reasons

Closure Reasons - June - Sept 2014

Data Escrow: Closure Reasons

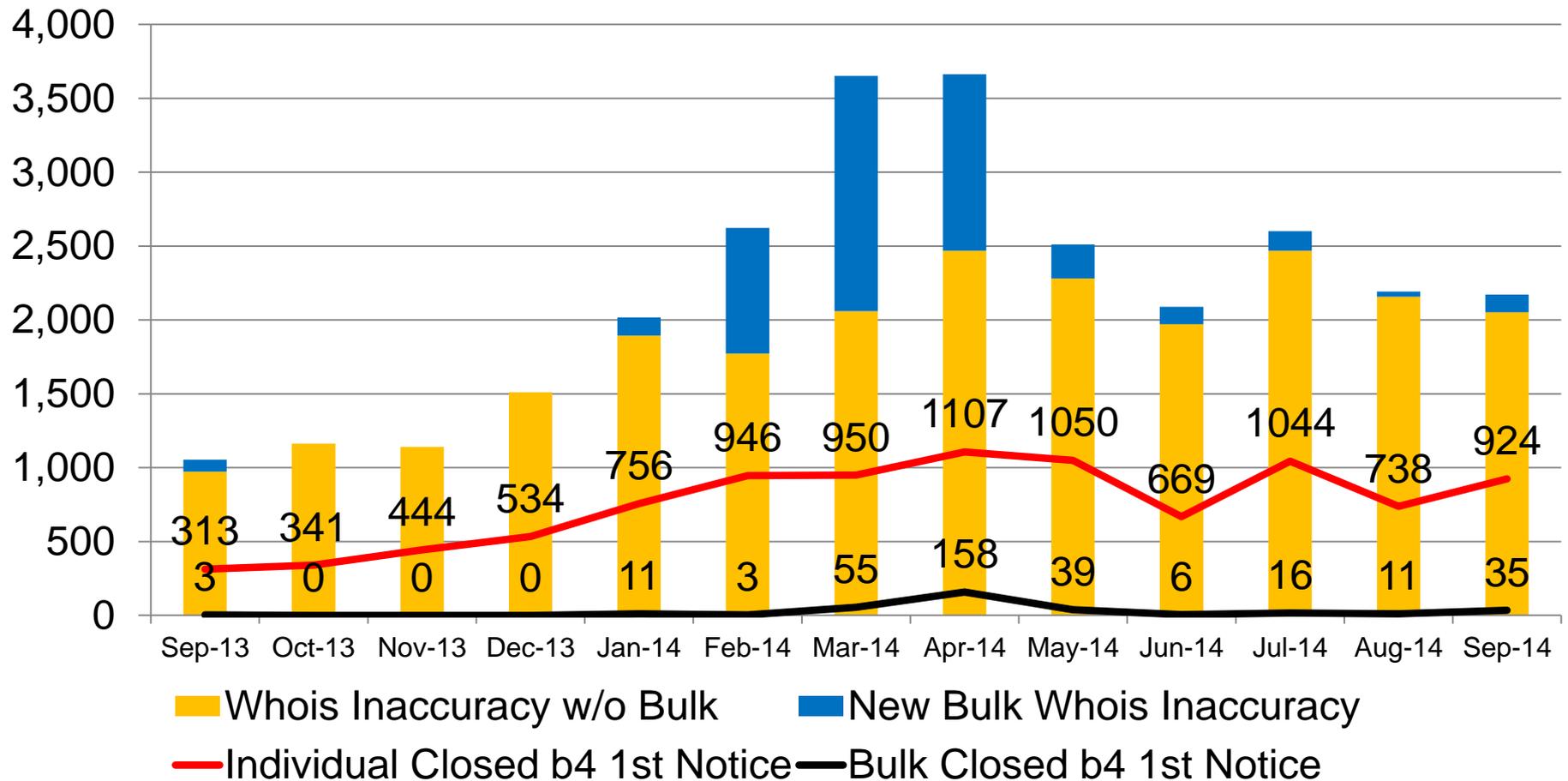


Abuse: Closure Reasons



Whois Inaccuracy Complaints – Individual vs. Bulk

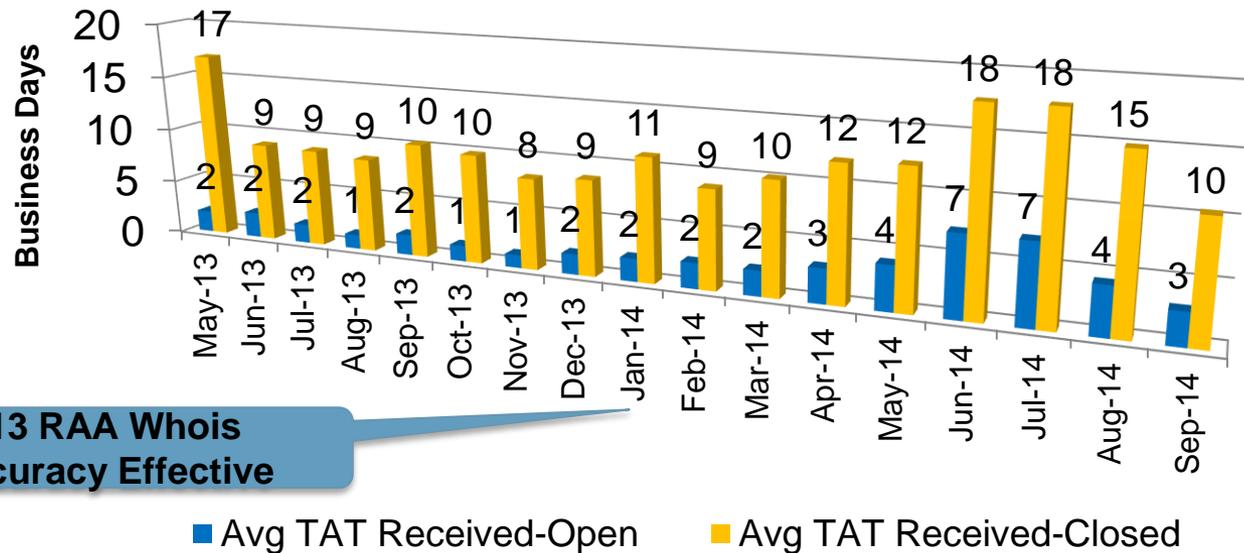
Sep 2013 – Sep 2014



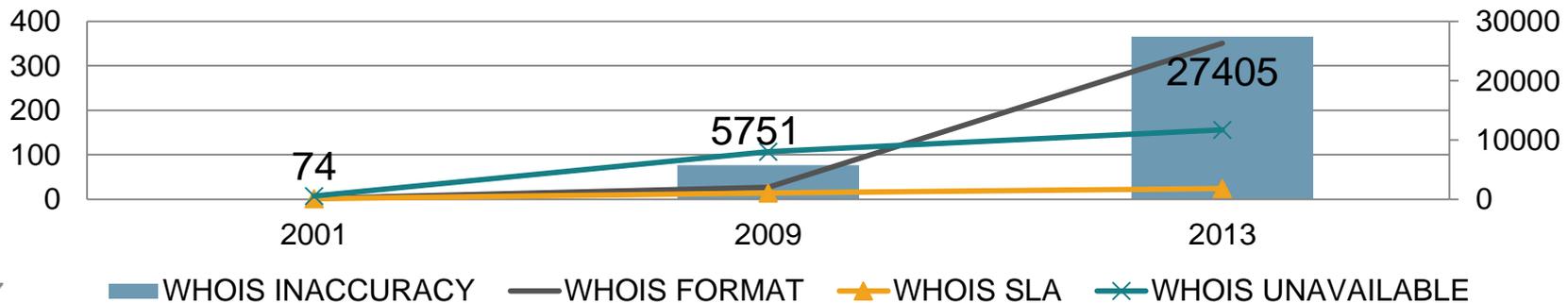
Whois Inaccuracy Impact of 2013 RAA

Average Business Days Turn Around Time

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

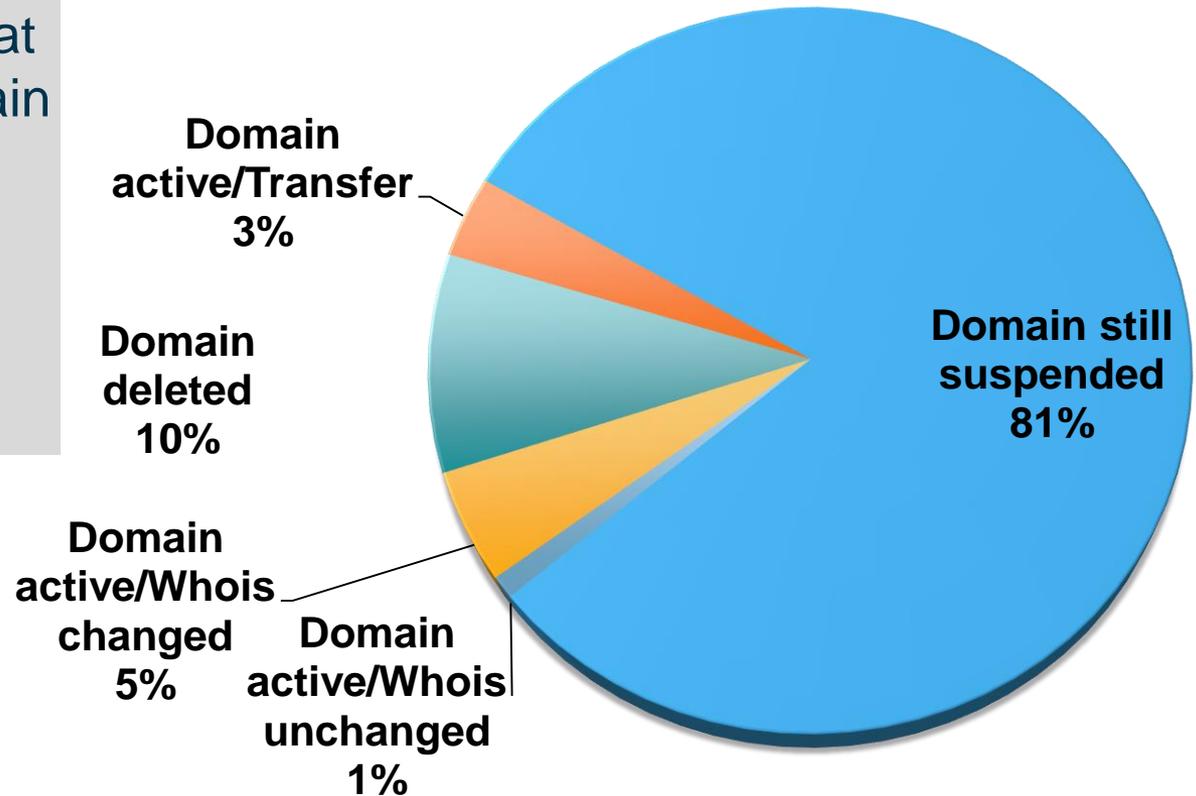


Registrar Complaints by Contract Year May 2013 – Sep 2014



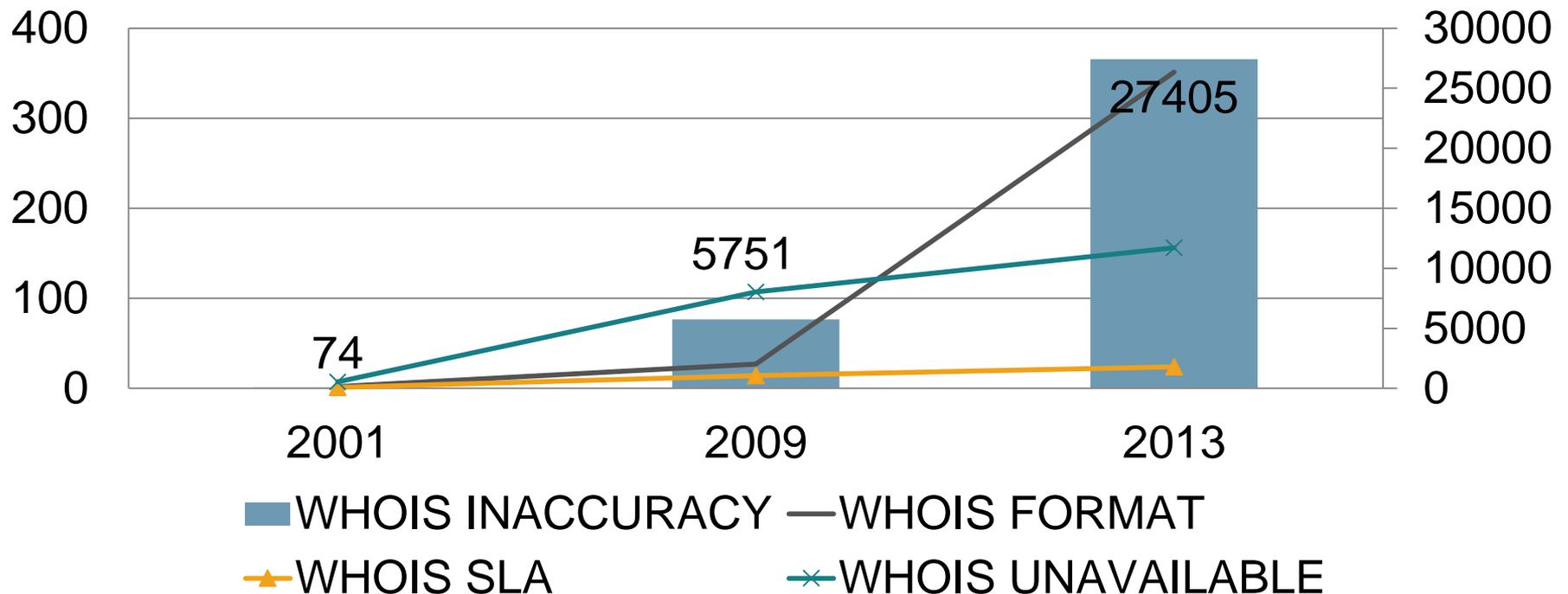
Whois Inaccuracy – Quality Review Results

- Reviewed Whois Inaccuracy complaints that were closed due to Domain Suspended
- Out of 1,296 complaints sampled found 81% remained suspended



Whois Inaccuracy Impact of 2013 RAA

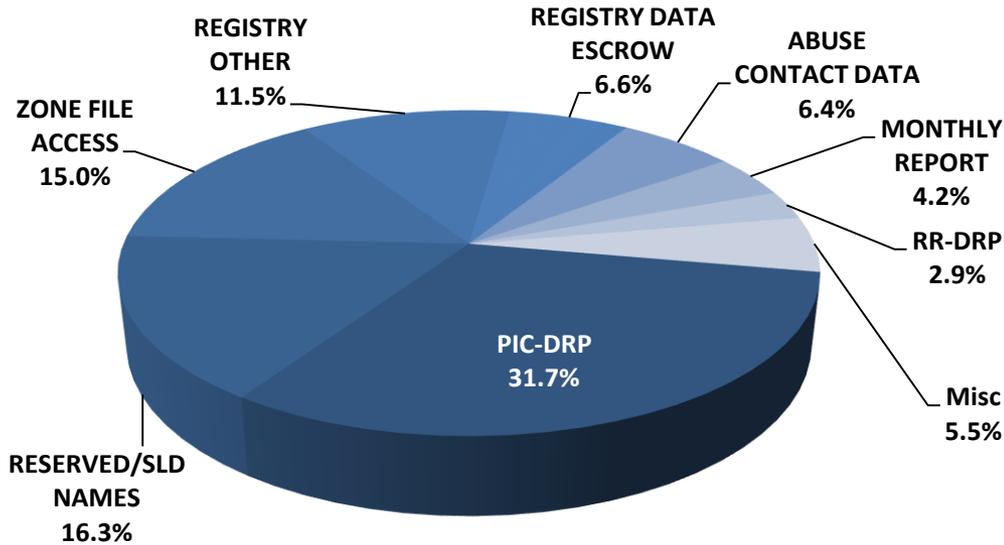
Registrar Complaints by Contract Year May 2013 – Sep 2014



Registry Metrics

Registry Complaint Types June – Sept 2014

Complaint Distribution

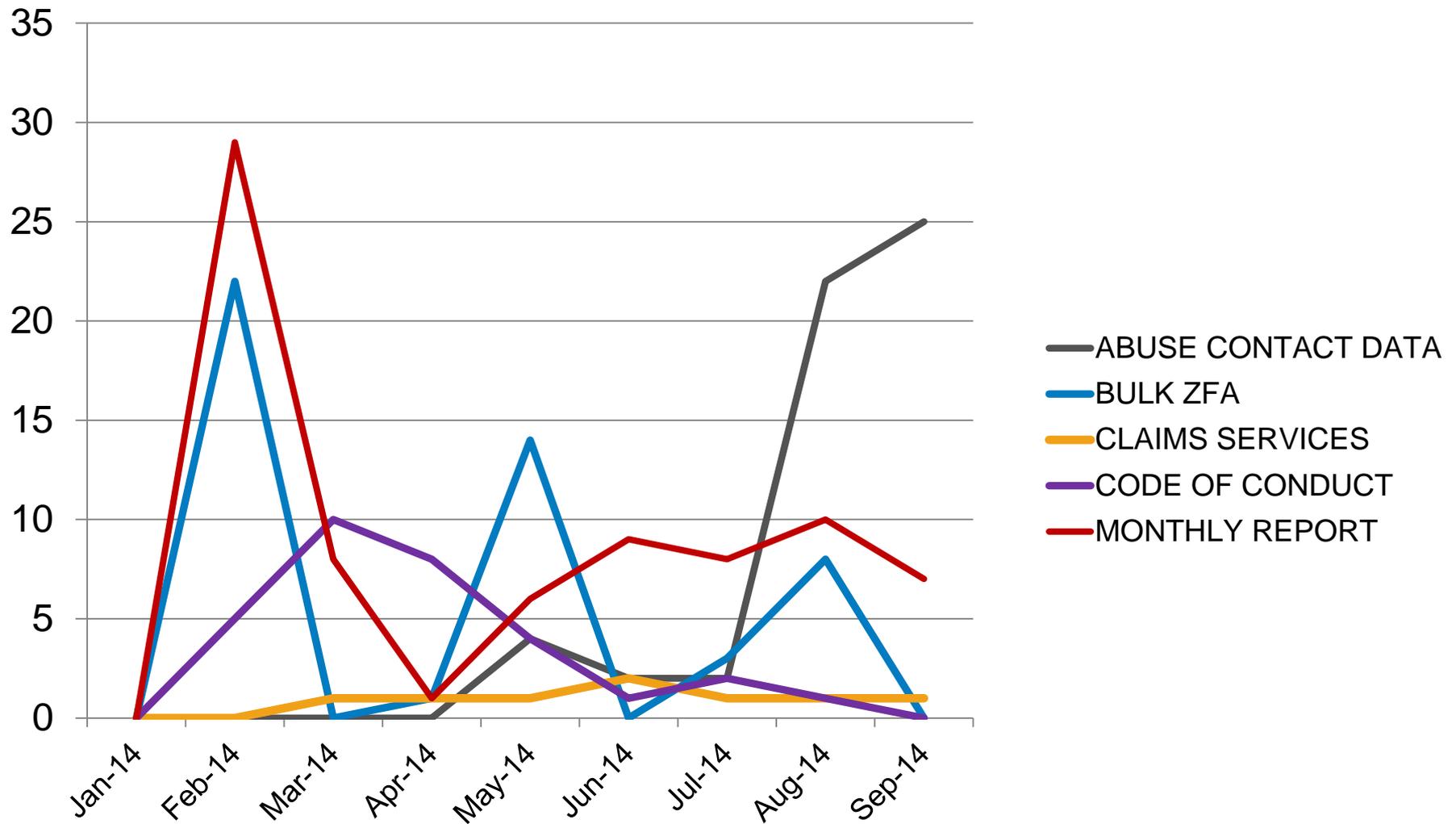


Registry TAT	(in days)
Avg TAT 1st Notice	5.8
Avg TAT 2nd Notice	6.2
Avg TAT 3rd Notice	5.5

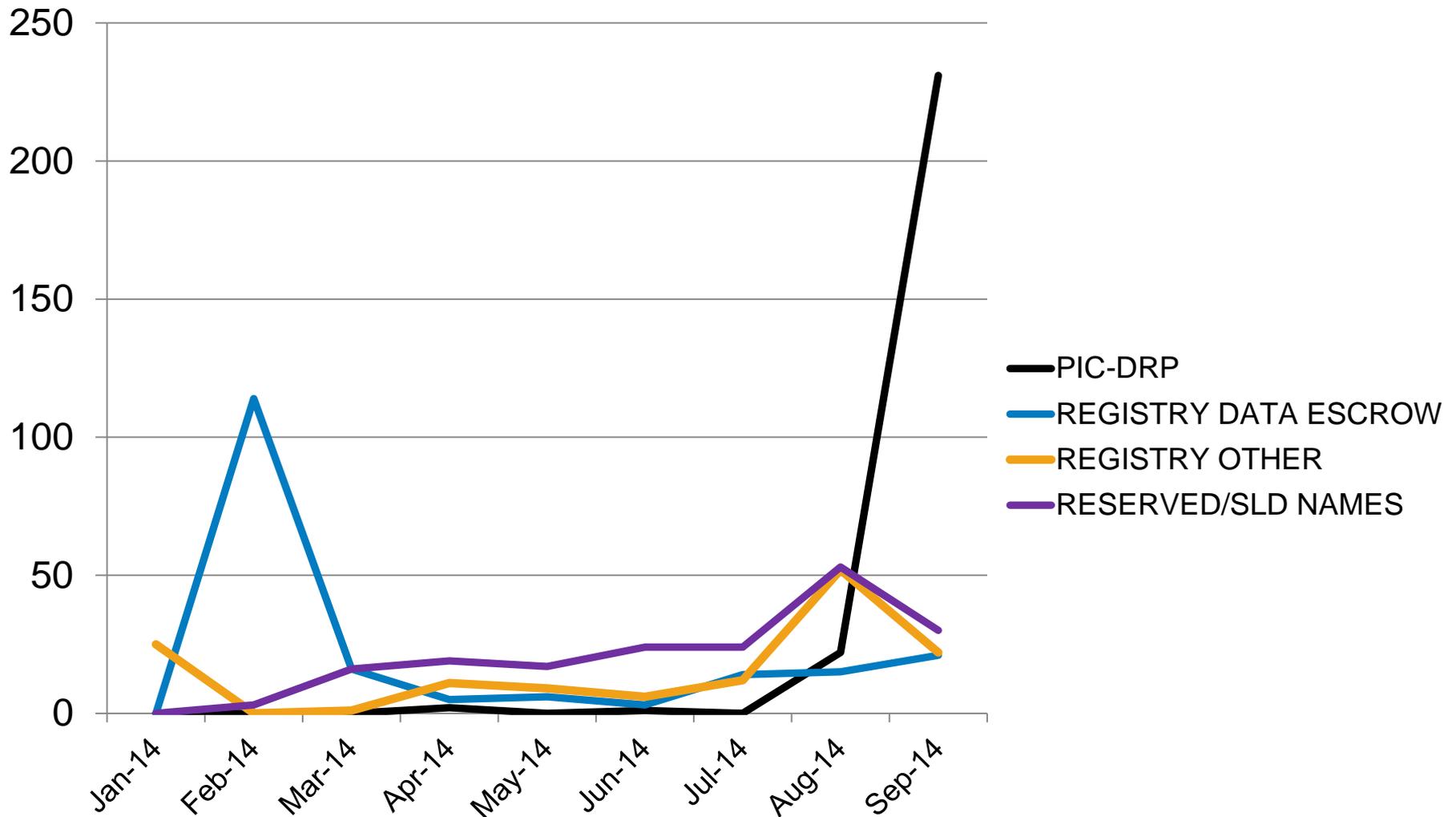
Formal Notices	#
Volume Breach	0
Volume Non-Renewal	0
Volume Suspension	0
Volume Termination	0

REGISTRY Complaints	Qty
ABUSE CONTACT DATA	51
BULK ZFA	11
CLAIMS SERVICES	5
CODE OF CONDUCT	4
MONTHLY REPORT	34
PIC-DRP	254
REGISTRY DATA ESCROW	53
REGISTRY OTHER	92
RESERVED/SLD NAMES	131
RR-DRP	23
SLA	12
SUNRISE	2
TMPD-DRP	1
URS	9
ZONE FILE ACCESS	120
Total Complaints Processed	802
Total Complaints Closed	546

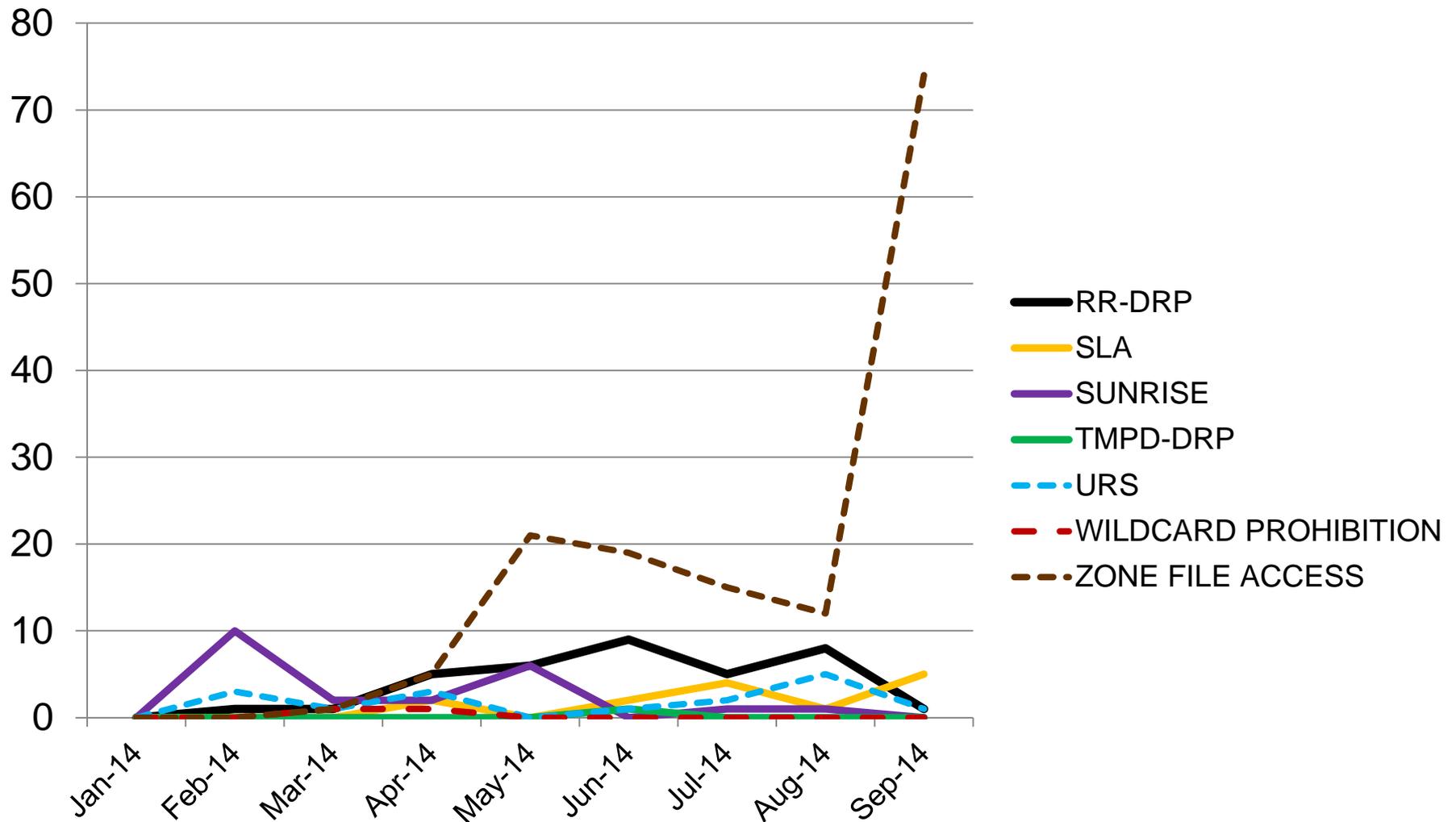
Registry Complaint Trend Jan – Sept 2014



Registry Complaint Trend Jan – Sept 2014



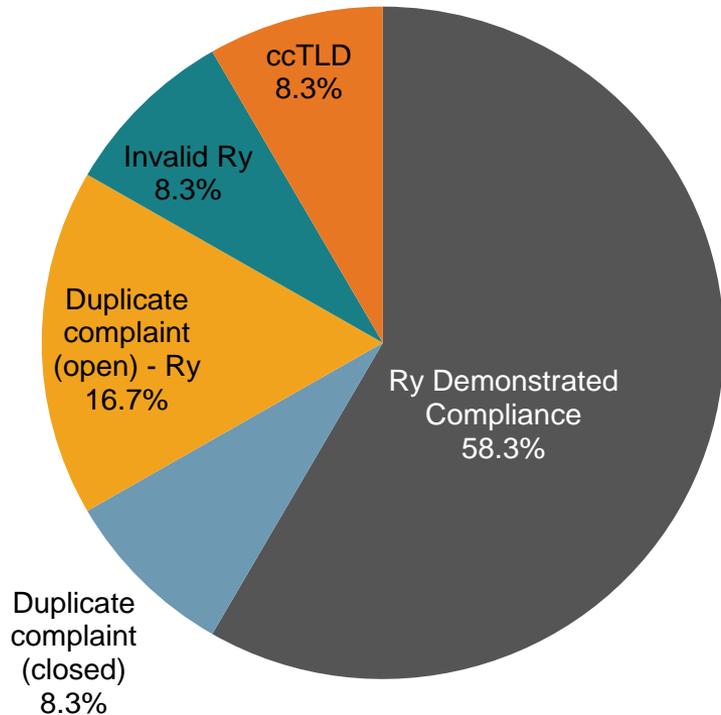
Registry Complaint Trend Jan – Sept 2014



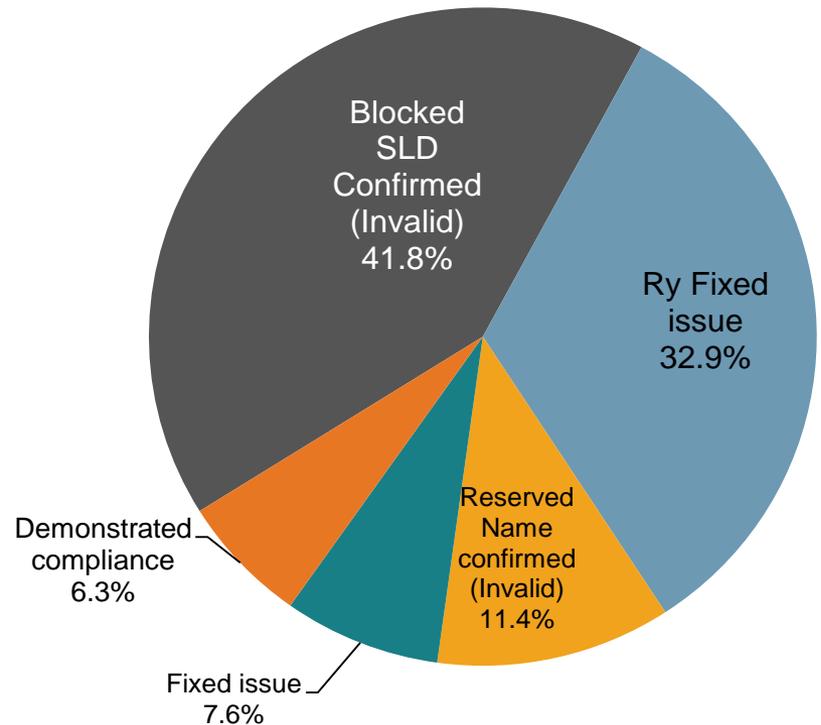
Registry Complaint Types & Their Top 5 Closure Reasons

June - Sept 2014

PIC-DRP: Closure Reasons



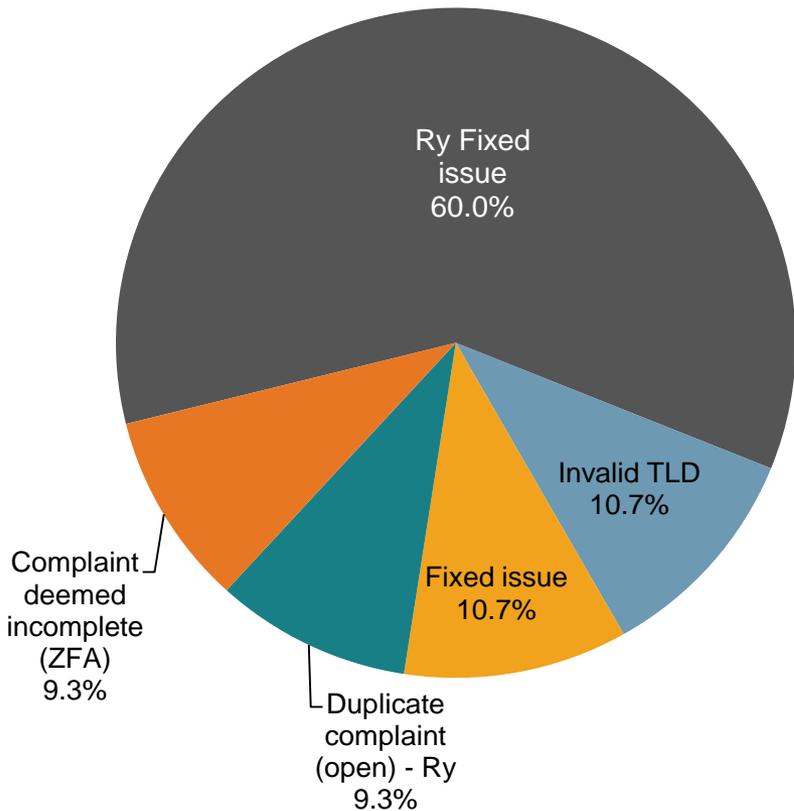
RESERVED/SLD NAMES: Closure Reasons



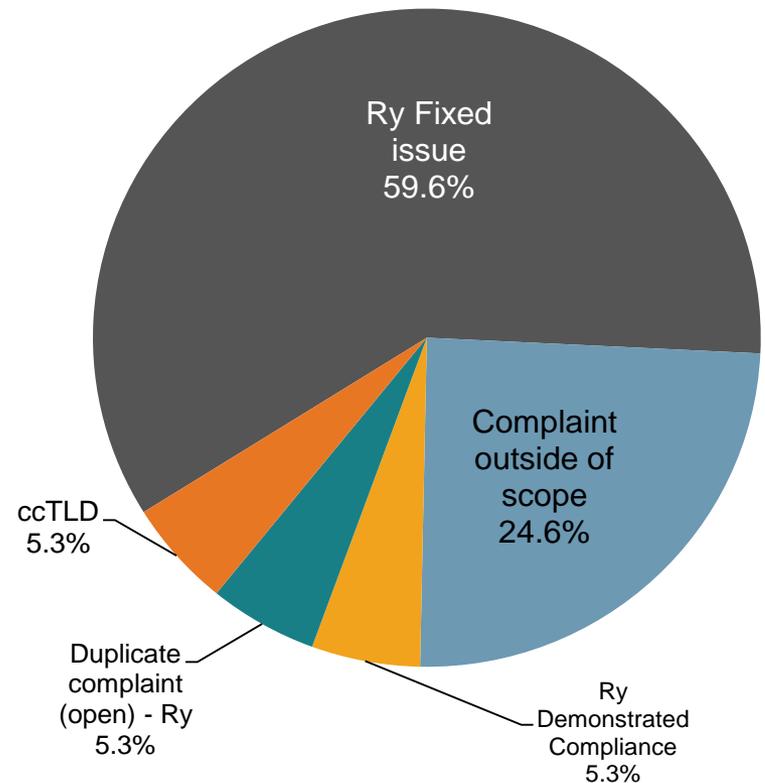
Registry Complaint Types & Their Top 5 Closure Reasons

June - Sept 2014

ZONE FILE ACCESS: Closure Reasons



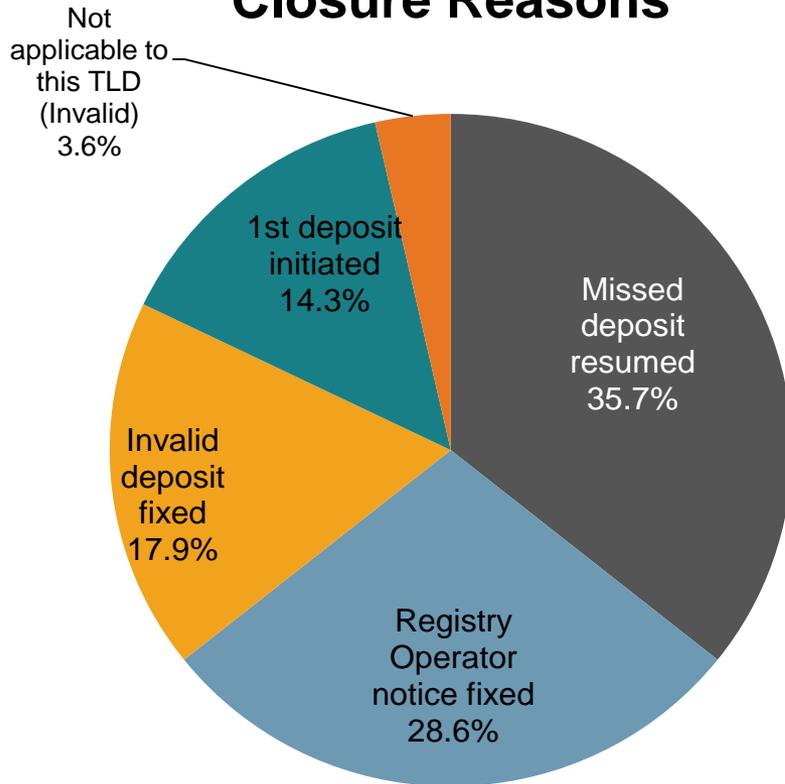
OTHER: Closure Reasons



Registry Complaint Types & Their Top 5 Closure Reasons

June - Sept 2014

DATA ACCESS: Closure Reasons



ABUSE CONTACT DATA: Closure Reasons

