

Contractual Compliance

Registry Outreach
for Delegated TLDs
27 March 2014

Agenda

- Compliance General Overview
- Compliance Scope
- Registry Requirements
- Registry Compliance Data
- Q&A session

Vision – Mission - Approach

ICANN's Vision

One World. One Internet.



Contractual Compliance's Vision

To be a
“trusted”
Contractual
Compliance
service provider

ICANN's Mission

To ensure the stable and secure operation of the Internet's unique identifier systems.



Contractual Compliance's Mission

To preserve the security, stability and resiliency of the Domain Name System and to promote consumer trust

ICANN's Approach

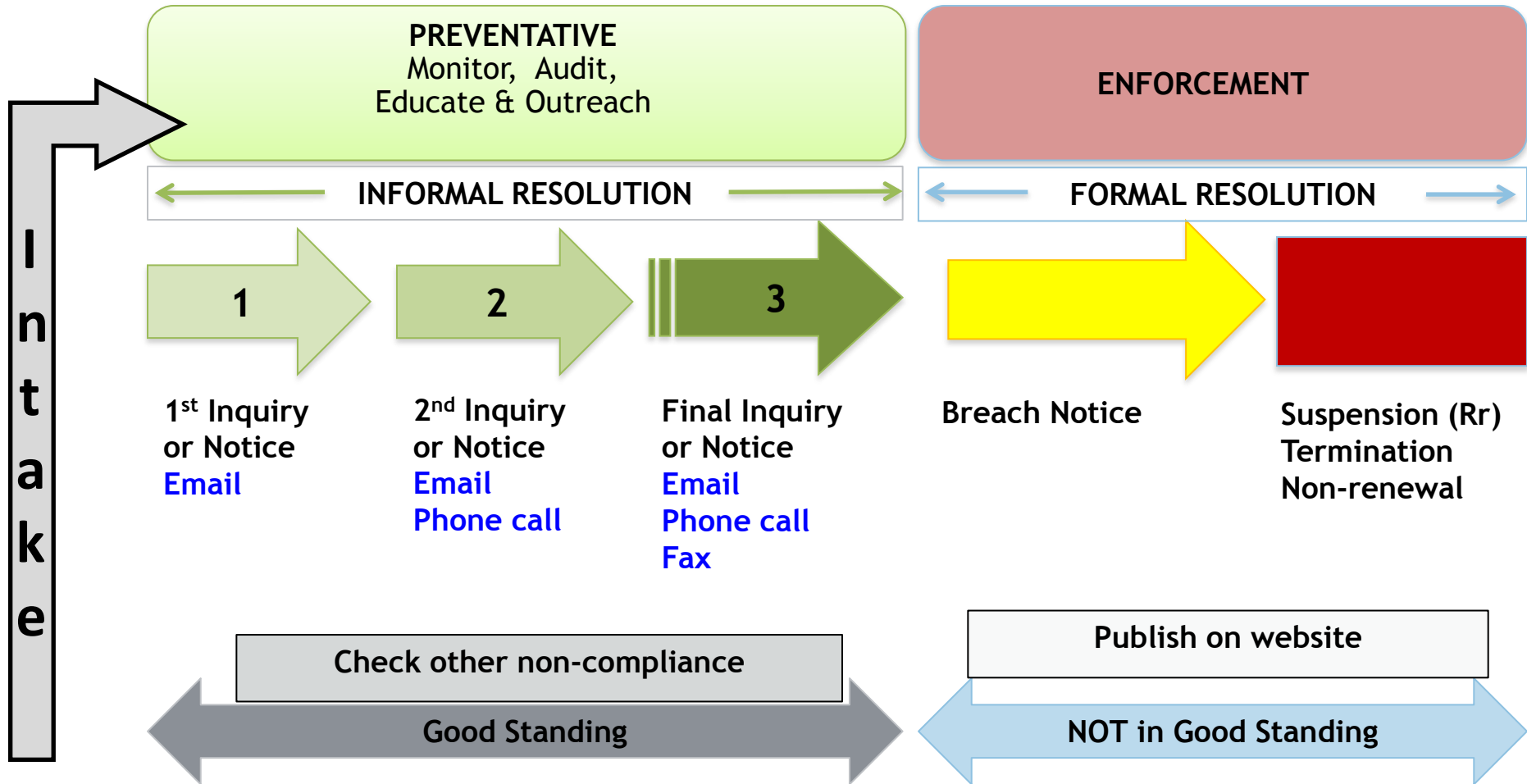
Open and Transparent
Equitable Treatment



Contractual Compliance's Approach

Prevention through collaboration
Transparency through communication
Enforcement

General Compliance Approach with Fact-based Decisions

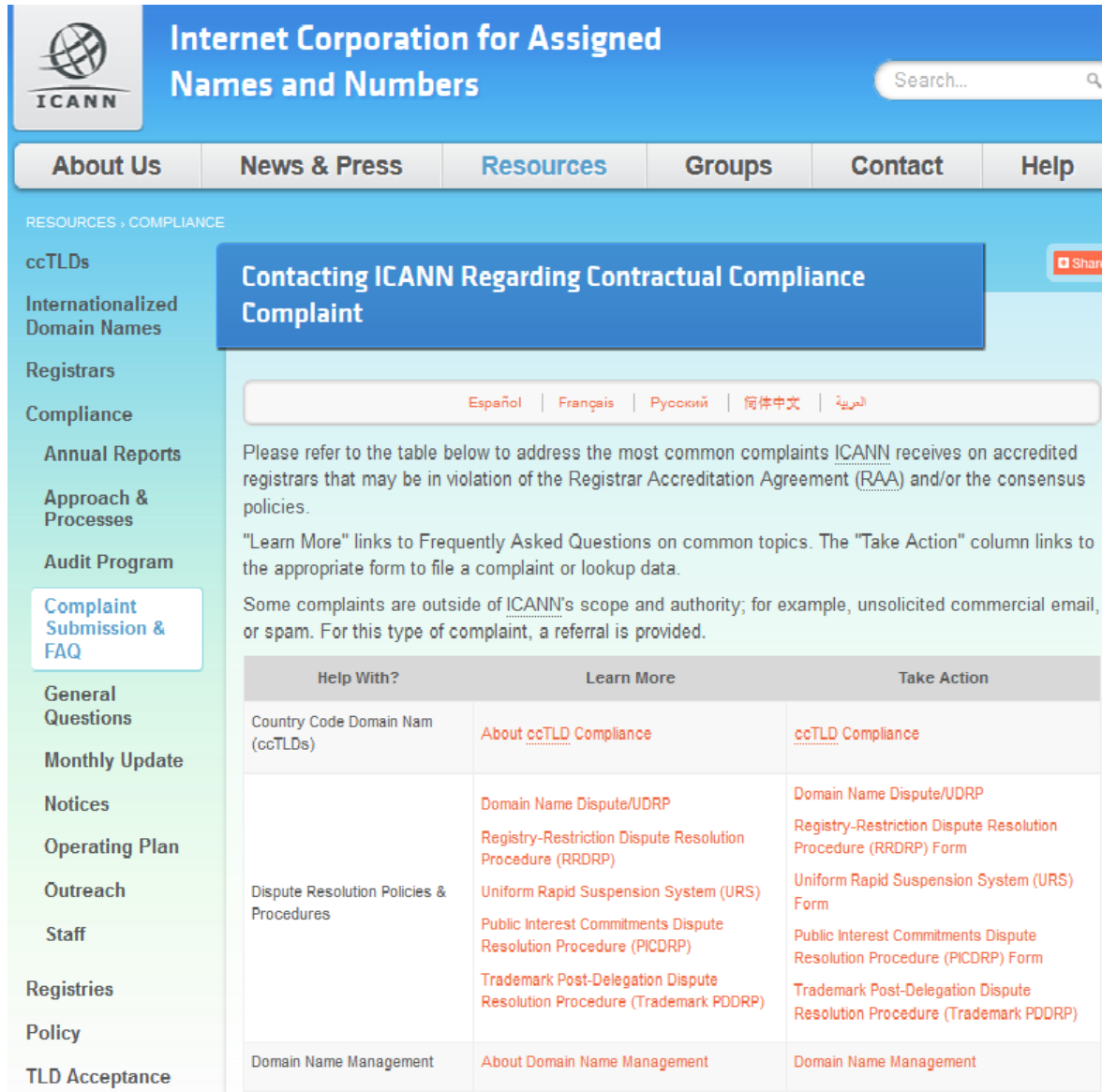


Published at: <http://www.icann.org/en/resources/compliance/approach-processes>

#ICANN49



Complaint Navigation, FAQs & Forms



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Contacting ICANN Regarding Contractual Compliance Complaint

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Please refer to the table below to address the most common complaints ICANN receives on accredited registrars that may be in violation of the Registrar Accreditation Agreement (RAA) and/or the consensus policies.

"Learn More" links to Frequently Asked Questions on common topics. The "Take Action" column links to the appropriate form to file a complaint or lookup data.

Some complaints are outside of ICANN's scope and authority; for example, unsolicited commercial email, or spam. For this type of complaint, a referral is provided.

Help With?	Learn More	Take Action
Country Code Domain Names (ccTLDs)	About ccTLD Compliance	ccTLD Compliance
Dispute Resolution Policies & Procedures	Domain Name Dispute/UDRP	Domain Name Dispute/UDRP
	Registry-Restriction Dispute Resolution Procedure (RRDRP)	Registry-Restriction Dispute Resolution Procedure (RRDRP) Form
	Uniform Rapid Suspension System (URS)	Uniform Rapid Suspension System (URS) Form
	Public Interest Commitments Dispute Resolution Procedure (PICDRP)	Public Interest Commitments Dispute Resolution Procedure (PICDRP) Form
	Trademark Post-Delegation Dispute Resolution Procedure (Trademark PDDRP)	Trademark Post-Delegation Dispute Resolution Procedure (Trademark PDDRP)
Domain Name Management	About Domain Name Management	Domain Name Management

Link to Complaint page is <http://www.icann.org/en/resources/compliance/complaints>

Complaint Management Guidelines

Registry receives an inquiry or a notice...now what?

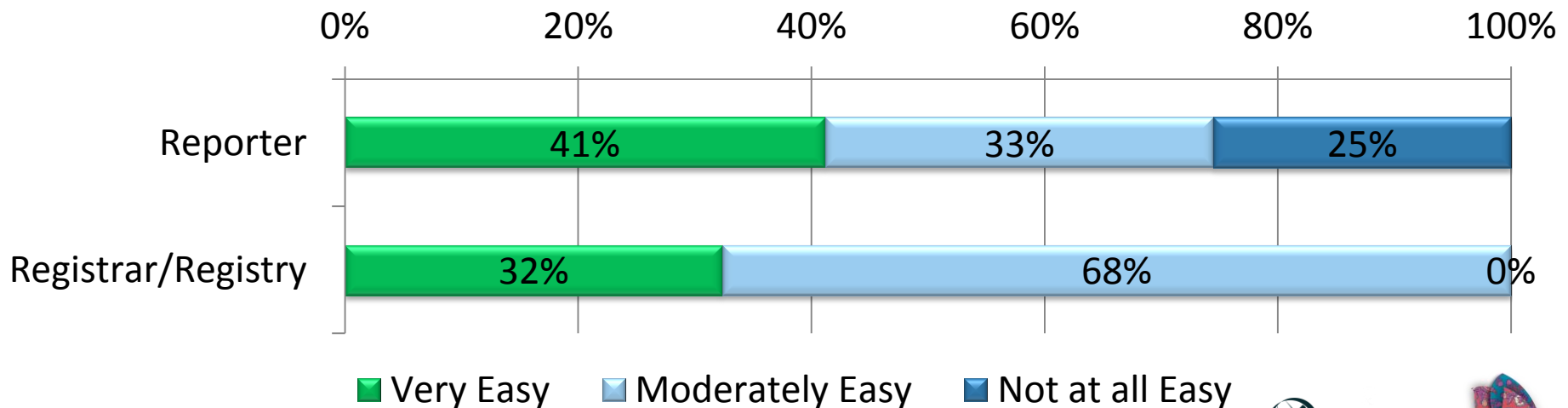
- **Please RESPOND** directly to the email
- Do NOT edit subject line
- Attachments should not be greater than 4MB
- Attachment file formats .pdf,.doc(x), .txt

Pulse Survey Results – Closed Complaints

Nov 2013 – Feb 2014

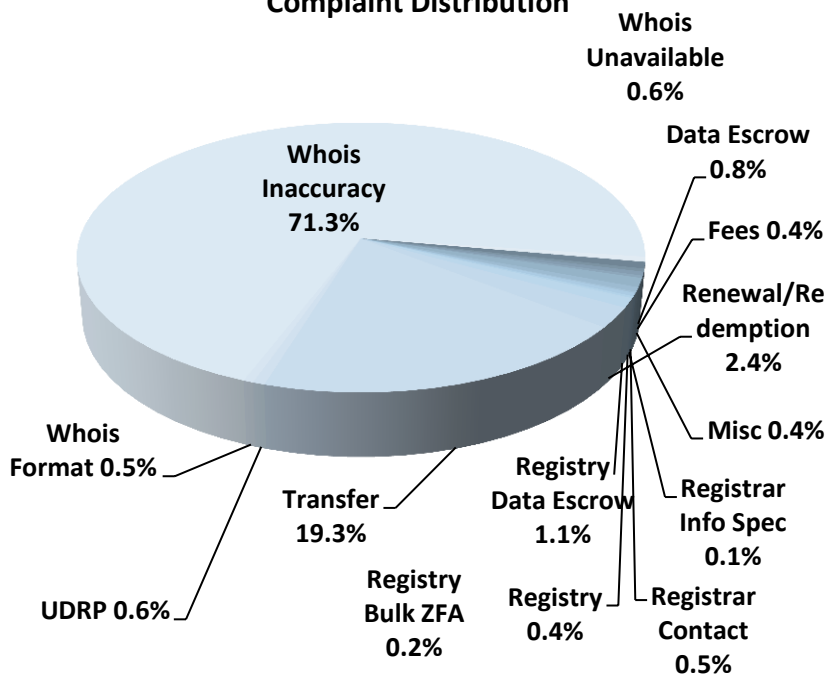
- Pulse Survey asks five customer satisfaction questions
- Pulse Survey URL link included in all Closure notification emails to Complaint Reporters & Registrar/Registry
- Reporter
 - Response rate: 1.8%
 - 74.5% answered favorably
- Registrar
 - Response rate: 0.8%
 - 100% answered favorably

Overall, how do you rate the complaint experience?



Compliance Scorecard - Nov 2013 – Feb 2014

Complaint Distribution

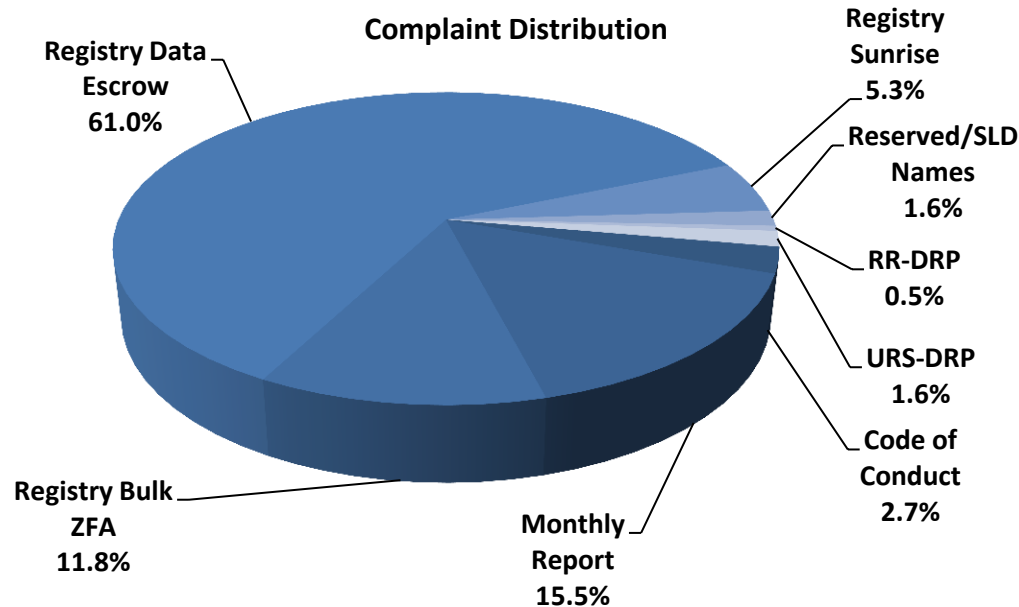


Registrar/Registry TAT	# days
Avg TAT 1st Notice	12.6
Avg TAT 2nd Notice	8.3
Avg TAT 3rd Notice	8.8
CC Staff TAT	
Avg TAT Open-1st Notice	1.8
Avg TAT 2nd WIP	2.4
Avg TAT 3rd WIP	5.8
Avg TAT Received-Closed	9.7

	New Complaints	Sub-total
REGISTRAR	10009	
REGISTRY	226	
Total New Complaints Received		10,235
Total Prior Months Carryover		3,655
Total Complaints Received		13,890
	Complaints Closed	
Volume Closed Before 1st Notice	4,090	
Volume Closed Before 2nd Notice	3,747	
Volume Closed Before 3rd Notice	663	
Volume Closed Before Enforcement WIP	75	
Volume Closed After Enforcement	26	
Total Closed		8,601
	Complaints Open (Carryover)	
Volume Open Before 1st Notice Sent	2,230	
Volume Open in 1st Notice Sent	2,534	
Volume Open in 2nd Notice Sent	406	
Volume Open in 3rd Notice Sent	103	
Volume Open After Enforcement All	16	
Total Remaining Open (Carryover)		5,289
Carryover- at end of period	1,686	1,686
	Enforcements	
Volume Breach	12	
Volume Termination	4	

Registry Complaints Data

Nov 2013 – Feb 2014



Registry TAT	(in days)
Avg TAT 1st Notice	5.1
Avg TAT 2nd Notice	5.0
Avg TAT 3rd Notice	n/a

Enforcements	
Volume Breach	0
Volume Termination	0

REGISTRY Complaints	Quantity
Code of Conduct	5
Monthly Report	29
Registry Bulk ZFA	22
Registry Data Escrow	114
Registry – Other	39
Registry Sunrise	10
Reserved/SLD Names	3
RR-DRP	1
URS-DRP	3
Total Complaints Processed	226
Total Complaints Closed	71

Lessons Learned Since Launch of Newly Delegated gTLDs

- Generally, registries must comply with their contractual obligations under the Registry Agreement upon delegation.
- Some obligations are triggered upon signing of the Registry Agreement.

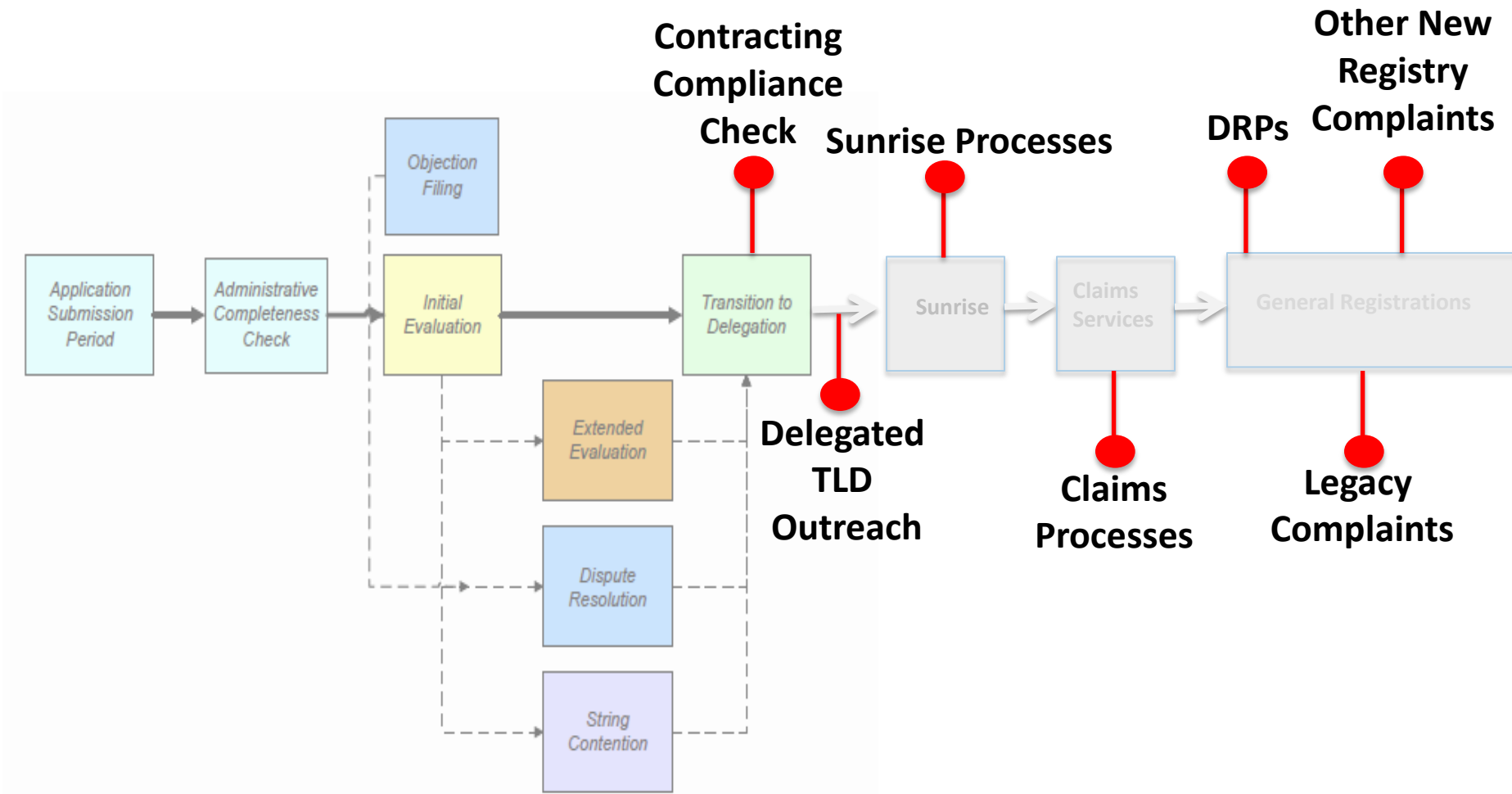
Compliance Scope

- The [Registry Agreement](#) and applicable [Consensus Policies](#)
- The Dispute Resolution Procedures
 - Public Interest Commitments
 - Community Registration Restrictions
 - Trademark Post-Delegation
 - Uniform Rapid Suspension
- The Sunrise Processes
- The Claims Services Processes
- The Audit is limited to the representations and warranties in Article 1, and the covenants in Article

2

New Registry Agreement Efforts

Applicant Guidebook Timeline



Link to ICANN.org:

<http://www.icann.org/en/resources/compliance/registries>



Registry Complaint Types

- | | |
|---|---|
| <ul style="list-style-type: none">• Data Escrow• Monthly Reports• SLA• Reserved Names• Registry Fees | <ul style="list-style-type: none">• Wildcard Prohibition• Abuse Contact Data• Registry Operator Code of Conduct• Trademark Claims Notice• Continued Operations Instrument |
| <ul style="list-style-type: none">• Sunrise Processes & Procedures• Centralized Zone File Access• Name Collision – SLDs Blocked• Post-delegation Procedures<ul style="list-style-type: none">• Public Interest Commitments• Registry Restrictions• Trademark Post-Delegation• Rights Protection Mechanism<ul style="list-style-type: none">• Uniform Rapid Suspension | <ul style="list-style-type: none">• Failure to Notify ICANN<ul style="list-style-type: none">• Officer/Board Member Conviction• Bankruptcy |

Obligations Upon Signing of Registry Agreement

- Meet Interoperability/Continuity Standards (Specification 6)
- Reserve Special Domain Names (Specification 5)
- Abide by Public Interest Commitments (Specification 11, sections 1& 2)
- Implement Community Registration Policies (Specification 12)
- Abide by Public Interest Commitments (Specification 11, Sections 1& 2)
- Uphold Rights Protection Mechanisms (Specification 7)
- Maintain Continued Operations Instrument (Specification 8)
- Abide by Registry Operator Code of Conduct (Specification 9)

Data Escrow Requirements

Specification 2 Part A of the Base Registry Agreement

- Sunday: full deposits to DEA by 23:59 UTC
- Full deposit consists of the entire set of registry database objects as defined
- Monday-Saturday: differential deposits by 23:59UTC (or a full deposit)
- Differential deposit includes all registry database objects that have been created, deleted, or updated since the previous full or differential deposit
- Send daily notification of deposit to ICANN

Note: DEA notifies ICANN on a daily basis of a missed, valid or invalid deposit

Monthly Reports Requirements

Specification 3 of the Base Registry Agreement

- Two reports are required
 1. Registry Functions Activity
 2. Per Registrar Transaction Report

- The Registry Operator must provide one set per gTLD, using the API described in draft-lozano-icann-registry-interfaces, see Specification 2, Part A, Section 9, reference 5.

Zone File Access Requirements

Specification 4, Section 2 of the Base Registry Agreement

- Must provide to ICANN, bulk access to the zone files by 00:00:00 UTC
- Must provide zone data to the end users who request it through the Centralized Zone Data Service
- Must provide zone data to approved requesters (e.g. law enforcement agents, IP attorneys, researchers) upon technical delegation of its gTLD

Code of Conduct Requirements

Specification 9 of the Base Registry Agreement

- Provide registrars equal access to registry services
- Follow reserved names rules
 - Reserve Example, WWW, RDDS, WHOIS at all levels
 - Reserve Two-character labels at the second level
 - Reserve names on the list of Inter-governmental organizations (IGO) at the second level
 - Reserve names on the list of International Olympic Committee, International Red Cross & Red reserve names on the Crescent movements at the second level
 - Reserve country and territory names at all levels

Code of Conduct Requirements

Specification 9 of the Base Registry Agreement

- Must prevent front-running
- Must prevent unauthorized disclosures of Personal Data by the affiliated registrars
- If vertically integrated:
 - Separate legal entities and separate accounting books
 - Provide certificate of compliance and the results of the internal review by January 20th

Other Category

- Contains invalid complaints - not within the scope of the gTLD Registry Agreement, Registrar Accreditation Agreement nor ICANN consensus policies

Rights Protection Mechanisms

Specification 7 of the Base Registry Agreement

- Comply with Trademark Clearinghouse Rights Protection Mechanisms Requirements
- Comply with all dispute resolution procedures
 - **Uniform Rapid Suspension**
 - lock of domain name within 24 hours of notice by URS provider
 - perform the actions required upon notification of a URS decision
 - **Registry Restriction Procedure and Trademark-Post Delegation Procedure**
 - Perform the remedial actions if the Reporter prevails in the dispute

Reserved Names Requirements

Article 2.6 & Specification 5 of the Base Registry Agreement

- May reserve names, not activated in DNS
- Mandatory reserved names are
 - Example, WWW, RDDS, WHOIS at all levels
 - Two-character labels at the second level
 - Names on the list of Inter-governmental organizations (IGO), at the second level
 - Names on the list of International Olympic Committee, International Red Cross & Red Crescent, at the second level
 - Country and Territory names at all levels

Note: ICANN has the right to request the list of reserved names

Name-Collision, SLDs Requirements

Article 2.6, Specifications 6 of the Base Registry Agreement

- Implement List of SLDs to Block until Name Collision Occurrence Assessment for the gTLD is approved and implemented

Registration Restriction Dispute Resolution Procedure Requirements

Specification 7 of the 2013 Base Registry Agreement

- Comply with community registration policies per Article 2.19 and Specification 12
- ICANN conducts a preliminary review of the complaint to ensure that it is complete, has a claim of non-compliance with at least one registration restriction, and that the reporter is in good standing.
- If the report passes the initial review, the complaint is sent to the Registry Operator; if the dispute remains unsettled the Reporter may then file a complaint with a approved Service Provider

Uniform Rapid Suspension Requirements

Specification 7 of the Base Registry Agreement

- Registry must lock a domain name in dispute under URS within 24 hours of receipt of Notice of Lock from URS Provider
 - If URS Provider submits complaint to ICANN, 1-2-3 expedited notices (24 hours each) to registry operator
- Registry must perform the steps in section 10.2 of URS procedure upon receipt of an URS Determination in favor of the complainant
 - ICANN enforces upon report by Complainant that prevailed

Public Interest Commitments Requirements

Specification 11 of the Base Registry Agreement

- Comply with mandatory and voluntary (as applicable) commitments
- ICANN conducts a preliminary review of the complaint to ensure that it is complete, has a claim of non-compliance with at least one commitment, and that the reporter is in good standing
- Registry and Reporter have 30 days to resolve dispute; if unsettled ICANN investigates or defer to Standing Panel
- Standing panel has 15 days to return a Decision to ICANN
- If Reporter prevails ICANN send notice of breach to registry operator and it has 30 days to cure

Thank You

Please send general questions:

To: Compliance@icann.org

Subject line: **ICANN49 Registry Outreach Session**