

POLICY UPDATE

Internet Corporation for Assigned Names and Numbers

http://www.icann.org/topics/policy/

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ICANN Policy Update statement of purpose

Send questions, comments and suggestions to: policy-staff@icann.org.

Policy Supporting Organizations and Advisory Committees

Address Supporting Organization	<u>ASO</u>
Country Code Names Supporting Organization	<u>ccNSO</u>
Generic Names Supporting Organization	<u>GNSO</u>
At-Large Advisory Committee	<u>ALAC</u>
Governmental Advisory Committee	<u>GAC</u>
Root Server System Advisory Committee	RSSAC
Security and Stability Advisory Committee	<u>SSAC</u>

Across ICANN

Issues Currently Open for Public Comment

Numerous public comment periods are currently open on issues of interest to the ICANN community. Act now to share your views on such topics as:

- Trademark Clearinghouse "Strawman Solution". Comment now on how the Trademark Clearinghouse will be implemented to facilitate protection of trademark rights during initial allocation and registration periods for domain names in new gTLDs. Comment period ends 15 January 2013; reply period ends 5 February 2013.
- <u>.CAT Cross-Ownership Removal Request</u>. Fundació puntCAT asks for cross-ownership restrictions to be removed from its existing Registry Agreement. Comment period ends 21 January 2013; reply period ends 11 February 2013.

- IDN Variant TLD Program Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels – Second Public Comment Draft. Reply period ends 27 January 2013.
- At-Large White Paper on Future Challenges Entitled Making ICANN Relevant, Responsive and Respected. Is today's ecosystem of Internet governance, including ICANN, able to adapt to recent changes in the ecosystem that have taken place? Reply period extended to 1 February 2013.
- Amendments to Article XI, Section 2.3 of the ICANN Bylaws DNS Root Server System Advisory Committee (RSSAC). Should changes be made to RSSAC structure, such as having the ICANN Board appoint the members? Comment period ends 2 February 2013; reply period ends 17 February 2013.
- Preliminary Issue Report on Translation and Transliteration of Contact Information. Should Whois data be translated to a single common language? Comment period ends 8 February 2013; reply period ends 1 March 2013.
- Consultation on Internet Number Resources Performance Standards.
 What kind of performance standards should ICANN put into place related to delivery of IANA functions? Reply period extended to 28 February 2013.
- Consultation on the IANA Customer Service Complaint Resolution
 Process. How should ICANN establish and implement a Customer Service Complaint Resolution Process for the 2012 IANA functions contract?

 Reply period extended to 28 February 2013.
- Consultation on IANA Secure Notification Process. Help ICANN implement a secure notification system for events like outages and planned maintenance that best serves relevant stakeholders. Comment period ends 28 February 2013; reply period ends 21 March 2013.

For the full list of issues open for public comment, plus recently closed and archived public comment forums, visit the <u>Public Comment web page</u>.

ccNSO

Issues Active in the ccNSO

ccNSO Election Guidelines Review



GNSO

Board Approves Recommendations for Inter-Registrar Transfer Policy Part C, GNSO Council Considers Policy Development Process for Part D

At a Glance

Following the GNSO Council, the ICANN Board has now adopted recommendations for a new change of registrant policy, time-limiting Form of Authorization (FOA), and a requirement for registries to use IANA IDs. The Inter-Registrar Transfer Policy (IRTP) Part C Working Group is one of five groups to be chartered to work on policy revisions related to how domain name holders transfer their names from one ICANN-accredited registrar to another.

Recent Developments and Next Steps

Following the unanimous adoption by the GNSO Council, the ICANN Board adopted the following recommendations at its December meeting:

- Recommendation #1 The adoption of rules and requirements for a change of registrant of a domain name registration as outlined in the section "proposed change of registrant process for gTLDs." (Note: further details concerning the rules and requirements for the change of registrant policy are detailed in the IRTP Part C Final Report [PDF, 1.93 MB] under the heading Proposed "Change of Registrant" Process for gTLDs on pages 4-8.)
- Recommendation #2: Forms of Authorization (FOAs), once obtained by a registrar, should be valid for no longer than 60 days. Following expiration, the registrar must re-authorize (via new FOA) the transfer request. Registrars should be permitted to allow registrants to opt-in to an automatic renewal of FOAs, if desired. In addition to the 60-day maximum validity restriction, FOAs should expire if there is a change of registrant, the domain name expires, the transfer is executed, or there is a dispute filed for the domain name. As recommended and approved through the IRTP Part B Policy Development Process (PDP), Losing Registrars under IRTP-B are now required to send an FOA to a Prior Registrant. Losing Registrars may send a modified version of this FOA to a Prior Registrant if the transfer is automated where the FOA would be advisory in nature.
- Recommendation #3: All gTLD Registry Operators be required to publish the Registrar of Record's IANA ID in the TLD's Whois. Existing gTLD Registry operators that currently use proprietary IDs can continue to do so, but they must also publish the Registrar of Record's IANA ID. This

recommendation should not prevent the use of proprietary IDs by gTLD Registry Operators for other purposes, as long as the Registrar of Record's IANA ID is also published in the TLD's Whois.

As recommended by the GNSO Council, an Implementation Review Team will now be formed to support ICANN staff in its development of the implementation plan for these recommendations.

Furthermore, ICANN staff has submitted the <u>Final Issue Report on IRTP Part D</u> covering the following issues:

- Whether reporting requirements for registries and dispute providers should be developed, in order to make precedent and trend information available to the community and allow reference to past cases in dispute submissions.
- Whether additional provisions should be included in the Transfer Dispute Resolution Policy (TDRP) on how to handle disputes when multiple transfers have occurred.
- Whether dispute options for registrants should be developed and implemented as part of the policy (registrants currently depend on registrars to initiate a dispute on their behalf).
- Whether requirements or best practices should be put into place for registrars to make information on transfer dispute resolution options available to registrant.
- Whether existing penalties for policy violations are sufficient or if additional provisions/penalties for specific violations should be added into the policy.
- Whether the universal adoption and implementation of EPP AuthInfo codes has eliminated the need of FOAs.

The GNSO Council is expected to consider at its next meeting whether to initiate a PDP on these topics.

Background

The IRTP is a GNSO consensus policy adopted in 2004 to provide registrants with a transparent and predictable way to transfer domain name registrations between registrars. As part of its implementation, the policy is subject to review to determine if it is working as intended and whether any areas would benefit from further clarification or improvement. A recent review identified a number of issues that were grouped together in five different PDPs, titled A to E. These are being addressed in a consecutive order.

The IRTP Part C PDP Working Group considered the following three questions:

"Change of Control" function, including an investigation of how this function is currently achieved, if there are any applicable models in the country-code name space that can be used as a best practice for the

- gTLD space, and any associated security concerns. It should also include a review of locking procedures, as described in Reasons for Denial #8 and #9, with an aim to balance legitimate transfer activity and security.
- Whether provisions on time-limiting the Form Of Authorization (FOA) should be implemented to avoid fraudulent transfers out. For example, if a Gaining Registrar sends and receives an FOA back from a transfer contact, but the name is locked, the registrar may hold the FOA pending adjustment to the domain name status, during which time the registrant or other registration information may have changed.
- Whether the process could be streamlined by a requirement that registries use IANA IDs for registrars rather than proprietary IDs.

More Information

- Final Issue Report IRTP Part D
- IRTP Part C Final Report [PDF, 1.9 MB]
- IRTP Part C Initial Report [PDF, 1.23 MB]
- IRTP Part C Final Issue Report [PDF, 625 KB]
- Inter-Registrar Transfer Policy

Staff Contact

Marika Konings, Senior Policy Director

ASO

Issues Active in the ASO

<u>Public Comment Period Now Closed on</u> <u>Implementing Global Policy for Post Exhaustion IPv4 Allocation Mechanisms by</u> IANA



At-Large

At-Large Community Reaches Milestone of More Than 150 At-Large Structures

At a Glance

ALAC certified three new end-user organizations as At-Large Structures (ALSes), bringing the total to 151, a major milestone for ICANN and the At-Large Community. dotHIV gemeinnutziger e.V (dotHIV), Internet Society - Philippine Chapter (ISOC Philippines) and the Asociacion de Escribanos del Uruguay- AEU (Association of Notary Public Professionals of Uruguay) expand the regional diversity of the At-Large community, which represents thousands of individual Internet end-users.

Recent Developments

The ALAC certified dotHIV gemeinnutziger e.V (dotHIV), Internet Society - Philippine Chapter (ISOC Phillipines) and Asociacion de Escribanos del Uruguay (Association of Notary Public Professionals of Uruguay) as ALSes. The certification process included due diligence by ICANN staff and regional advice provided by the European Regional At-Large Organization (EURALO), Asian, Australasian and Pacific Islands Regional At-Large Organization (APRALO) the Asia Pacific and the Latin American and Caribbean Islands Regional At-Large Organization (LACRALO).

Additional information on the three new ALSes is provided below.

- dotHIV gemeinnutziger e.V (dotHIV), is located in Berlin, Germany. As a civil society organization representing end-users of the Internet and a member of the international community, dotHIV is dedicated to raising awareness of HIV/AIDS and working against the stigmatization of people living with HIV through education and social networks built upon internet connectivity. Additionally, dotHIV supports and follows ICANN's attempts to expand regional diversity and capacity building for regions underserved with IT infrastructure, like the sub-Saharan Africa. A new gTLD applicant, the organization will be an ALS within EURALO.
- Internet Society Philippine Chapter (ISOC Philippines) is located in Pasay City, the Philippines. The organization is a Chapter of the Internet Society (ISOC), whose mission is to provide leadership in Internet related standards, education, and policy and to ensuring the open development, evolution and use of the Internet for the benefit of people throughout the world. ISOC acts not only as a global clearinghouse for Internet information and education but also as a facilitator and coordinator of

Internet-related initiatives around the world. ISOC Philippines is focusing at the moment on issues such as IPv6, Peering (IXes), policy issues such as Internet legislation and regulation of the Internet, as well as education, outreach, capacity-building and linkages, etc. This organization will be an ALS within APRALO.

Asociacion de Escribanos del Uruguay – AEU (Association of Notary Public Professionals of Uruguay) is located in Montevideo, Uruguay. The AEU has a mission to promote the moral, intellectual and professional enhancement of Notary Public Professionals, encouraging its membership to develop and exercise the principle of solidarity. To this end, the AEU is fully aware that it is crucial for its membership to use new IT and communication technologies, especially the Internet. The AEU is interested in all matters related to new ICTs as a tool to accomplish the goals of the association and its membership.

Background

One of the strengths of the At-Large community is that it incorporates the views of globally diverse, Internet end-user organizations, or ALSes, organized within five Regional At-Large Organizations (RALOs). The views of these grassroots organizations are collected through an internal, bottom-up, consensus-driven policy development process and find representation in the official documents of the ALAC.

More Information

- A complete list of <u>certified and pending ALSes</u>
- Statistical information on global ALS representation
- Global map of certified ALSes
- Information on how to join At-Large
- ICANN At-Large web site

Staff Contact

Silvia Vivanco, Manager, At-Large Regional Affairs

ALAC Breaks Previous Year's Record with More Than 50 Policy Statements, Notes in 2012

At a Glance

The At-Large Advisory Committee has broken its 2011 record of 40 Policy Statements and notes of correspondence submitted with an all-time high of 51 in 2012. In addition to the significant growth in the development of policy

statements, the ALAC has also increasingly incorporated comments from the five Regional At-Large Organizations and their now 151 At-Large Structures.

Recent Developments

The ALAC statements submitted and correspondence sent in December are:

- ALAC Demarche to ICANN
- ALAC Statement on the IDN Variant TLD Program Interim Report Examining the User Experience Implications of Active Variant TLDs
- ALAC Statement on the Expired Registration Recovery Policy

More Information

 All ALAC statements may be viewed on the <u>At-Large Correspondence</u> page.

Staff Contact

Heidi Ullrich, Director for At-Large

New Fact Sheet on ALAC Objection Process to New gTLDs

At a Glance

At-Large has developed a new fact sheet explaining the process ALAC uses to file objections to New gTLD Applications.

Recent Developments

The At-Large New gTLD Review Group published a fact sheet describing how members of At-Large may file an objection through the ALAC to a specific New gTLD Application. The ALAC has standing to object on two grounds: limited public interest grounds and community grounds.

Next Steps

The Review Group seeks comments from At-Large during the objection period, which is open until 13 March 2013. Starting in mid-January, the Review Group will review the comments posted on the new gTLD dashboard and determine whether or not an objection is warranted. The Regional At-Large Organizations (RALOs) will review and vote whether or not to support it. At least three RALOs must support an objection statement to be considered by the ALAC.

Background

ALAC approved the procedure by which At-Large and ALAC can submit public comments on and file objections to New gTLD applications as proposed by the At-Large New gTLD Working Group. This procedure forms the basis of the work of the At-Large New gTLD Review Group (gTLD RG).

More Information

Fact Sheet on ALAC Objection Process to New gTLDs

Staff Contact

Heidi Ullrich, Director for At-Large

SSAC

Issues Active in the SSAC

SSAC Publishes Advisory on Impacts of Content Blocking via the Domain Name System

GAC

Where to Find GAC Information

At a Glance

ICANN receives input from governments through the Governmental Advisory Committee (GAC). The GAC's key role is to provide advice to ICANN on issues of public policy, and especially where there may be an interaction between ICANN's activities or policies and national laws or international agreements. The GAC usually meets three times a year in conjunction with ICANN meetings, where it discusses issues with the ICANN Board and other ICANN Supporting Organizations, Advisory Committees and other groups. The GAC may also discuss issues between times with the Board either through face-to-face meetings or by teleconference.

Recent Information

The GAC met in Toronto, Canada during the week of 13 October 2012. Fifty GAC Members and three Observers attended the meetings.

A successful High Level Meeting of Governments was held on 15 October 2012, in Toronto centered on the theme of "Preserving and Improving the Multistakeholder Model."

GAC communiqués are posted online.

More Information

- GAC web site
- Toronto High Level Meeting of Governments transcript

Staff Contact

Jeannie Ellers, ICANN Staff