ICANN's Contractual Compliance Program

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Agenda

- Contractual Compliance Program Overview
- Compliance *"Business"* Strategy and Objectives
- New gTLDs Compliance Action Plan Framework
- Recent Developments in Contractual Compliance
- Ongoing Contractual Compliance Work
- Community Suggestions for Contractual Compliance

Contractual Compliance Program

Overview

- Manage Relationships with 940 ICANN Accredited Registrars and 16 Registries

- Enforce ICANN's Contracts

- Enforce Policy (UDRP, Transfer Policy)

- Conduct Contract Audits

- Communicate Plans, Goals and Accomplishments (Reports, Newsletter and Website)

- Enhance Constituency Outreach Efforts

Contractual Compliance Program
Business Strategy

- *Build and maintain* strategic, collaborative contractual relationships

- *Use* leading-edge, innovative contractual compliance tools to create value and deliver mutual business objectives

- *Focus* on contractual aspects that really matter – trust, approach to dealing with problems, meeting stakeholder needs and providing incentives to perform

Contractual Compliance Program
Objectives

- *Operational* – Enhance the stability, reliability, security and global interoperability of the Internet

- *Risk Assessment* – Identify, mitigate and manage ICANN's most significant contractual risks

- *Compliance* – Ensure contracted parties adhere to norms the Internet community has established in registry and registrar agreements and ICANN policies

Contractual Compliance Program
Objectives (Cont.)

- *<u>Enforcement</u>* – Give strength or force to the terms of the Registrar Accreditation Agreement (RAA) and Registry Operator Agreements

- *<u>Business Partner</u>* – Contractual compliance team works collaboratively with contracted parties to achieve community expectations

New gTLDs Compliance Action Plan

Framework

- Perform Compliance Risk Assessment

- Analyze Compliance Terms in New gTLD Registry Agreement

- Assess Compliance Capabilities of Registry Applicants

- Hire "Dedicated" ICANN Compliance Staff and Secure IT Resources in FY 2010

- Monitor/Audit New Registry Operators

- Enforce Registry Agreements

Recent Developments in Contractual Compliance

- **Improved Whois Enforcement Efforts**
  - Redesigned WDPRS to include registrar compliance checks to assess compliance with investigation requirements.

- **Enhanced Outreach Efforts**
  - Held UDRP Workshops in Korea and Paris to increase awareness of Registrar obligations
  - Met with Dispute Resolution Providers to discuss concerns and provide information regarding UDRP compliance enhancements
  - One on one meetings with constituency leadership

- **Hired Additional Staff**
  - David Giza, Senior Director
  - William McKelligott, Auditor

Recent Developments in Contractual Compliance (cont.)

- Terminated 10 registrars in 2008
  - Terminated 21 registrars since ICANN's inception
- Redesigned Complaint Intake System
  - Processed over 11,000 complaints in 2008
- Conducted a Registrar Deletion and Auto-Renewal Policy Audit
  - To assess whether registrars are in compliance with the Expired Domain Deletion Policy

Ongoing Contractual Compliance Work

- Whois Data Accuracy Study

- Registrar UDRP Best Practices

- Privacy/Proxy Registration Services Study

- New gTLDs Compliance Action Plan

- Transfer Policy Audit

- Compliance Program Risk Assessment

- Semi-Annual Contractual Compliance Report

- Hire Additional Staff

Community Suggestions for Contractual Compliance

- What do you think the focus of the Contractual Compliance Program should be going forward?

- What do you think are Contractual Compliance Program risks?

- What is your vision for ICANN's Contractual Compliance Program?

Contractual Compliance Team

THANK YOU

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