ICANN Registrar Primary/Public Contact Survey Report

I.   Executive Summary

In May 2010, ICANN commenced a Registrar Primary/Public Contact Survey ("Survey") asking registrars to verify contact information provided to ICANN. Registrars with no recent or anticipated contact with ICANN were selected for this Survey. At the time the Survey notices were transmitted, all registrars identified for the Survey were operating under the 2001 Registrar Accreditation Agreement (RAA) and were not obligated to provide public contact information on their websites. Survey responses were due by June 2010. However, due to late responders, ICANN received Survey responses until October 2010. After surveying 95 registrars, the key findings are as follows:

- 38% of the registrars surveyed responded to ICANN with primary contact detail updates.
- 59% of the registrars surveyed verified that their primary contact information was accurate.
- 3% of the registrars surveyed did not respond.

Six of the 95 registrars identified for this Survey, renewed their RAA with ICANN early and became obligated to provide public contact details on their websites pursuant to Section 3.16 of the 2009 RAA. These registrars became obligated to comply with public contact website requirements after ICANN transmitted its Survey notices. After receiving Survey responses from these six registrars, ICANN found the following:

- All six registrars surveyed that became obligated to provide public contact details did so, as required by the 2009 RAA.

II.   Background

Pursuant to Section 5.11 of the RAA, all notices to be given under the RAA by registrars and ICANN must be given in writing at the addresses provided in the RAA, unless a change of address has been provided by the parties to the contract. The information provided pursuant to Section 5.11 of the RAA is commonly referred to as "primary contact information" by ICANN and the registrar community. ICANN relies on up-to-date primary contact information to contact registrars and serve notices under the RAA.

In an effort to encourage compliance with primary contact requirements, ICANN conducted a registrar primary contact audit in 2007. http://www.icann.org/en/compliance/reports/contractual-compliance-survey-report-18oct07.pdf. This audit resulted in 57 registrars updating their primary contact details. Additionally, ICANN requires registrars to verify their primary contact details prior to RAA renewal.

Registrar failure to maintain accurate primary contact information could potentially thwart ICANN's efforts to enforce the terms of the RAA. Nevertheless, a registrar's failure to maintain valid primary contact information does not preclude ICANN from serving notices under the RAA, including notices of termination.

Section 3.16 of the 2009 RAA also requires registrars to provide, on their web sites, accurate contact details including a valid email and mailing address. It is essential that registrars maintain accurate public contact information, as this is one of the public's primary sources for contacting registrars to resolve problems, ask questions and obtain information. Registrar failure to maintain accurate public contact information may obstruct communication efforts by registrants and other interested parties and can hinder the speedy resolution of registration issues.

As part of the Survey, ICANN contacted 95 registrars to verify whether their primary contact details were accurate. After the survey commenced, six of the 95 registrars surveyed became obligated to provide pubic contact information on their websites pursuant to the 2009 RAA and ICANN assessed whether these registrars were compliant.

III.　Survey Objectives

- Verify with registrars whether primary contact information previously provided by registrars is accurate
- Raise registrar awareness regarding the importance of maintaining accurate primary and public contact information
- Enhance the accuracy of registrar primary contact information
- Verify the presence of public contact information on registrar websites
- Take escalated compliance action, if necessary, to bring registrars in compliance with relevant RAA provisions

IV.　Methodology

This report summarizes how the 95 registrars were selected for the Survey and the steps ICANN took to assess whether those registrars were in compliance with their obligation to maintain accurate primary contact information.

Selection of Registrars

Prior to commencing the Survey, Contractual Compliance staff determined that 854 in total, had either recently been in contact with ICANN or would be in contact with ICANN soon to verify their primary contact information. Staff took into account that:

1. Some registrars had recently signed the 2009 RAA, and as part of that process they recently updated their contact information;
2. Some registrars had expressed an interest in signing the 2009 RAA and would be required to verify and update their contact information as part of the 2009 RAA consideration process; and

3. Some registrars' RAAs were scheduled to expire in the next six months and those registrars were currently in contact with ICANN regarding their primary and public contact information.

Based on the above considerations, Contractual Compliance staff determined it would be most efficient to exclude those 854 registrars and only assess compliance of registrars: (1) that had not recently been in contact with ICANN; (2) that failed to respond to previous information requests from ICANN; and (3) that ICANN did not anticipate contacting in the next six months to verify primary contact information. There were 95 registrars that fell in this category.

All 95 registrars surveyed were operating under the 2001 RAA at the time ICANN's Survey notices were transmitted and they were not obligated to provide public contact information on their websites. This distinction is important because registrars operating under the 2009 RAA are obligated to provide public contact information on their websites (e-mail and mailing addresses), pursuant to a new provision in the 2009 RAA. Six of the registrars surveyed signed the 2009 RAA early and provided information regarding their primary and public contact details as part of their survey responses.

Communication Efforts

As part of the Survey, ICANN sent to the registrar the primary contact information it had on file for each of the 95 registrars identified for the Survey. ICANN requested that the registrars either verify the accuracy of the information or provide updated information. The Survey request for information was transmitted to each of the primary contact representatives via e-mail, courier service and facsimile. Multiple communication methods were used to increase the likelihood that ICANN's notice would reach the primary contact person in the event that one or more of the primary contact details had changed. Primary contact representatives were given the option of sending ICANN a response via e-mail, postal mail or facsimile.

Although the Survey commenced in May 2010, ICANN continued to receive Survey responses until October 2010. ICANN sent three or more notices to certain registrars because they failed to respond to the initial Survey notice. Some of the non-responders had recently sent payments to ICANN and correspondence to other ICANN departments. Hence, it appeared that certain non-responders were simply ignoring ICANN's Survey notice. Late responders provided a variety of reasons for failing to timely respond to the Survey notice, including claims that earlier Survey notices from ICANN were not received and claims that notices were received by employees that did not know how to process the Survey request.

V.   Summary of Findings

Primary Contact Data

- 38% of the registrars surveyed responded to ICANN with primary contact detail updates.
- 59% of the registrars surveyed verified that their primary contact information was accurate.
- 3% of the registrars surveyed did not respond to the survey.

Follow-Up

- Escalated compliance action was taken concerning one registrar based on the registrar's failure to respond to primary contact update requests and on other RAA violations.
- ICANN is in contact with two registrars to resolve details related to primary contact updates.

Public Contact Data

- Six of the 95 registrars surveyed became obligated to provide public contact details under the 2009 RAA. All six registrars were compliant with this requirement

PRIMARY/PUBLIC CONTACT UPDATE ANALYSIS

Nonresponsive Registrars, 3%

Registrars Updated Contact Information, 38%

Registrars Verified Contact Information, 59%