

Constituency Input Template

Inter-Registrar Transfer Policy Part B Policy Development Process

PLEASE SUBMIT YOUR RESPONSE AT THE LATEST **BY 16 OCTOBER 2009** TO THE IRTP PART B WG (Gnso-irtp-b-jun09@icann.org)

The GNSO Council has formed a Working Group of interested stakeholders and Constituency representatives, to collaborate broadly with knowledgeable individuals and organizations, in order to consider recommendations for a number of issues related to the Inter-Registrar Transfer Policy (IRTP).

Part of the working group's effort will be to incorporate ideas and suggestions gathered from Constituencies through this Constituency Statement. Inserting your Constituency's response in this form will make it much easier for the Working Group to summarize the Constituency responses. This information is helpful to the community in understanding the points of view of various stakeholders. However, you should feel free to add any information you deem important to inform the working group's deliberations, even if this does not fit into any of the questions listed below.

For further background information on this issue, please review the [GNSO Issues Report on IRTP Part B](#).

Process

- Please identify the members of your constituency who participated in developing the perspective(s) set forth below.☐

Answer: The IPC response was drafted by Anil V. George, who represents IPC on the working group, with the assistance of Claudio Di Gangi; Kristina Rosette; Adam Scoville; and Susan G. O'Neill.

- Please describe the process by which your constituency arrived at the perspective(s) set forth below.

Answer: The draft response was circulated to the full IPC membership on October 5 with the request for any comments or proposed edits by October 12. No proposed edits were received.

Questions

Please provide your constituency's views on:

- a) Whether a process for urgent return/resolution of a domain name should be developed, as discussed within the Security and Stability Advisory Committee (SSAC) hijacking report (<http://www.icann.org/announcements/hijacking-report-12jul05.pdf>); see also (<http://www.icann.org/correspondence/cole-to-tonkin-14mar05.htm>);

Answer: A process for urgent return/resolution should be developed, given the potential for great harm from hijacking, as outlined by the SSAC report. The hijacking illustrations in the report, including a table reflecting several hijacking incidents that have yet to be resolved and/or were resolved only after a protracted time period, suggest that an urgent return/resolution tool to address malicious/fraudulent transfers is necessary. The SSAC report further supports this, as it accurately identifies multiple victims of malicious/fraudulent transfers, including not only rights holders such as those within the IPC, but also the goodwill of registrant reputations and businesses, and end users that rely on registrant web sites.

- b) Whether additional provisions on undoing inappropriate transfers are needed, especially with regard to disputes between a Registrant and Admin Contact (AC). The policy is clear that the Registrant can overrule the AC, but how this is implemented is currently at the discretion of the registrar;

Answer: Additional provisions for undoing inappropriate transfers, particularly with regard to disputes between a registrant and administrative contact, are needed to have a uniform and consistent policy that victimized registrants and registrars can use in a coordinated manner to thwart and/or redress hijackings.

- c) Whether special provisions are needed for a change of registrant when it occurs near the time of a change of registrar. The policy does not currently deal with change of registrant, which often figures in hijacking cases;

Answer: Special provisions for a change of registrant, when it occurs near in time to a change of registrar, are needed as part of a system of uniform frontline measures that can aid in uncovering potential hijacking attempts.

- d) Whether standards or best practices should be implemented regarding use of a Registrar Lock status (e.g. when it may/may not, should/should not be applied);

Answer: Standards or best practices regarding use of registrar lock status should be implemented so that such measures are used more widely and evenly by registrants and registrars to lessen weaknesses in the transfer policy system that can be exploited by malicious/fraudulent actors.

- e) Whether, and if so, how best to clarify denial reason #7: A domain name was already in 'lock status' provided that the Registrar provides a readily accessible and reasonable means for the Registered Name Holder to remove the lock status.

Answer: It may be reasonable to clarify denial reason #7 of the IRTP so that it expressly states that such denial may include actions to address red flags that registrars become aware of, relating to denial reason #1 concerning evidence of fraud.

Submitted October 12, 2009