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TO: Competition, Consumer Trust and Consumer Choice Review Team (CCTRT)
FROM: National Association of Boards of Pharmacy
DATE: January 5, 2018
RE: Comments in Response to Competition, Consumer Trust and Consumer Choice (CCT):
New Sections

Thank you for the opportunity to submit comments regarding the new sections of the CCT draft report, released on 27 November 2017. The National Association of Board of Pharmacy® (NABP®) presents its comments on Chapter 5. Safeguards – Recommendation A, which reads on page 26 as follows:

Consider directing ICANN org, in its discussions with registries, to negotiate amendments to existing Registry Agreements, or in negotiations of new Registry Agreements associated with subsequent rounds of new gTLDs, to include provisions in the agreements to provide incentives, including financial incentives, to registries, especially open registries, to adopt proactive anti-abuse measures.

In accord with the Verified Top-Level Domains (vTLD) Consortium, NABP supports this recommendation and encourages the promotion of activities to prevent and mitigate DNS abuse. Regarding the rationale/related findings for this recommendation, however, NABP agrees with the Consortium that the CCTRT has overlooked opportunities for greater benefit.

While acknowledging that a registry's implementation of registration restrictions helps to curb abuse, the CCTRT proposes to reward only those registries that do *not* impose registration restrictions to encourage them to adopt other anti-abuse measures. "Abuse rates are correlated to registration restrictions imposed on registrants and registration prices may influence rates too," the report states. The CCTRT seems to take this important point for granted, stating, "Some registries are inherently designed to have strict registration policies and/or high prices. However, a free, open, and accessible Internet will invariably include registries with open registration policies and low prices that must adopt other measures to prevent technical DNS abuse."

NABP agrees with the CCTRT that such registries can and should take steps to prevent and mitigate abuse: "Registries that do not impose registration eligibility restrictions can reduce technical DNS abuse through proactive means such as identifying repeat offenders, monitoring suspicious registrations, and actively detecting abuse instead of merely waiting for complaints to be filed," the report states. But the CCTRT wrongly stops there, concluding, "Therefore, ICANN should incentivize and reward the implementation of proactive anti-abuse measures by such registry operators to reduce technical DNS abuse in open gTLDs."

NABP believes it is inequitable and sends the wrong message to reward those registries that, heretofore, have done nothing to prevent abuse, while ignoring the registries that have devised and implemented methods proven effective. The fact that vTLDs – such as .pharmacy and .bank, which verify registrant eligibility prior to use of a domain name – have incurred zero incidents of abuse corroborates the DNS abuse study finding that registration restrictions are effective in preventing abuse. It is logical, therefore, to encourage registries to implement some level of verification prior to a registrant’s use of a domain name. NABP agrees with the Consortium’s position that **ICANN should reward the registries that have already implemented anti-abuse measures, including registration restrictions, and incentivize the adoption of such measures by current and future registries.**

As the Consortium states, verifying registrant eligibility prior to use of a domain name is costly. But it works. It prevents bad actors from registering domains in the TLD. And having a clean, safe space is worth the cost to some registries. ICANN should help to offset these costs to create a more level playing field with high-volume unrestricted registries, ie, to enhance competition as well as consumer trust. If ICANN made it more financially advantageous to verify eligibility, other registries may be encouraged to adopt this model. The outcome would be the elimination of abuse in these verified TLDs.

[NABP](#) is the independent, international, and impartial association that assists its member boards and jurisdictions for the purpose of protecting the public health. NABP is also the registry operator for the [.pharmacy](#) Top-Level Domain (TLD), as well as a founding member of the [Consortium](#). As a verified TLD, .pharmacy identifies online pharmacies and pharmacy-related websites around the globe as safe and legitimate.