MARKMONITOR COMMENT ON THE SECOND SECURITY, STABILITY, AND RESILIENCY (SSR2) REPORT FROM THE SECURITY, STABILITY, AND RESILIENCY REVIEW TEAM

19th March 2020

MarkMonitor, part of Clarivate Analytics, and one of the largest corporate domain name registrars in the world, appreciates the opportunity to comment and offer feedback to ICANN on the Second Report from the SSR2 Report team. Specifically, MarkMonitor wishes to comment on Recommendation 16. For years, members of the ICANN community, including contracted parties, have been critical of ICANN Compliance efforts to adequately address forms of abuse. The SSR2 review team has offered a recommendation that can incentivize registrars to go beyond their minimal RAA obligations and take action to support the security and stability of the DNS. SSR2 has offered a "carrot" to the Compliance "stick" and MarkMonitor urges ICANN to initiate work to explore incentives for registrars to take additional actions to combat abuse.

Recommendation 16: Create Pricing Incentives for Contracted Parties to Mitigate Abuse and Security Threats.

Recommendation 16 of the SSR2 Report covers pricing incentives for contracted parties to assist with combatting DNS abuse. The recommendation is split into two parts with five initiatives or schemes, which shall be addressed in turn.

16.1.1. Contracted parties with portfolios with less than a specific percentage (e.g., 1%) of abusive domain names (as identified by commercial providers or DAAR) should receive a fee reduction (e.g., a reduction from current fees, or an increase of the current per domain name transaction fee and provide a Registrar with a discount).

MarkMonitor supports a reduction in domain fees for retaining an agreed low percentage of abusive domain names in a registrar portfolio. We believe that in the continuous fight to prevent DNS abuse and reduce "bad actors", the positive reward for good practices should be a welcomed initiative to encourage registrars to take a proactive approach in the monitoring and enforcement actions in relation to DNS Abuse. MarkMonitor supports this novel approach to incentivise rather than chastise. In order to ensure that this is implemented successfully, we need clear definitions of the percentages to identify eligibility and also the identification method should also be defined and explained alongside the reduced fees and/ or discount.

Whilst we are aware that there have been concerns raised that an incentive program could be gamed to generate false results and fraudulent claims, working alongside contracted parties and taking a consultative approach should assist in minimising the scope of this occurring and taking place. One way to reduce the manipulation of the system would be to augment a verification process into the existing registrar audit process. The creation of a robust eligibility identification process is crucial in the development and success of this initiative. MarkMonitor welcomes this paradigm shift in the methods and manner of reducing DNS abuse.

16.1.2. Registrars should receive a fee reduction for each domain name registered to a verified registrant up to an appropriate threshold.

MarkMonitor also supports this recommendation. As with 16.1.1 the success of this initiative will be with the clear and express definition of "verified", the mechanisms that are relevant for the verification process and what the thresholds are relating to maximum submissions. This shall require more consultation with contracted parties and the review team shall need to ensure that this is implemented effectively.

16.1.3. Waive RSEP fees when the RSEP filings clearly indicate how the contracted party intends to mitigate DNS abuse, and that any Registry RSEP receives pre-approval if it permits an EPP field at the Registry level to designate those domain names as under management of a verified Registrant.

MarkMonitor supports this offering and appreciates the approach of ensuring that there is an incentive for the registry in addition to registrars.

16.1.4. Refund fees collected from registrars and registries on domains that are identified as abuse and security threats and are taken down within an appropriate period after registration (e.g., 30 days after the domain is registered).

MarkMonitor supports this recommendation, however we are aware that the implementation of this scheme may require considerable effort from a policy perspective. As this specific recommendation shall require clear parameters, especially the provision of what is an "appropriate" period. As per our comments and feedback, specificity is vital in the successful implementation of these initiatives and this scheme is exactly in the same vein. Also clarifying the mechanisms of how we shall identify the domain names, what constitutes a valid "take down" and what is "appropriate" will severely minimise the scope for this DNS Abuse initiative being abused itself. This shall require the most consultation from contracting parties. Ultimately MarkMonitor supports rewarding actions by contracted parties to address new forms of abuse.

Conclusion:

 The introduction of approach to reduce and mitigate DNS Abuse by incentivising and positively rewarding actions and efforts taken by contracting parties recommended under 16.1 is thoroughly welcomed by MarkMonitor and is a refreshing approach to a long standing, ongoing issue of tackling DNS Abuse. Although the implementation and successful execution shall require time, considerable consultation with contracted parties as well as defined processes and parameters in order to reduce scope for manipulation and fraudulent claims for fees. With regards to 16.2 we support the mechanism of creating standardised testing, the implementation of a certification method may be more complex and require actions that may not be reasonably practicable. MarkMonitor urges ICANN to take these suggestions, comments and feedback into consideration.

Respectfully submitted,

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