

Inter-Registrar Transfer Policy: Policy Status Report

Presentation to GNSO Council

30 November 2018*



* This version of the slide deck includes an update made on 30 November 2018 to correct errors in Sections 1.5 and 2 of the original report posted on 14 November 2018. Aggregated transfer numbers in these sections were erroneously labeled as “yearly” rather than “monthly”. These labels have been corrected. See slide 4 for updated figures.

IRTP Policy Status Report (PSR) Background

- ⦿ **IRTP-D Working Group Final Report, Recommendation 17:**
 - “The WG recommends that, once all IRTP recommendations are implemented (incl. IRTP-D, and remaining elements from IRTP-C), the GNSO Council, together with ICANN staff, should convene a panel to collect, discuss, and analyze relevant data to determine whether these enhancements have improved the IRTP process and dispute mechanisms, and identify possible remaining shortcomings.”

- ⦿ **Consensus Policy Implementation Framework, Stage 5, “Support and Review: Policy Status Report”:**
 - “Compliance and GNSO Policy Staff should provide a report to the GNSO Council when there is sufficient data and there has been adequate time to highlight the impact of the policy recommendations, which could serve as the basis for further review and/or revisions to the policy recommendations if deemed appropriate.”

IRTP Goals

1. **Enable** registered name holders to **move their domain names** to a new provider, thereby increasing consumer choice and competition
2. **Ensure** the IRTP included sufficient protections to **prevent fraudulent domain name transfers** and **domain name hijacking**
3. **Clarify the language of the IRTP** so that ICANN-accredited registrars consistently interpret and apply the policy
4. **Clarify the language and visibility** of the **Transfer Dispute Resolution Policy (TDRP)** so that providers/panelists consistently interpret and apply the policy

Thus, the IRTP PSR is structured according to **three overarching goals of the IRTP:**

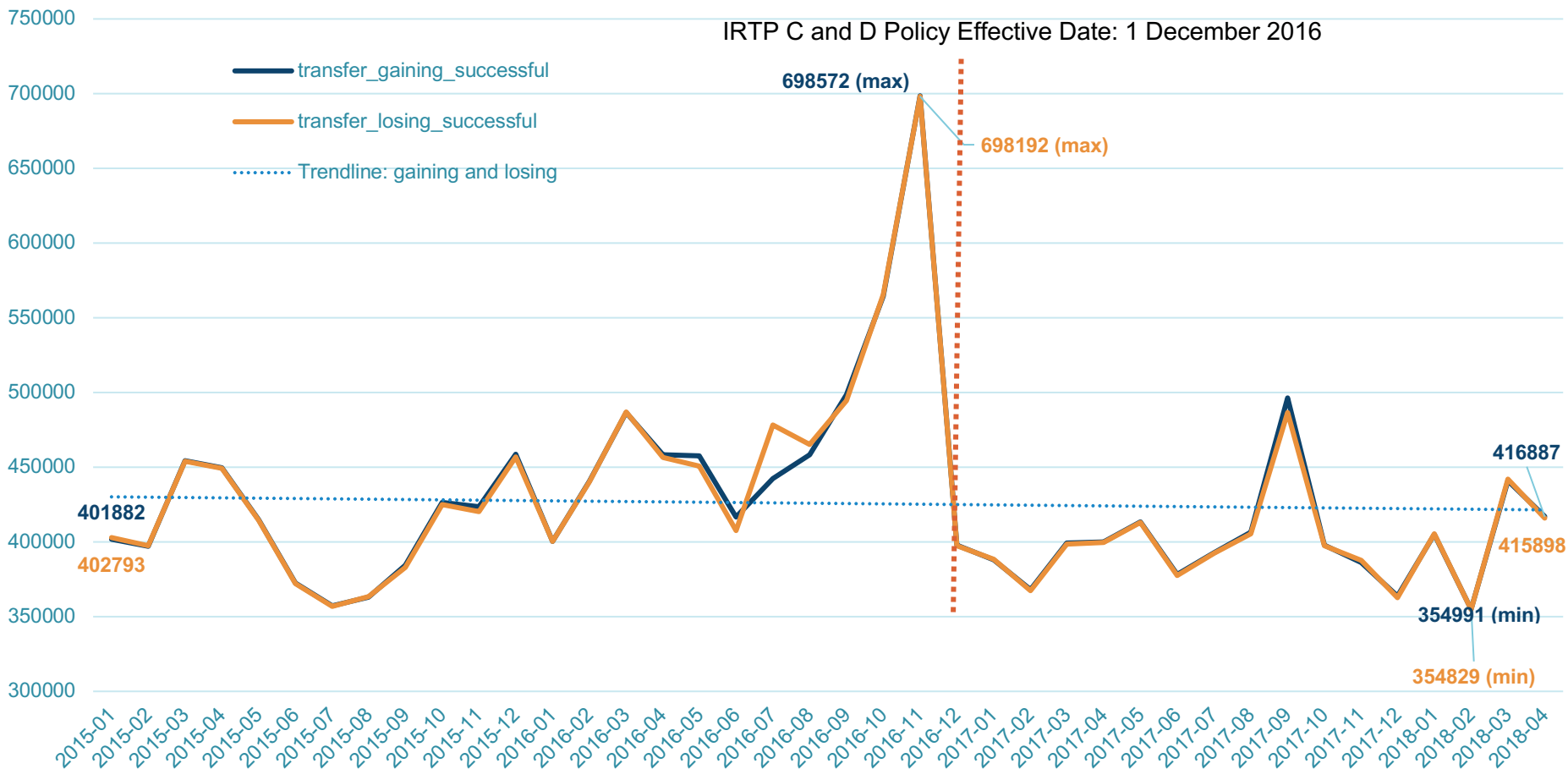
1. Domain name “portability”
2. Transfer-related abuse prevention
3. Transfer-related information provision

Policy Goal: Portability

- ⦿ On average, approximately **414,000 domain transfers occurred per month—or 4,968,000 per year**—during the observation period (2009 – 2017)
- ⦿ Total domain registrations during the observation period ranged from 114,927,682 in October 2009 to 196,396,264 in April 2018, with an average of 156,766,483 domain registrations per year. This means, on average, **total domain transfers represented about 3% of total domain registrations** per year
- ⦿ **Overall trend line** for transfer gain, loss, and “nacked” data is **relatively flat** for the observation period (see chart on next slide)
- ⦿ Data sources: Registry reporting

Policy Goal: Portability (cont'd)

Chart 3: Gaining and Losing Registrar Transfers, January 2015 - April 2018



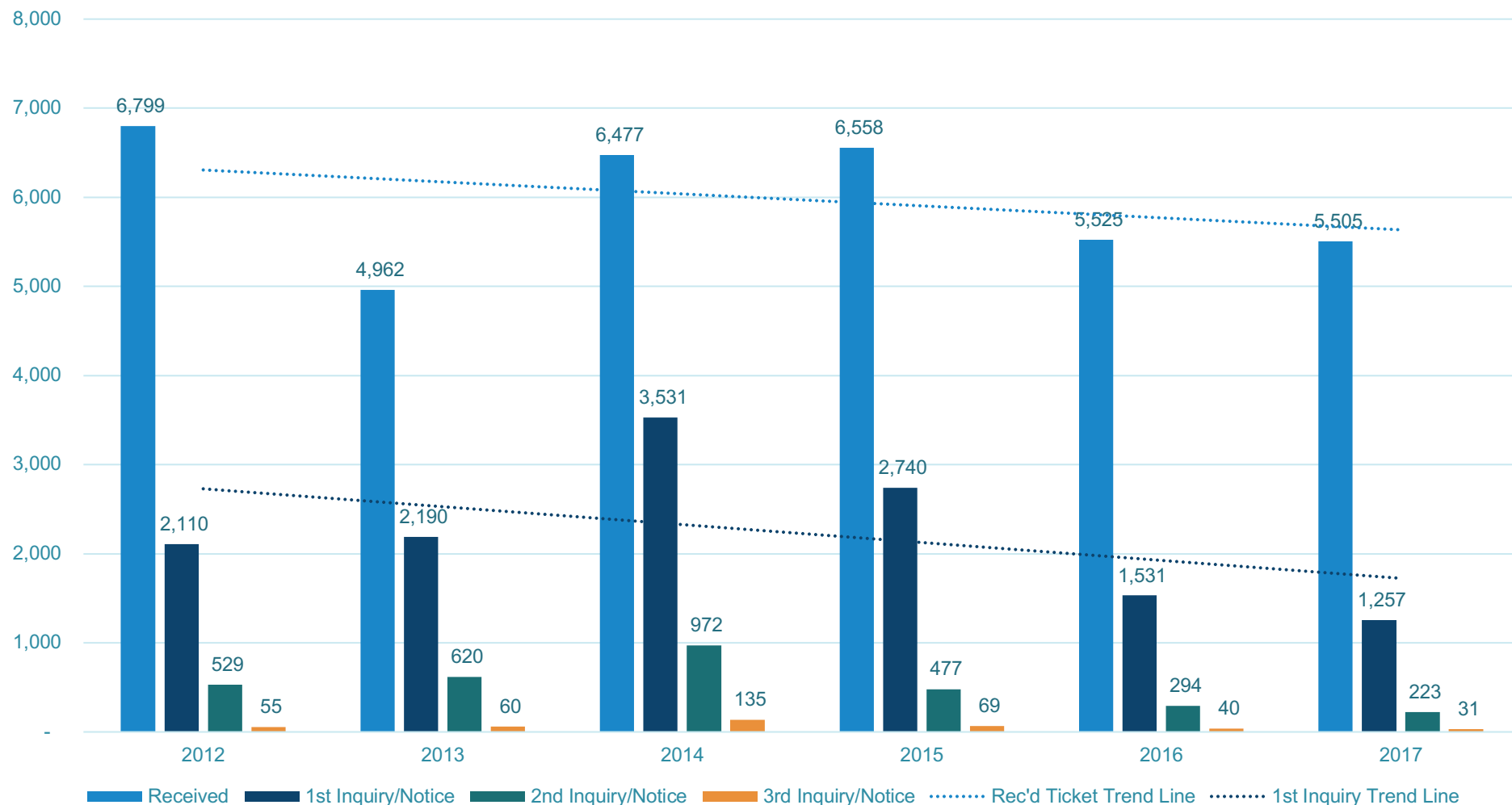
⦿ Data source: Registry reporting (does not include bulk transfers)

Policy Goal: Abuse Prevention

- ⦿ 2015 saw a **spike in Transfer Dispute Resolution Policy (TDRP) cases**, although the number of cases was still relatively small compared to the total amount of transfers that occurred
- ⦿ Contractual Compliance received an average of 5,805 transfer-related tickets per year, or about 500 tickets per month
- ⦿ In general, the number of **transfer-related tickets received by Contractual Compliance has gone down** during the 2012 – 2017 observation period (see chart on next slide)
- ⦿ From January 2017 to July 2018, **Contractual Compliance** received **130 complaints** (out of 8,003 total) involving **unauthorized transfers** and/or **unauthorized change of registrant**, and **262 complaints** since 2014 related to **unauthorized transfers due to domain hijacking** (out of 38,324)
- ⦿ **GSC** has received **229 inquiries** since 2017 involving “**domains transferred without authorization**” (compared to an average of 2,245 transfer-related inquiries received per year since 2015)
- ⦿ Data sources: Contractual compliance metrics, GSC metrics, dispute resolution cases filed

Policy Goal: Abuse Prevention (cont'd)

Chart 7: Contractual Compliance Transfer-Related Notices and Enforcements, Tickets Received Thru 3rd Inquiry/Notice, January 2012 – December 2017



Policy Goal: Information

- ⦿ GSC received an **average of 2,245 transfer-related inquiries per year** since 2015
- ⦿ GSC received **2,754 inquiries** from January 2015 to July 2018 involving **transferring domains between registrars** (with an average of **754 inquiries per year**, not including 2018)
- ⦿ GSC received **1,519 inquiries** from January 2015 to July 2018 on how to **obtain a website registered by another individual or entity** (with an average of **506 inquiries per year**, not including 2018)
- ⦿ Many inquiries received focused on issues with the **60-day lock period** or with **obtaining an “AuthCode”** to carry out a transfer
- ⦿ Data sources: GSC metrics

IRTP: Other Considerations

- **Expedited PDP : Temporary Specification for gTLD Registration Data**
 - Part 4p of EPDP charter poses the following questions on the Transfer Policy, **which may result in policy changes**:
 - Should Temporary Specification language be confirmed or modified until a dedicated PDP can revisit the current transfer policy?
 - If so, which language should be confirmed, the one based on RDAP or the one based in current WHOIS?
 - **April 2019:** [ICANN Board consideration of EPDP Final Report](#)

- **Registration Data Access Protocol (RDAP)**
 - Delivers registration data like the WHOIS protocol, but standardizes data access and query response formats
 - Allows for new transfer capabilities, e.g. provision of AuthCodes for transfers, which may be integrated into updated Transfer Policy (pending Community discussion)
 - **April 2019:** [anticipated deployment](#)

IRTP Policy Status Report: Anticipated Next Steps

NB: The steps below have been determined according to the “Support and Review” stage of the [Consensus Policy Implementation Framework](#) and the proposed [Post-Implementation Consensus Policy Review Framework](#) (awaiting GNSO – ICANN Org discussion in 2019)

- ❑ **14 November – 24 December 2018:** Public Comment and survey open
- ❑ **November 2018 – January 2019:** GNSO Council review of PSR
- ❑ **January – March 2019:** Update report based on public comments, survey feedback, and GNSO Council input
- ❑ **March 2019:** Submit updated PSR to GNSO
- ❑ **March – June 2019:** GNSO Council may decide whether to:
 - ❑ Initiate new policy work on transfers**OR**
 - ❑ Request ICANN org to address identified implementation issues or convene a group to do so**OR**
 - ❑ Consider the PSR as sufficient at present and take no additional action

Questions or Comments?



Thank you!

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