

# TDRP-related Data from ICANN Compliance, Verisign, Dispute Providers, and selected Registrars

ICANN Compliance received 6594 IRTP-related complaints between January 2012 and February 2013

- 2778 complaints were invalid
- 3816 complaints were valid
  - 47 of these were related to unauthorized transfers
    - 31 complaints were related to email hijacking or hijacking of access to registrant's control panel
    - 16 complaints related to unauthorised transfers
    - none of the involved registrars stated or provided evidence that they initiated a TDRP procedure
      - Key-Systems has not initiated a TDRP procedure in the last 5-6 years
      - Tucows has taken part in approximately four TDRPs ever

154 TDRP cases were filed with Verisign since September 2009

109 were Requests for Enforcement

59 decisions were rendered in which 28 times the filing registrar prevailed and 19 times the non-filing registrar; 2 cases were 'nacked'

- In 37 cases someone other than the admin contact or registered name holder listed in the Losing Registrar's Whois record authorized the transfer
- In 8 cases the admin contact authorized the transfer without the knowledge of the registered name holder
- In 5 cases the gaining registrar failed to obtain express written consent of the transfer from the admin contact or registered name holder
- In 3 cases the payment for the domains was disputed
- In 2 cases the domain was transferred without the original registrant's approval
- In 2 cases the gaining registrar failed to provide an FOA within 5 days of request
- In 1 case the losing registrar failed to provide evidence relied on for denial of transfer when requested
- One 'other' case

45 were Applications for Reinstatement of Sponsorship

50 times a no-decision was rendered

Relevant TDRP Regulation

A Dispute Resolution Provider must request all documentation relating to the First-Level Dispute from the applicable Registry Operator no later than seven (7) calendar days of receipt of the appeal. The Registry Operator shall submit such documentation to the Dispute Resolution Provider within seven (7) days of such request. (Section 4.3.7 TDRP)

10 TDRP cases were filed with second-level dispute providers

6 cases filed with the National Arbitration Forum (NAF)

At the first level (of those 6 decisions), the gaining registrar prevailed once, one request was denied and four resulted in no-decisions

All 6 cases were appeals of first level decisions

- The Appellant prevailed in 5 cases; the Appellee prevailed in 1 case
- 5 of these cases were fraudulent transfers and 1 case was an attempted transfer

4 cases filed with the Asian Domain Name Dispute Resolution Centre (ADNDRC)

- All four cases suffered from procedural issues
- The Appellee failed to provide sufficient information in all four cases
- The Appellant failed to provide sufficient information in 2 cases
- only 1 case was properly arbitrated - with the Appellant prevailing cases
- In 2 cases no-decision was rendered, in 1 case the ADNDRC determined that it had no jurisdiction to render a decisions

Relevant TDRP Regulation