

Subject: Escalation of an IANA Naming Function Complaint

Ticket Number: 981568

Issue: Escalation for assistance with pending acquisition of .SK domain

Date: March – November 2017

Status: PTI President responded to the individual and no further action is planned at this time.

#### Summary:

Over the past eight months, PTI has received several letters and email communications from an individual regarding his concerns about the management of the .SK ccTLD.

The IANA Services Specialist and the Senior Manager of IANA Services sent a letter and several replies by email explaining that country-code top level domain policies that govern domains like .SK favor local governance decisions for the TLDs and provide little scope for the IANA Functions Operator to intervene. The responses to the individual encouraged the individual to communicate with the .SK manager directly and provided information about the ccTLD transfer process and policies. We also notified the TLD manager about the complaint and requested ICANN's Global Stakeholder Engagement team's assistance in reaching out to the Slovak community and facilitating conversation between the parties.

At the end of October 2017, the individual escalated his complaint out-of-band to selected members of the ICANN Board of Directors, to a GSE representative, and to ICANN in a formal letter. On behalf of ICANN, the PTI President responded to the three issues raised in the escalation:

1) policy related to transfer of a domain; 2) sovereignty of actions regarding the domain; and 3) existence of an appeal process. In addition to addressing the three topics raised in the letters she encouraged the complainant to continue working with the local Slovak Internet community, including the .SK manager and government, to address concerns he has with the current and future operation of the domain.

#### Conclusion:

PTI staff received and responded to several communications from an individual about the management of .SK. The responses to the concerns addressed the relevant policies related to transfer of management of a country code top-level domain. The complainant was dissatisfied and escalated his concerns. After review of the many communications and the eventual escalation, the PTI President responded to the three specific concerns specified in the escalation letters. The response noted that when an entity is wholly acquired by another entity, that does not trigger a transfer of the domain management as the same legal entity remains the domain manager. The government of the Slovak Republic has approved the acquisition so we do not understand what issue of sovereignty exists. As for an appeal body as mentioned in the Framework of Interpretation recommendations, the community has not established such a body as of this time. We explained our role and encouraged him to work with the SK manager and the government to resolve the concerns locally. No further action is required at this time.