Change of Registrant (COR)

TPR Group 1(b): Part II

Meeting #109

ICANN

Change of Registrant - Process

COR Process

To complete the COR process, the Registrar must do all of the following:

1. Confirm the domain name is **eligible** for a Change of Registrant (Transfer Policy, Section II.B):

    - The domain name registration agreement has not expired
    - The request has been authorized by the Prior Registrant and the New Registrant
    - The domain name is not subject to a UDRP/URS/TDRP/court order proceeding

The WG previously deliberated adding another requirement (in line with Group 1a, Rec 19) that a Registrar must deny a COR request if there is evidence of (a) fraud or (b) the domain presents an active DNS Security Threat as defined here: https://www.icann.org/dns-security-threat.

★ Are there any other circumstances where a COR request must be denied or deemed ineligible?

COR Process

To complete the COR process, the Registrar must do all of the following:

2. **Obtain confirmation** of the Change of Registrant request from the **New Registrant**, or a Designated Agent of the New Registrant, and provide certain **required notifications**.

- The Registrar must use a secure mechanism to confirm that the New Registrant (and/or their respective Designated Agents) have **explicitly consented** to the Change of Registrant.
- In obtaining the confirmation, the Registrar must inform the New Registrant (or its Designated Agent) that the New Registrant must enter into a **registration agreement** with the Registrar.
- The Registrar must also inform the New Registrant (or Designated Agent) that the request **will not proceed if it is not confirmed** in a number of days set by the Registrar, not to exceed 60 days.

The WG previously discussed eliminating the confirmation requirement and replacing it with a notification to the Prior Registrant.

★ Should a COR Request notification be extended to the New Registrant (new email address/phone number) as well?

★ **d17)** The RrSG recommended the following in its survey response: "*For a Change of Registrant, both the gaining and losing registrants should be notified of any requests, and should have the option to accept or reject, over EPP notifications*." Should this proposal be pursued further? Why or why not?

COR Process

To complete the COR process, the Registrar must do all of the following:

3. **Inform the Prior Registrant** or its Designated Agent that if its final goal is to transfer the domain name to a different registrar, the Prior Registrant is advised to request the inter-registrar transfer **before** the Change of Registrant to avoid triggering the 60-day lock.

The WG previously discussed eliminating the 60-day post-COR lock, which may negate the need for this step.

★ Is this informational requirement still necessary?

COR Process

To complete the COR process, the Registrar must do all of the following:

4. Obtain confirmation of the Change of Registrant request from the **Prior Registrant**, or the Designated Agent of the Prior Registrant, and provide certain **required notifications**.

- The Registrar must use a secure mechanism to confirm that the Prior Registrant (and/or their respective Designated Agents) have **explicitly consented** to the Change of Registrant.
- The Registrar must inform the New Registrant (or Designated Agent) that the request **will not proceed if it is not confirmed** in a number of days set by the Registrar, not to exceed 60 days.[3]

The WG previously discussed replacing the confirmation request with a notification to the Prior Registrant.

★ **Are any other security measures necessary to prevent, identify, or remedy unauthorized CORs** (e.g. when NOT in conjunction with a Registrar transfer)?

[3] The registrar may use additional contact information on file when obtaining confirmation from the Prior Registrant and is not limited to the publicly accessible Whois.

COR Process

To complete the COR process, the Registrar must do all of the following:

5. **Process** the Change of Registrant within **one (1) day** of obtaining the confirmations.

The WG previously proposed modifying this requirement: the Registrar must process the COR without undue delay, no longer than one calendar day (24 hours) of providing notification [to both parties].

- ★ Should the Registrar's sending of the COR Request notification(s) start the timer for processing the data change?
- ★ Is the maximum 24 hour timeframe still appropriate?

COR Process

To complete the CoR process, Registrars must complete the following steps (continued):

6. **Notify** the Prior Registrant and New Registrant before or within one day of the completion of the Change of Registrant. This notification must:

    - always be sent to both the New Registrant and Prior Registrant before or within one day of the Change of Registrant being performed
    - explain the request that was received and list the domain(s) in question
    - include contact information for questions
    - advise the Prior Registrant and New Registrant of the **60-day inter-registrar transfer lock** or inform the Prior Registrant that it previously opted out of the 60-day transfer lock

The WG previously proposed eliminating the 60-day lock, therefore the mention of the 60-day lock in this notification may not be necessary.

There would be effectively 2 sets of notifications from the registrar: **upon COR request + upon COR completion** [1]

★ Should the COR Completion notification to the Prior Registrant and New Registrant provide any other information?

★ Currently the format/medium of the notifications is not specified in the COR policy, should it be?

[1] The registrar is still required to verify any changes of email and phone number per the Whois Accuracy Program Specification

COR Process

To complete the CoR process, Registrars must complete the following steps (continued):

7. Impose a 60-day inter-registrar transfer **lock**, unless the Registered Name Holder had previously **opted out**.

The WG previously proposed eliminating the 60 day lock, citing that the lock is currently optional so it provides no added security, and the lock causes significant confusion and frustration for registrants.

The WG also noted that if an inter-registrar transfer follows a COR, the Phase 1(A) recommendations (increased TAC security and mandatory 30-day post-transfer lock) largely addresses security concerns.

- ★ If the 60-day transfer lock is eliminated, should there be another security measure to replace it?
    - ○ E.g. could the 5 day window to provide the TAC could be leveraged for additional due diligence by the registrar?

Secure Mechanisms

Secure Mechanism

Secure Mechanism: The policy recommendations by the GNSO recognize that some flexibility is required in how registrars process a Change of Registrant. As a non-limiting example, Registrars may want to consider "out of band" authentication based on information that cannot be learned from within the registrar account or publicly available resources such as Whois. Examples may include, but are not limited to:

1. sending an email requiring an affirmative response through a tool-based authentication method such as providing a unique code that must be returned in a manner designated by the Registrar; or
2. calling or sending an SMS to the Registered Name Holder's telephone number providing a unique code that must be returned in a manner designated by the Registrar; or
3. calling the Registered Name Holder's telephone number and requiring the Registered Name Holder to provide a unique code that was sent to the Registered Name Holder via web, email or postal mail.

★ Is the **Secure Mechanism** still useful and relevant in the new COR policy? Does it require amendment?

Material Change

Material Change

Material Change: Section II.A.1.3 defines Material Change to mean a change that is not a typographical correction. Registrars have some flexibility to determine what a typographical correction is. Examples of typographical corrections could include:

1. Changing the Registrant Name field from oJhn Smith to John Smith.
2. Changing the Registrant Name field from Jane Kgan to Jane Kang.
3. Changing the Registrant Organization from Example, Icn. to Example, Inc.
4. Changing the Registrant Organization from ExampleCorp. to Example Corp.

For avoidance of doubt, nothing prevents the Registrar from treating any change to the Registrant Name or Registrant Organization field as a Material Change.

★ Is **Material Change** still useful and relevant in the new COR policy? Does it require amendment?
  - “Change of Registrant” means a Material Change to the Prior Registrant’s name, organization, email address, or Administrative Contact’s email address.
  - “Change of Control” can be a change of primary contact, contactability, or anchor contact method (TBD)

Appendix: Whois Accuracy Program Specification

Whois Accuracy Program Specification

Within 15 days of any change in the Registered Name Holder, the Registrar will, with respect to both Whois information and the corresponding customer account holder contact information related to such Registered Name:

Validate:

- the presence of data for all required fields (RAA Subsection 3.3.1) are in a proper format for the applicable country/territory.
- that all email addresses are in the proper format
- that telephone numbers are in the proper format for international telephone numbers
- that postal addresses are in a proper format for the applicable country or territory
- that all postal address fields are consistent across fields (for example: street exists in city, city exists in state/province, city matches postal code) where such information is technically and commercially feasible for the applicable country/territory.

Verify:

- the **email address** of the Registered Name Holder (and, if different, the Account Holder) by sending an email requiring an affirmative response through a tool-based authentication method such as providing a unique code that must be returned in a manner designated by the Registrar, or
- the **telephone number** of the Registered Name Holder (and, if different, the Account Holder) by either (A) calling or sending an SMS to the Registered Name Holder's telephone number providing a unique code that must be returned in a manner designated by the Registrar, or (B) calling the Registered Name Holder's telephone number and requiring the Registered Name Holder to provide a unique code that was sent to them via web, email or postal mail.

Whois Accuracy Program Specification

In either case, if the Registrar does not receive an affirmative response from the Registered Name Holder, the Registrar shall either verify the applicable contact information manually or suspend the registration, until such time as Registrar has verified the applicable contact information.

If the Registrar does not receive an affirmative response from the Account Holder[1], the Registrar shall verify the applicable contact information manually, but is not required to suspend any registration.

The Registrar is NOT required to perform the above validation and verification procedures if the Registrar has already successfully completed the validation and verification procedures on the identical contact information and is not in possession of facts or knowledge of circumstances that suggest that the information is no longer valid.

HOWEVER, if the Registrar has any information suggesting that the contact information specified is INCORRECT (such as Registrar receiving a bounced email notification), the Registrar must verify or re-verify, as applicable, the email address(es).

★ **Does the verification of RNH email and phone number already provide sufficient security regarding COR?**

[1] "Account Holder" means the person or entity that is paying for the Registered Name or otherwise controls the management of