Change of Registrant (COR)

TPR Group 1(b): Part II

Meeting #117

ICANN

Recap TPR call #116 Outcomes

Outcomes of prior meeting (#116)

◉ **The COR policy should be reduced to notifications only, with no COR transfer lock**

◉ **Notifications should be mandatory** (opt-out option TBD)

◉ **"Change of Registrant" should be replaced with "Change of Registrant Data"** (definition TBD)

Mandatory Notifications

Notifications

Recap: The WG has discussed that the notification must include the following elements:

- ⦿ **Domain name(s)**
- ⦿ **Text stating that the contact information was updated**
- ⦿ **Date and time that the Change of Registrant [Data] was completed**
- ⦿ **Instructions detailing how the [Prior/New] Registrant can take action if the change was invalid (how to initiate a reversal)**

This notification would be sent every time there is a change to "Registrant Data"

Notifications - Opt Out

Should registrants be able to opt out of notifications when their data changes?

Pros and Cons we have heard so far from the WG:

PROs	CONs
Provides middle path between mandatory and optional notifications (more flexibility)	Non-uniform implementation/user experience across registrars
Reduces incoming emails, SMS messages, etc. which registrants may consider spam	Potential Registrant confusion/frustration due to differing options across registrars
May be useful to registrants who enable a Registry lock (serverUpdateProhibited EPP status code)	Bad Actor may opt-out so true registrant does not receive notifications (reduced security)
	Opt-out may be made default by terms & conditions, Registrar, or Designated Agent
	Registrants may opt-out without knowing the consequences
	More coding and costly to develop opt-out feature

Change of Registrant Data - Definitions

Change of Registrant Data (CORD)

"**Change of Registrant Data**" = a Material Change to any of the following Registrant Data fields: [to be agreed by WG].

Registrant	Name	Organization	Email Address	Phone Number	Fax Number (if available)	Postal Address	Other
Change of Registrant	✓	✓	✓				✓ ~~Admin Contact Email (if no Registrant Email)~~
Change of Registrant Data	✓	✓	✓	✓	✓	✓	

Possible Footnote: The Registrar is <u>not prevented</u> from sending additional notifications resulting from non-CORD changes, such as changes to [Account Holder details or other information used to identify controllership of the domain name or relevant account].

Change of Registrant Data - Material Change

(II.A.1.3) **"Material Change" =** a change which is not a typographical correction. (Name, Org, Email)

  ◉ Nothing prevents a Registrar from treating any change to [registrant data] as a Material Change.

Which of the following examples would you consider a **typographical correction** (NOT a Material Change)?

1. Changing the Registrant Name from oJhn Smith to John Smith.
2. Changing the Registrant Organization from ExampleCorp. to Example Corp.
3. Changing the Registrant Email Address from johnsmith@example.com to ojhnsmith@example.com
4. Changing the Registrant Phone Number from (555)555-5551 to (555)555-5552
5. Changing the Registrant Postal Address from 515 Example Drive to 514 Example Drive
6. Changing the Registrant Postal Address from 515 Example Drive to 515 Example Dr

  ◉ Does the addition of Registrant Data where there was none before (e.g. fax) count as a CORD?

Change of Registrant Data - Privacy/Proxy/Designated Agent

When using a Privacy/Proxy service or Designated Agent:

- ◉ **CORD ≠** the addition, removal, and/or update of Privacy/Proxy Service provider information or Designated Agent information

- ◉ **CORD =** changes to the Registered Name Holder's underlying registration data on file with the Registrar, regardless of whether such data is present in public RDDS.

Change of Registrant Data - Prior and New Registrant

(II.A.1.4) **"Prior Registrant"** = the Registered Name Holder at the time a Change of Registrant is initiated

(II.A.1.5) **"New Registrant"** = the entity or person to whom the Prior Registrant proposes to transfer its domain name registration

Are both terms/definitions still relevant in a "Change of Registrant Data" policy?

E.g.
Prelim Rec 1: The Working Group recommends that following a Change of Registrant, the Registrar MUST send a notification of the change to both the Prior Registrant (as listed in the Registration Data immediately prior to the Change of Registrant) and the New Registrant. Additionally, the Registrar MUST send this notification without undue delay, but no later than 24 hours after the Change of Registrant occurred.

Change of Registrant Data - ~~Prior and New~~ Registrant

(Revised) <u>**Prelim Rec 1:**</u> **The Working Group recommends that, following a Change of Registrant Data, the Registrar MUST send a notification of the Change of Registrant Data to ~~both~~ the ~~Prior~~ Registrant ~~(as listed in the Registration Data immediately prior to the Change of Registrant) and the New Registrant. Additionally, the Registrar MUST send this notification~~ without undue delay, but no later than 24 hours after the Change of Registrant Data occurred.**

- **When must a Registrar send two CORD notifications?**
  - e.g. change of email – notification sent to prior email address and new email address?
    - change of phone, fax, and/or postal address?

Availability of Change of Registrant [Data]

B. Availability of Change of Registrant

(1) In general, registrants must be permitted to update their Registration Data and transfer their registration rights to other registrants freely.

(2) A Registrar **MUST deny** a COR request under the following circumstances:

> 2.1 the domain name registration agreement has expired
> 2.2 the COR was not properly authorized by Prior Registrant ~~and the New Registrant~~
> 2.3 the domain name is subject to a domain name related dispute (UDRP, URS, UDRP, or court order)

(3) The COR process **does not apply** in the following circumstances:

> 3.1 the registration agreement expires
> 3.2 the registration agreement is terminated by the Registrar
> 3.3 the Registrar or Registry Operator updates the Prior Registrant's information pursuant to a court order
> 3.4 the Registrar updates the Prior Registrant's information in the implementation of a UDRP decision
> 3.5 the Registrar updates the Prior Registrant's information in accordance with the Expired Domain
>   Deletion Policy
> 3.6 the Registrar updates the Prior Registrant's information in response to an abuse complaint

Placement of Change of Registrant Data

Placement of Change of Registrant Data

Considering the WG's discussions and how the COR policy has evolved thus far…

- Should the WG recommend that the new CORD policy reside outside the Transfer Policy?