Contractual Compliance

Latin America
Registrar Outreach

19 November 2013

Contractual Compliance Updates

➤ **Latin America Metrics**

➤ **Responding to ICANN notices**

➤ **Whois Inaccuracy**

➤ **Inter Registrar Transfer Policy (IRTP)**

➤ **Renewals:**

  ➤ **Expired Domain Deletion Policy (EDDP)**

  ➤ **Expired Registration Recovery Policy (ERRP)**

Complaints per Domain Volume Latin-America January – October 2013

N. America

100.9M	8,342	.008%
754	284	37.7%

Europe

23.1M	2,394	.010%
162	106	65.4%

Asia/A/P

23.9M	6,746	.028%
165	113	68.5%

Latin America

1.3M	370	.030%
24	16	66.7%

Africa

8,325	4	.048%
7	1	14.3%

LEGEND

July 2013 Domain Volume/Million	# Complaints	% Complaints per Domain Volume
# registrars per region	# registrar w/ Complaints	% registrars with complaints per region

Note: "# registrars per region" data may contain some obsolete registrars but is retained for reporting history

Complaint Types and Phases Latin-America

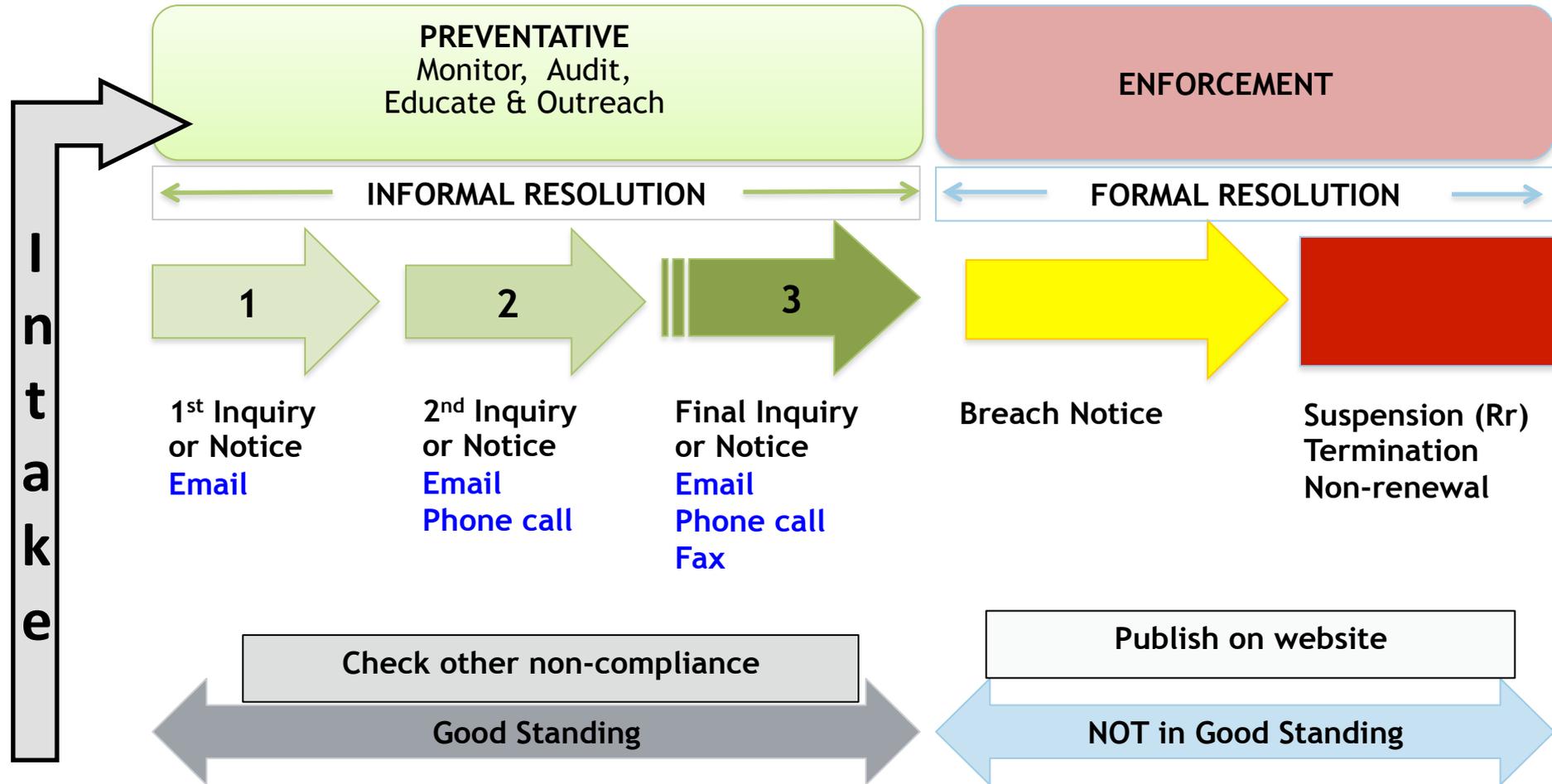### Complaint Distribution – Jan – Oct 2013

Pie chart showing:
- Whois Inaccuracy 52.4%
- Whois Unavailable 2.2%
- UDRP 4.1%
- Customer Service 10.0%
- Transfer 25.7%
- Fees 0.0%
- Data Escrow 0.3%
- Registry 0.0%
- Renewal/Redemption 2.6%
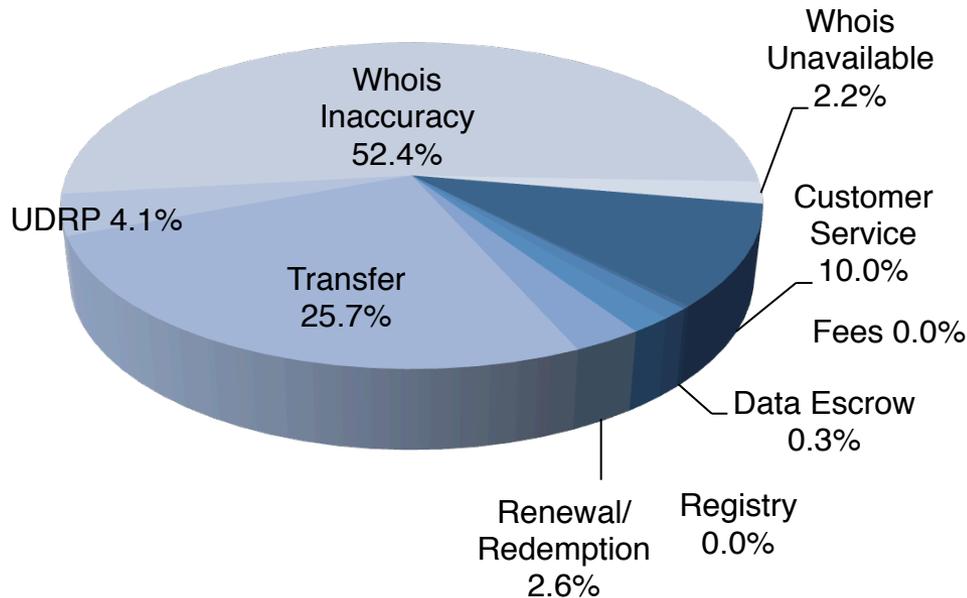
Enforcements	
Volume Breach	8
Volume Suspension	0
Volume Termination	2

Complaints	
Type	**Quantity**
Customer Service	37
Data Escrow	1
Fees	0
Other	4
Registrar Contact	6
Registry	0
Renewal/Redemption	10
Transfer	95
UDRP	15
Whois Inaccuracy	194
Whois Unavailable	8
Total Complaints Processed	370
Total Complaints Closed	342

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General Compliance Approach
## with Fact-based Decisions

Intake

PREVENTATIVE Monitor, Audit, Educate & Outreach	ENFORCEMENT

INFORMAL RESOLUTION | **FORMAL RESOLUTION**

1
2
3

1st Inquiry or Notice
Email

2nd Inquiry or Notice
Email
Phone call

Final Inquiry or Notice
Email
Phone call
Fax

Breach Notice

Suspension (Rr)
Termination
Non-renewal

Check other non-compliance

Publish on website

Good Standing

NOT in Good Standing

Published at: http://www.icann.org/en/resources/compliance/approach-processes

Complaint Management Guidelines
Registrar receives an inquiry or a notice…now what?

+ Please RESPOND directly to the email

+ Do NOT edit subject line

+ Attachments should not be greater than 4MB

+ Attachment file formats .pdf,.doc(x), .txt

Contractual Relationship Overview
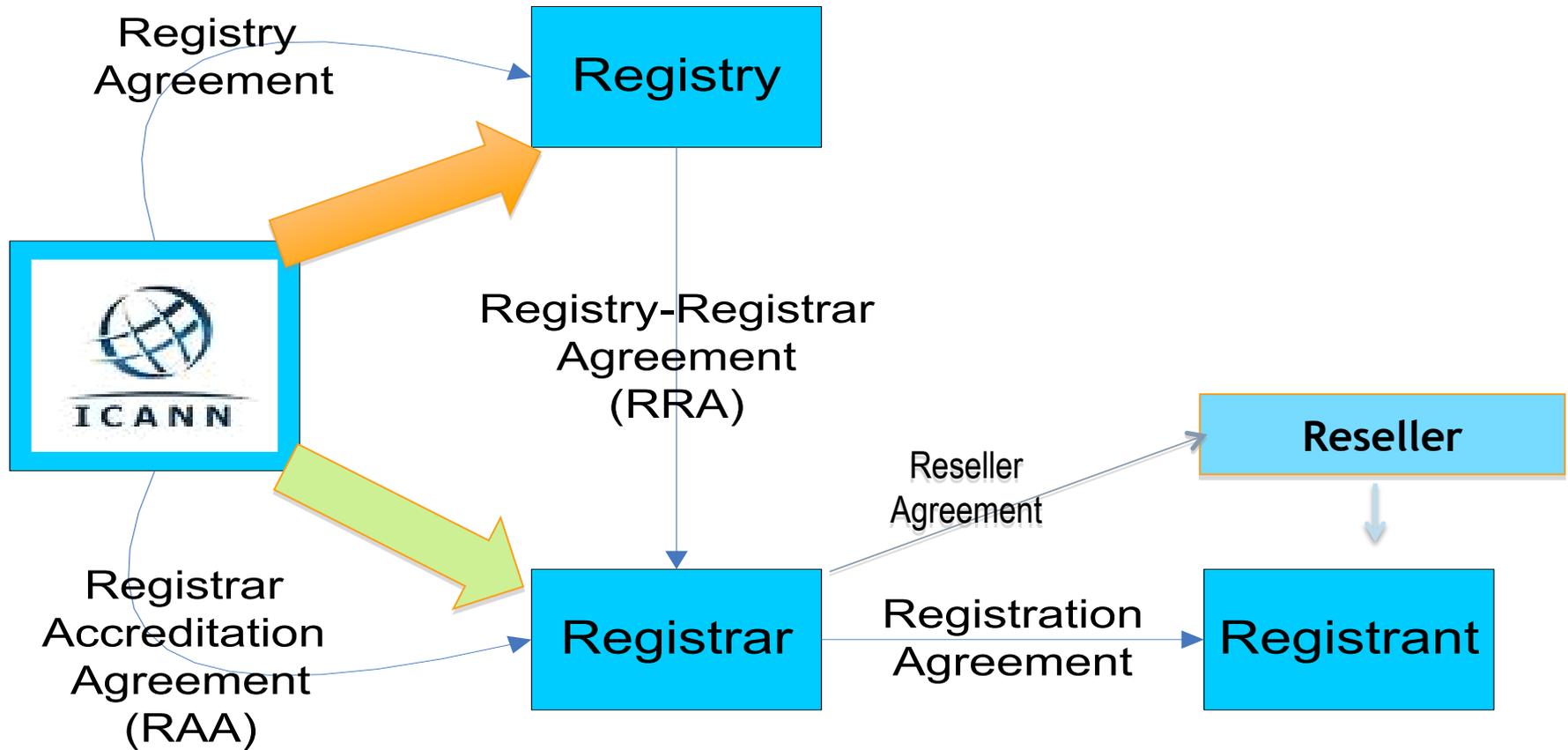
Registrars: register domain names
Registry operators: keep the master file for all domain names that end in a particular suffix
(**Registran**t: registered name holder (legal domain name owner)

Registration Data & Records

Registrars are:

➢ Required to maintain and provide registration data and records of written communications

➢ Registrars are responsible for maintaining data and documents and providing them to ICANN regardless of the business model (reseller)

Examples of records

- Time stamped logs:
    - Registration Agreement
    - Interruption of resolution path
- Communications with the Registered Name Holder (Auth-Info codes, FOAs, Renewal Reminders, etc.)
- Accounts of dealings with registrants including dates and amounts of all payments and refunds

Registration Agreement

➢ Registrars must have a registration agreement executed for every domain name that they register

➢ Agreements should include all of the provisions required by Section 3.7.7 of the RAA

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Whois Inaccuracy

Goal is to obtain a fact-based response from the registrar that supports their actions to address the complaint.

Some fact based acceptable responses:

- A statement that the updated data is accurate, because the domain is owned by the registrar itself.
- Whois changes showing that the domain has actually been suspended or cancelled.
- For registrant changes of Whois data or when registrants confirm that the information is accurate, ICANN requests copies of the communications (email or phone log) containing the DATE/TIME/ TO/FROM fields.
- Other information available to registrar to confirm or correct the Whois data.

Whois Inaccuracy

Not acceptable:

- 'Still attempting to verify'.
- 'Registrant confirmed accurate' but no communications provided.
- Copy of communication provided, but not showing who it was sent to and from.
- 'Data updated' but Whois unchanged.

Whois Inaccuracy

➢ Reasonable steps to investigate and correct Whois data inaccuracy claims

➢ To validate ICANN requests:
  ➢ The correspondence with the registrant (date/time, to/from), telephone number, e-mail addresses, and postal addresses used

ICANN CONSENSUS POLICIES
Inter Registrar Transfer Policy

Obligations regarding:

- Auth-code

- FOAs

- Locking/unlocking

ICANN CONSENSUS POLICIES
ERRP – Renewal Notices

- One month prior to expiration

- One week prior to expiration,

- 3rd notice required after 5 days of expiration.

- Must be provided in the language of the registration agreement.

- Must be communicated in a manner that does not require affirmative action to receive the notice.

ICANN CONSENSUS POLICIES
ERRP - Website Display

- Details of registrar's deletion and auto-renewal policies and any fee charged for recovery during the Redemption Grace Period (RGP) must be displayed on the website (EDDP)

- Renewal, post expiration renewal and redemption/restore fees must be clearly displayed on registrar's website and a link included in the registration agreement

- Registrars must ensure fees are displayed on resellers' websites

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ICANN CONSENSUS POLICIES
ERRP Renewal Requirements

- From expiration until deletion, Registrant At Expiration must be permitted to renew the domain name.

- Registrars may delete registrations any time after expiration

- Resolution path must be interrupted

19

ICANN CONSENSUS POLICIES
ERRP

Registries must offer a Redemption Grace Period of 30 days.

The deleted registration may be restored at the request of the registrant by the registrar that deleted it.

Additional Resources

- Learn more about ICANN Compliance

  http://www.icann.org/en/resources/compliance

- Monthly Updates:

  http://www.icann.org/en/resources/compliance/reports

- Compliance Metrics on MyICANN

- FAQ and complaint submission page

  http://www.icann.org/en/resources/compliance/complaints

Thank You

Please send general questions:
To: Compliance@icann.org
Subject line: ICANN48 LatAm Outreach Session

Wednesday Contractual Compliance Outreach Session 8:30 – 10:00

Room: Golden Horm