

Contractual Compliance

Outreach Program

20 November 2013

Agenda Topics

- **Bulk Whois Inaccuracy Submission Update**
- **Expired Registration Recovery Policy Update**
- **2013 RAA Readiness Update**
- **New Registry Agreement Readiness Update**
- **Audit Program Update**
- **Contractual Compliance Metrics**
- **Q & A**

Bulk Whois Inaccuracy Complaint Submission in Production

- Bulk means the ability to submit complaints through a single file upload.
- Three-month pilot (10 July thru 11 October 2013)
 - Limited to 100 complaints per week/user
 - Three users invited to participate from the Security and Brand protection industry
- Bulk complaints are processed as single complaint
- Mandatory TERMS OF USE
- Please refer to appendix for more details

Bulk Whois Inaccuracy Complaint Submission **Pilot** Highlights

- Outreach session with registrars and reporters about the bulk pilot in June 2013
- Complaints resolved by registrar within the 1st Notice turn-around time
- 340 total bulk complaints received during pilot
- All submissions from Brand Protection reporter
- Second reporter submitted successfully to test/dev environment only

Invalid Complaint Process

- Examples of invalid complaints:
 - Whois complaints referring to data not in current Whois
 - Complaints containing profanity, insulting, threatening or harassing language
 - Complaints out of Contractual Compliance scope
- ICANN sends a closure notice with the reason (why)
- ICANN suspends repeat offender's ability to submit complaints

Invalid Complaint Process (continue)

- Two complainants suspended in past 2 years
- Complainant A - Submitted 191 invalid Whois inaccuracy complaints within 8 weeks; received a closure notice/complaint with reason(s); Complainant's reports were that every Whois field was incorrect, including well-known registrars, privacy/proxy services, and Internet websites
- Complainant B - 37 emails with offensive language and a threat.

Expired Registration Recovery Policy Update

44 EDDP/ERRP complaints since 1 September 2013

Common issues:

- Registration agreements or auto-renewal and deletion policies not updated
- Renewal notices not properly sent
- Resolution path not interrupted after Sep 1st if domain expired before Aug 31st

- Link:

<http://www.icann.org/en/resources/registrars/consensus-policies/errp>

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Outreach Activities Summary

- 2013 RAA Registrar outreach meetings in Los Angeles, Xiamen and Berlin
- 2013 RAA Registrar outreach via webinars
- Latin America Registrar outreach

2013 RAA Effective Upon Execution

- + Registrar Must enter into agreements with resellers (Section 3.12)
- + Registration Data Directory Service Specification (Whois formatting)
- + Must provide specific information to ICANN and publish on website:
 - Correspondence address for the Registrar
 - If the location or address of registrar's principal place of business is different from the correspondence address, provide details including address, phone number, fax number and email address
 - Officer(s) full name, contact information, and position
 - Name of the ultimate parent entity of the registrar, if applicable
- + Must provide notice to ICANN in 7 days of bankruptcy, convictions and security breaches (Section 3.20)
- + Additional Reasons for Suspension and Termination (Sections 5.5 and 5.7)
- + CEO Certification - Due 20 January 2014 (Section 3.15)

2013 RAA Update

- + Two new Learn More pages (and complaint forms) were added to ICANN.ORG
 - Privacy/Proxy Registration Service
 - Whois Format
- + Changes to 4 Current Complaint Types
 - Whois Inaccuracy
 - Registrar Contact Information
 - Link to Registrant Rights and Responsibilities
 - Data Retention
 - All effective 1 January 2014
- + Adding 11 New Complaint Types
- + Enhanced Enforcement Tools

2013 RAA Effective 1 January 2014

- + Abuse Contact Requirements (Section 3.18)
- + Description of Customer Service Handling Process (Section 3.7.11)
- + Registrars and Resellers must provide a link to Registrant Benefits and Responsibilities (Sections 3.7.10 and 3.12.7)
- + Whois Accuracy Program Specification
- + Data Retention Specification
- + Additional Registrar Operation Specification (DNSSEC, IDNs and IPV6)
- + Section 2.2 of the Registration Data Directory Service Specification RE: Whois Service Level Agreement
- + Registrars and Resellers shall comply with the Proxy and Privacy Registration Program (Sections 3.12.4 and 3.14)

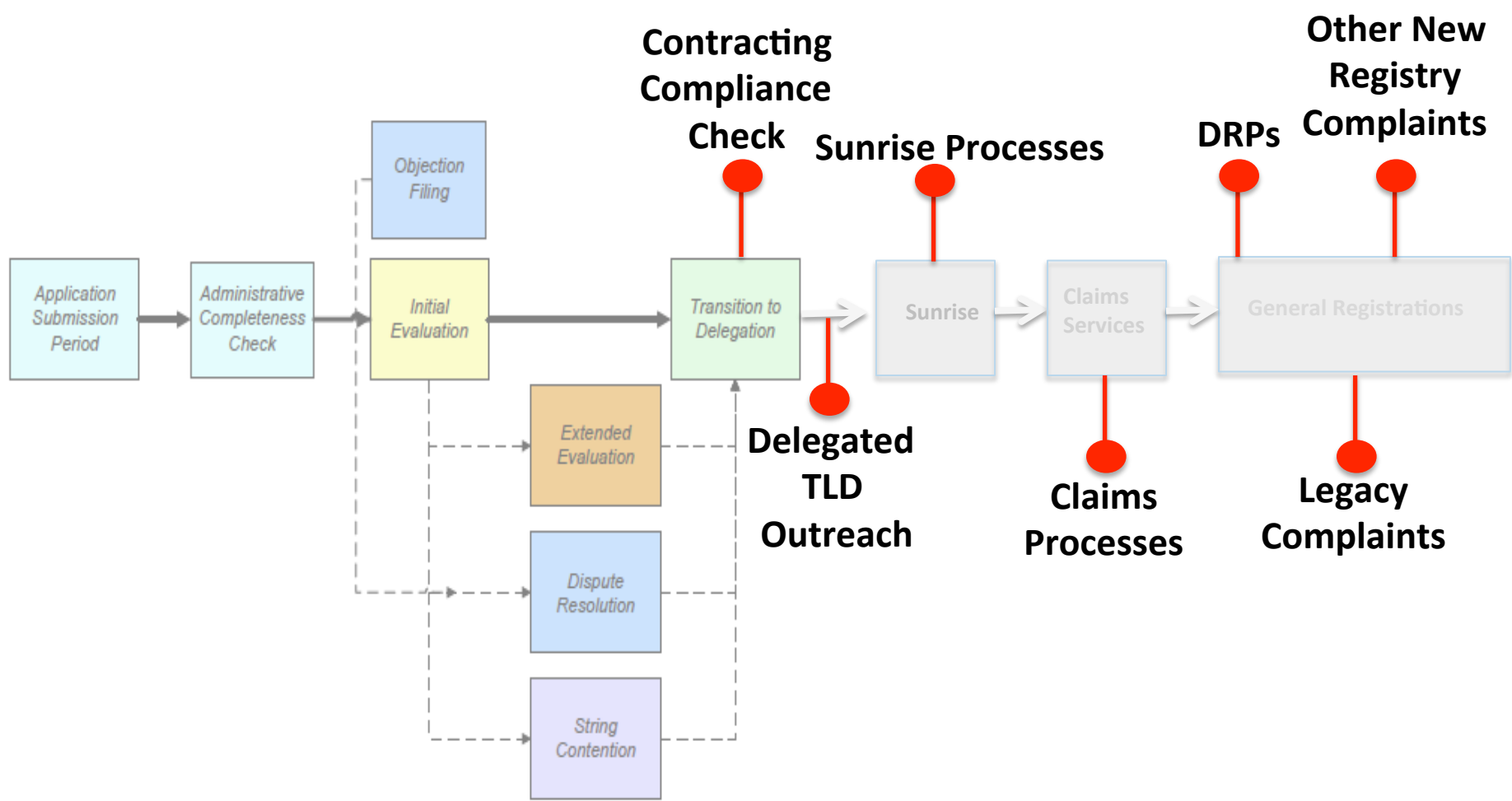
Registrar Related Complaint Types

Effective at Execution	Effective 1 January 2014
Reseller Agreement <i>Section 3.12</i>	Abuse Contact Data <i>Section 3.18</i>
CEO Certification <i>Section 3.15</i>	Customer Service Handling Process <i>Section 3.7.11</i>
Registrar Information Specification <i>Section 3.17 and Registrar Information Specification</i>	Failure to Support DNSSEC, IDNs, and IPv6 <i>Section 3.19 & Additional Registrar Operation Specification</i>
Whois Format <i>Registration Data Directory Service (Whois) Specification</i>	Privacy/Proxy Registration Program <i>Section 3.4.1.5 and Specification on Privacy and Proxy Registrations</i>
Whois SLA <i>Section 2.2 of Registration Data Directory Service (Whois) Specification</i>	Domain Not in DNS for Non-response to Whois inquiry <i>Whois Accuracy Program Specification</i>
	Notify ICANN of Bankruptcy, Conviction or Security Breach <i>Section 3.20</i>

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New Registry Agreement Efforts

Applicant Guidebook Timeline



Link to ICANN.org:
<http://www.icann.org/en/resources/compliance/registries>



Compliance Scope

- + The Registry Agreement and applicable Consensus Policies
- + The Dispute Resolution Procedures
 - Public Interest Commitments
 - Community Registration Restrictions
 - Trademark Post-Delegation
 - Uniform Rapid Suspension
- + The Sunrise Processes
- + The Claims Services Processes
- + The Audit is limited to the representations and warranties in Article 1, and the covenants in Article 2

Registry Related Complaint Types

Completed	Work in Progress
<ul style="list-style-type: none">+ Data Escrow+ Monthly Reports+ SLA+ Reserved Names+ Registry Fees	<ul style="list-style-type: none">+ Wildcard Prohibition
<ul style="list-style-type: none">+ Sunrise Processes & Procedures+ Centralized Zone File Access+ Name Collision – SLDs Blocked+ <u>Post-delegation Procedures</u><ul style="list-style-type: none">+ Public Interest Commitments,+ Registry Restrictions+ Trademark Post-Delegation+ <u>Rights Protection Mechanism</u><ul style="list-style-type: none">- Uniform Rapid Suspension	<ul style="list-style-type: none">+ Abuse Contact Data+ Registry Operator Code of Conduct+ Trademark Claims Notice+ Continued Operations Instrument+ <u>Failure to Notify ICANN</u><ul style="list-style-type: none">- Officer/Board Member Conviction- Bankruptcy

Outreach Activities Summary

- New Registry Agreement outreach with the gTLDs delegated in 2013

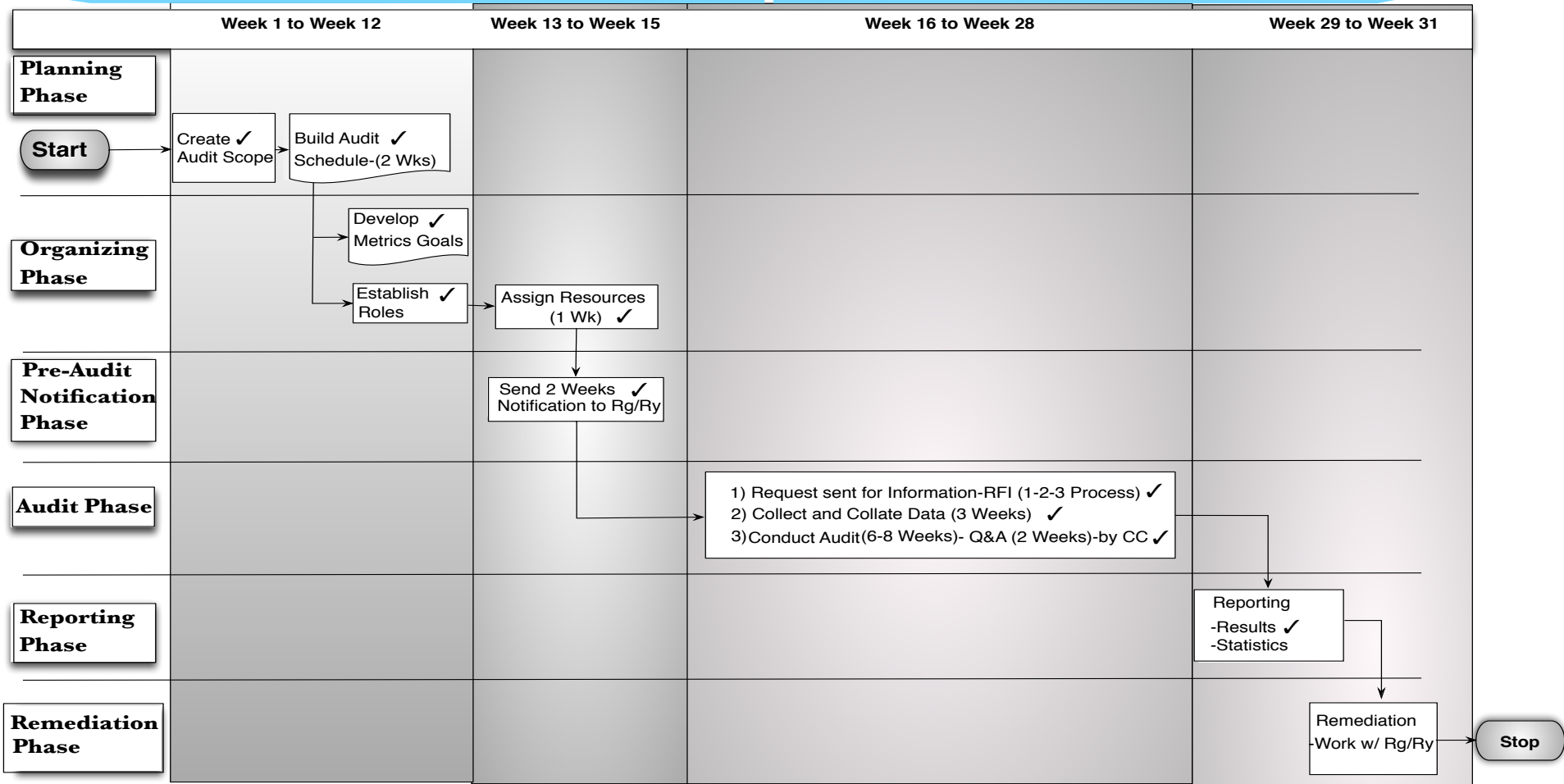
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“Self” Internal Audit Exercise

- + Conducted an Internal audit in July 2013 to assess compliance with the process and procedures
- + 45 total controls in scope
- + 8 findings were identified
- + Exceptions noted were system software issue and procedural
- + Compliance team has corrected procedural items in Aug 2013
- + Software updates to deploy in Dec 2014
- + Plan to conduct 2nd internal audit May 2014

Year-2 Audit Program Timeline

2012-2015 Audit Process Flow



Planning	Pre-Audit Notification	Request for Info (RFI)			Audit Phase		Reporting Phase		Remediation
		1 st Notice	2 nd Notice	3 rd Notice	Begin	End	Begin	End	
18 Sep – 11 Oct 2013	1-Oct-13	14-Oct-13	4-Nov-13	11-Nov-13	2-Dec-13	7-Mar-13	10-Mar-14	24-Mar-14	25 Mar – 5 May 2014

Year-2 Audit Program Sample

Registrars	#
Total Selected Registrars	317
Total Y1 Rollovers	5

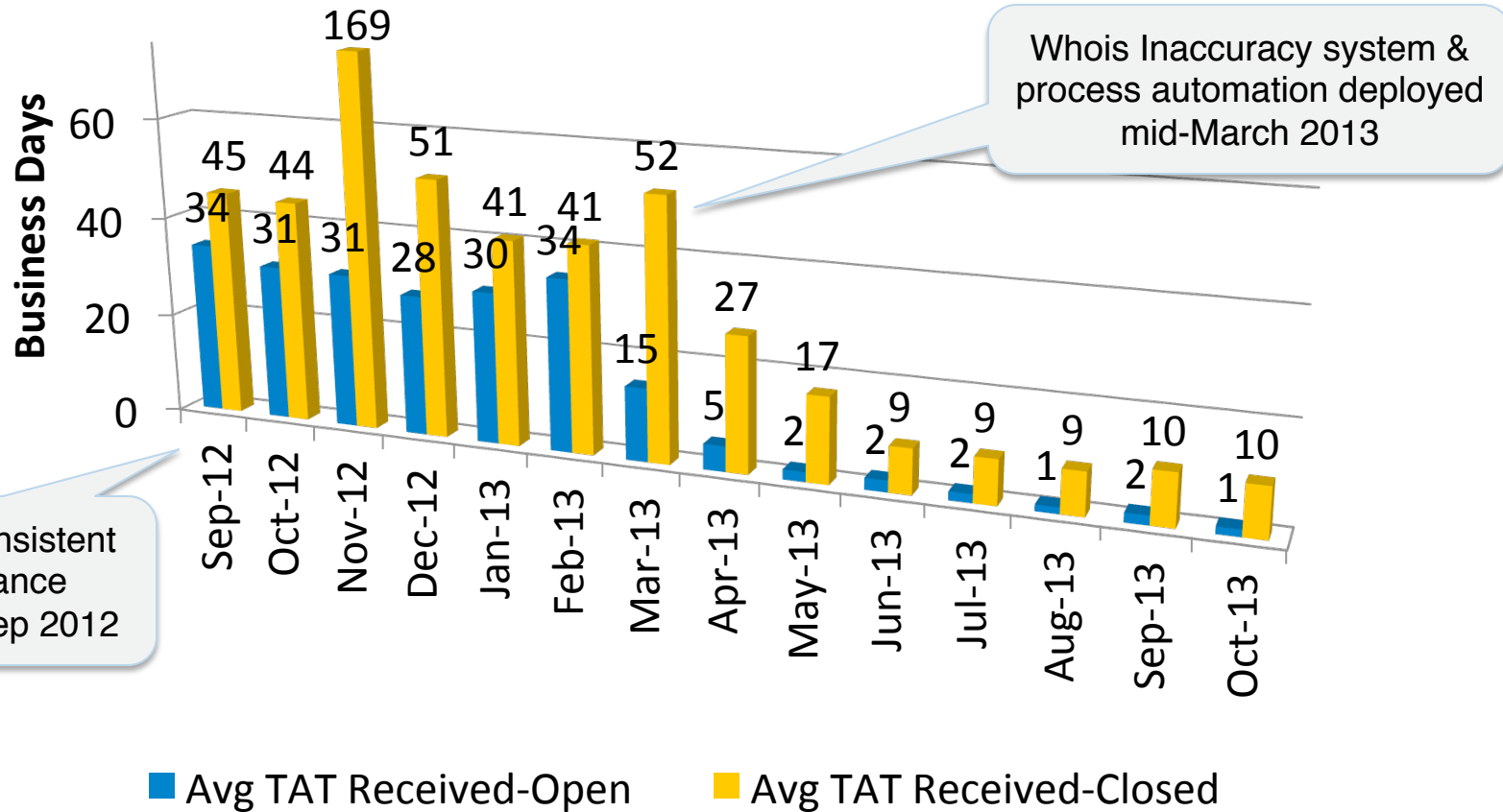
Registries	#
Total Selected Registrars	6
US	4
Ireland	1
Switzerland	1

Country	Registrars
United States	185
India	24
Canada	11
United Kingdom	10
Germany	8
China	7
Korea (South)	6
Japan	5
Spain	5
Australia	4
Italy	4
France	4
Mexico	3
Brazil	3
Sweden	3
Netherlands	2
Belgium	2
Lithuania	2
Russian Federation	2
Israel	2

Country	Registrars
Thailand	1
Finland	1
Czech Republic	1
Cayman Islands	1
Austria	1
Taiwan	1
Ghana	1
Hong Kong	1
Ireland	1
Argentina	1
Singapore	1
Viet Nam	1
Kuwait	1
Latvia	1
Liechtenstein	1
Malaysia	1
Panama	1
Philippines	1
Indonesia	1

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Whois Inaccuracy Improvements



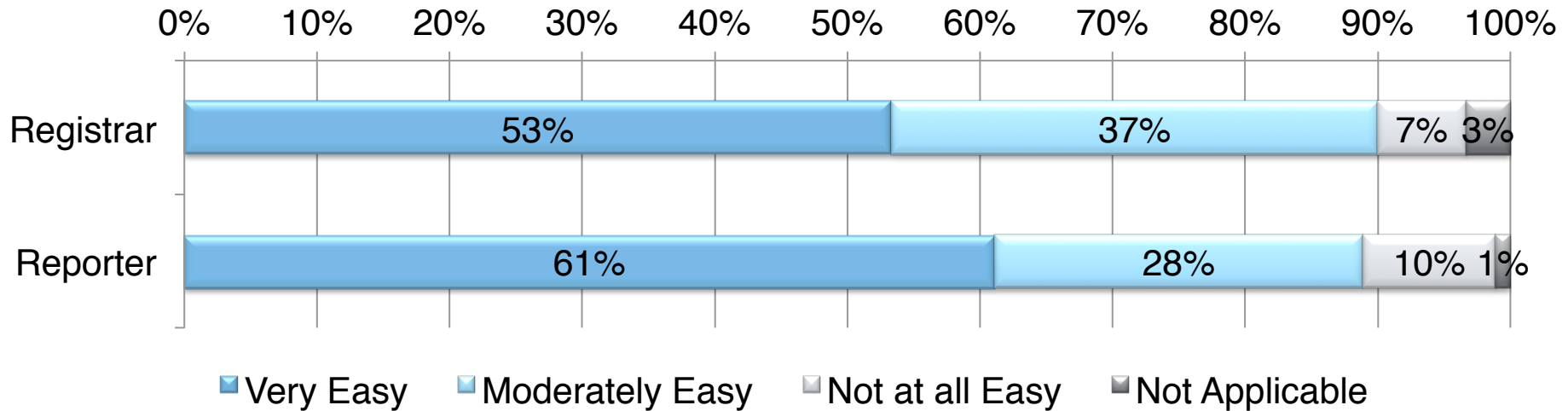
Average in Business Days of the Turn Around Time:

- From received to submitted to Registrar
- From received to closed

Pulse Survey Results

July – Oct 2013

Overall, how do you rate the complaint experience?



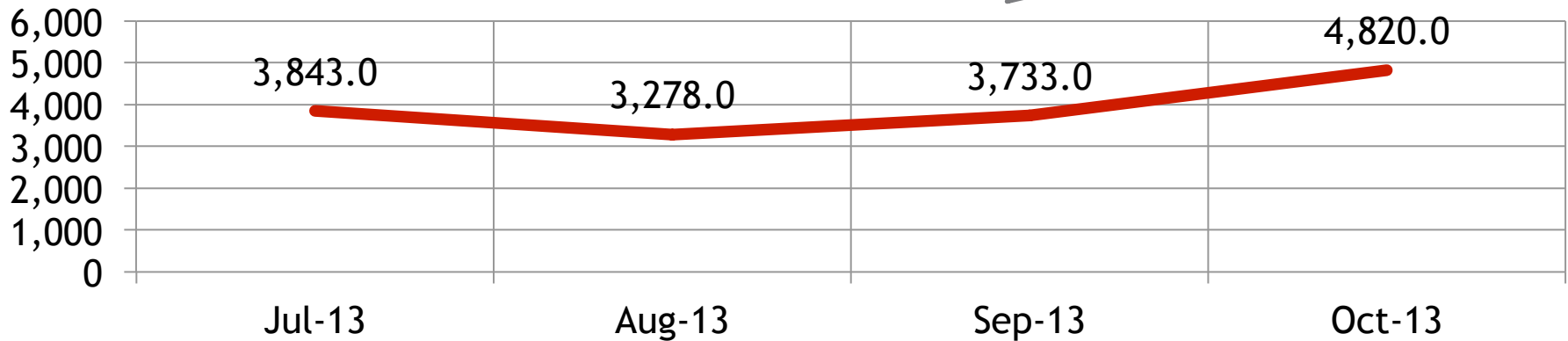
- Pulse Survey URL link included in all Closure notification emails to Reporters and Registrars

Web Hits on Compliance Page

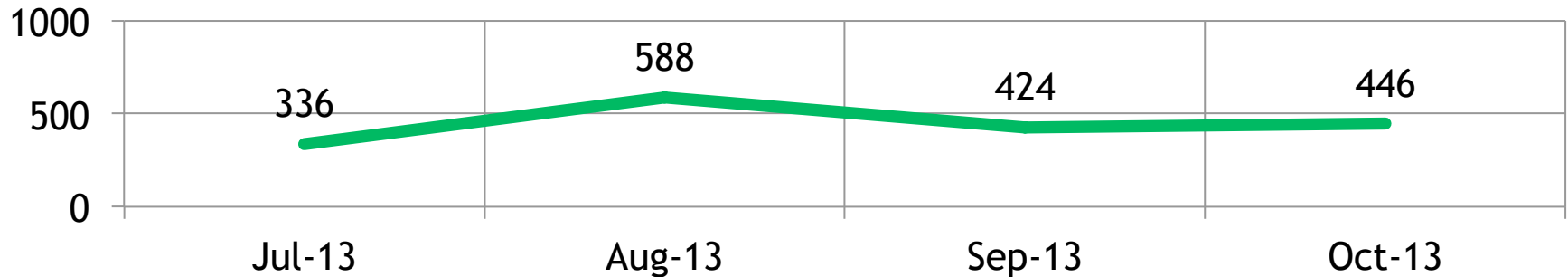
July – Oct 2013

Sample shows 80% of users are unique month to month

ICANN.ORG FAQs



myICANN.ORG Compliance Metrics



Complaints per Domain Volume

July – October 2013

N. America	100.9M	2,851	.003%
	754	284	37.7%

Europe	23.1M	868	.004%
	162	106	65.4%

Asia/A/P	23.9M	2,732	.011%
	165	113	68.5%

Latin America	1.3M	107	.009%
	24	16	66.7%

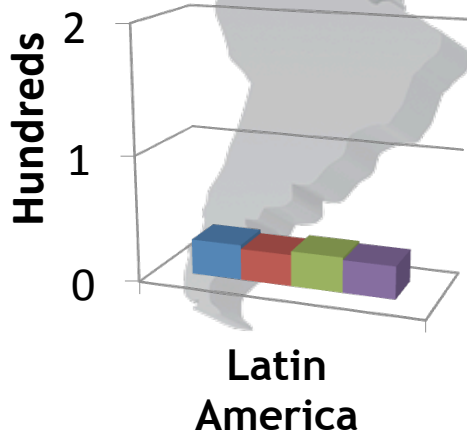
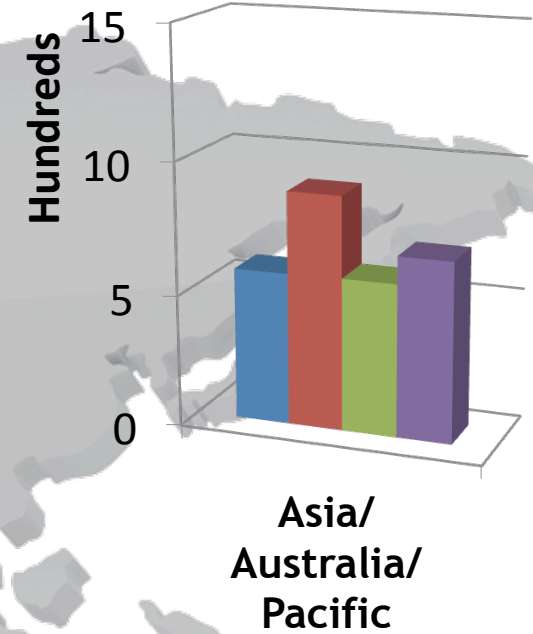
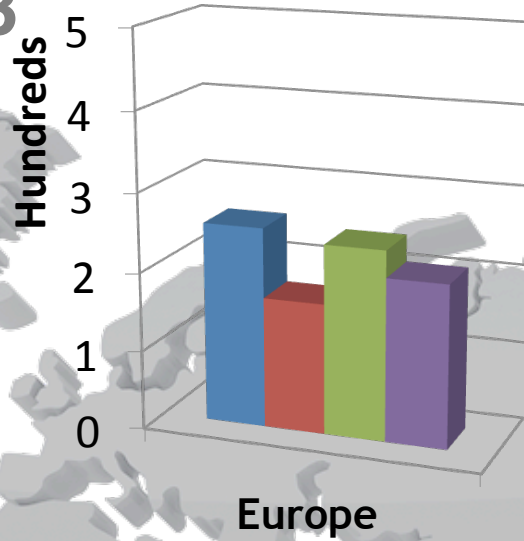
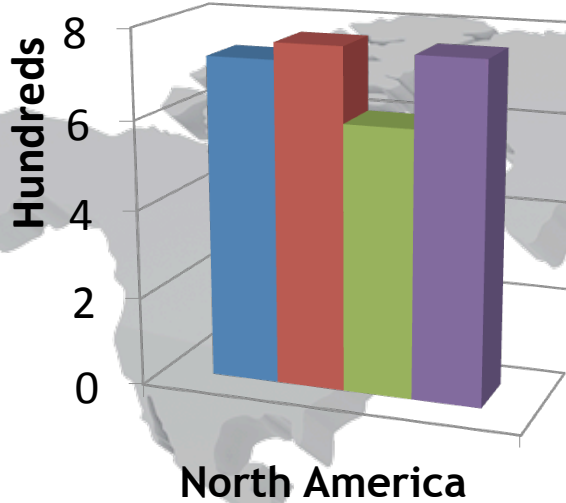
Africa	8,325	4	.048%
	7	1	14.3%

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

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

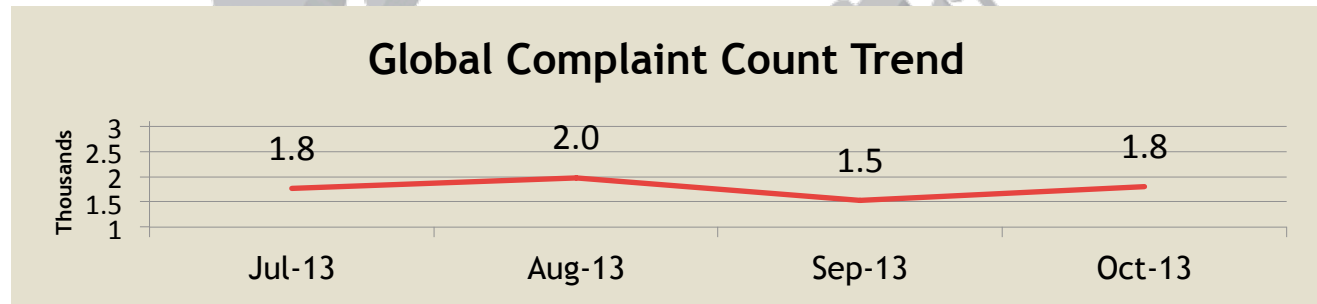
Registrars Complaint Trend

July – October 2013



Africa - 4 complaints in Oct

■ Jul-13 ■ Aug-13
■ Sep-13 ■ Oct-13



Compliance Operations Scorecard

Running Balance: July-Oct 2013

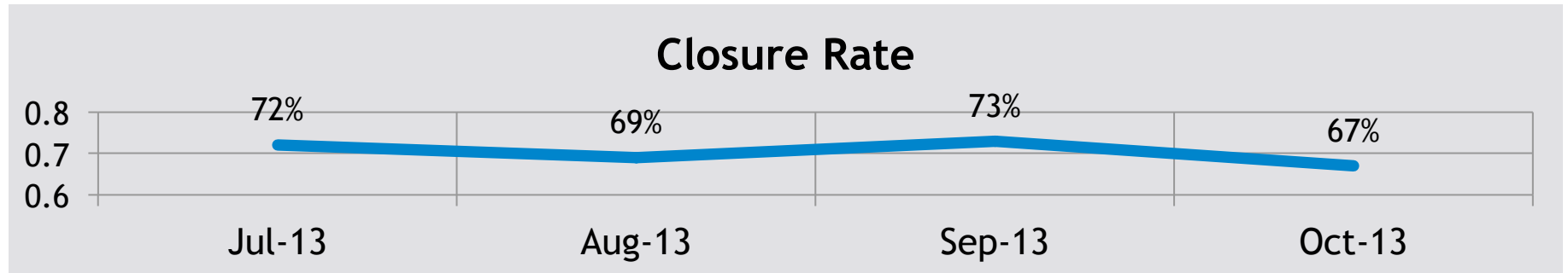
Registrar TAT			
July-Oct 2013	Avg TAT 1st Notice	Avg TAT 2nd Notice	Avg TAT 3rd Notice
July-Oct 2013	11.3	6.4	7.6

CC Staff TAT				
July-Oct 2013	Avg TAT Open-1st Notice	Avg TAT 2nd WIP	Avg TAT 3rd WIP	Avg TAT Received- Closed
July-Oct 2013	1.5	2.5	6.7	9.3

Total New Complaints Received		7064
Total Prior Months Carryover		2262
Total Complaints Received		9326
Volume Closed Before 1st Notice	2816	
Volume Closed Before 2nd Notice	2971	
Volume Closed Before 3rd Notice	667	
Volume Closed Before Enforcement WIP	71	
Volume Closed After Enforcement	35	
Total Closed		6560
Carryover		
Volume Open Before 1st Notice Sent	611	
Volume Open in 1st Notice Sent	1758	
Volume Open in 2nd Notice Sent	255	
Volume Open in 3rd Notice Sent	119	
Volume Open After Enforcement All	24	
Total Remaining Open (Carryover)		2766
Carryover- at end of period	773	773
Enforcements		
Volume Breach	11	
Volume Suspension	2	
Volume Termination	2	

Closure Rate of Complaints KPI

July 2013 – Oct 2013



- Closure Rate is one of the Key Performance Indicators
- KPI is used by compliance to monitor and analyze overall processing performance
- Compliance target for FY14 is 55%
- Target includes several factors such as:
 - Complaint volume
 - Number of staff processing complaints
 - Turnaround time (Registrar & compliance Staff)

Compliance Performance Measurement

- + Improve complaint closure rate by 10%
- + Improve internal audit performance on the 45 control objectives by 20%
- + Complete Year-2 Audit Program per schedule
- + Compliance Readiness for 2013 RAA
- + Compliance Readiness for new Registry Agreement

Additional Resources

- Learn more about ICANN Compliance
<http://www.icann.org/en/resources/compliance>
- Monthly Updates in 6 UN languages
<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



Any Questions?



Supporting Slides



Bulk Whois Inaccuracy Differences

Old Bulk	New Bulk
Separate system	Integrated within consolidated system
2 Automatic Notices	Within Compliance process and review
Data file validation at submission only	Additional validation at ticket creation <ul style="list-style-type: none"> •Data file validation •Active domain status •Non-duplicate complaint check (45 days) •Valid gTLD
Outside of ticket process	Bulk tickets within same process and queue as single submission Whois inaccuracy complaints (bulk tag for identification and metrics)
No review of ticket quality	<ul style="list-style-type: none"> • Rejection of invalid tickets • Periodic review/audit of tickets • Outreach to submitters to improve ticket quality
No Terms of Use	Mandatory Terms of Use
No abuse penalties	Abuse penalties include suspension and revocation of access
Unlimited ticket submission	<ul style="list-style-type: none"> - Gradual rollout - Limited to 100 submissions per user per week to ensure quality and scalability - Submission limit will be revisited based upon performance and impact to contracted parties and ICANN
One user	Access application, training & agreeing to Terms of Use. Limited number of users.

TERMS OF USE OF ICANN CONTRACTUAL COMPLIANCE BULK WHOIS INACCURACY COMPLAINT TOOL

AGREEMENT BETWEEN USER AND ICANN

The ICANN Contractual Compliance Bulk Whois Complaint Submission Tool (“Bulk Tool”) is offered to you conditioned on your acceptance without modification of the terms and conditions herein.

Please read the following terms of use and disclaimers carefully before using the Bulk Tool. By accessing or using the Bulk Tool, you agree to the terms and conditions, and all applicable laws. If you do not agree to these terms, you will not be allowed to use the Bulk Tool.

TERMS AND CONDITIONS

1. The Bulk Tool is subject to ICANN’s modification and enhancements, without notice as deemed necessary.
2. The Bulk Tool may be suspended by ICANN at any time if in its discretion ICANN deems it necessary.
3. Login information for the Bulk Tool is personal to you, and must not be shared with others.

TERMS OF USE OF ICANN CONTRACTUAL COMPLIANCE BULK WHOIS INACCURACY COMPLAINT TOOL (Continued)

4. Each user is limited to submitting no more than 100 Whois inaccuracy complaints through the Bulk Tool per calendar week. A calendar week starts on Sunday at 00:00 UTC. Additional submissions beyond 100 per week will be rejected. ICANN in its sole discretion may modify the submission limit with advance notice to the users and registrars.
5. Bulk submissions shall use current Whois data and may only be submitted in the data format specified by ICANN.
6. Bulk submissions shall not be used to harass ICANN, any ICANN-accredited registrar, or any domain name registrant or contact.
7. ICANN will review Bulk Tool submissions for validity, and improper tickets will be rejected by ICANN. Bulk Tool submissions must contain sufficient information to allow ICANN to validate each complaint independently. Factors to determine validity include, but are not limited to, complaint data quality and contactability (ability to reach Whois contacts).

TERMS OF USE OF ICANN CONTRACTUAL COMPLIANCE BULK WHOIS INACCURACY COMPLAINT TOOL (Continued)

8. ICANN will conduct periodic reviews or audits of user's Bulk Tool submissions to:
(i) determine compliance with these terms and conditions; and (ii) improve ticket validity levels. Users that do not demonstrate improvement for identified issues may have their Bulk Tool user access suspended or revoked.
9. ICANN may suspend or revoke Bulk Tool user access (either permanently or temporarily) for violations of these terms and conditions. Any suspension or revocation of Bulk Tool user access shall apply to single and multiple (“Submit another”) Whois inaccuracy submissions.
10. Bulk Tool users must collaborate with ICANN to submit test data through a test Bulk Tool that conforms to these Terms of Use before being allowed to submit to production Bulk Tool.
11. Any and all information submitted to the Bulk Tool can be submitted to an ICANN-accredited Registrar or any other party that ICANN may need to notify related to a Bulk Tool submission. ICANN will not consider or treat any information submitted through the Bulk Tool as confidential
12. ICANN retains that right to revise these terms and conditions at any time without notice.