

Common Recurring Challenges for APAC registrars – Recent Lessons Learnt



APAC Webinar

Contractual Compliance and Global Domains Division (GDD)
13 August 2015

A stylized world map composed of a network of white dots and lines on a dark blue background. The dots represent nodes and the lines represent connections, forming a complex web that outlines the continents of North America, South America, Europe, Africa, and Asia.

Introduction by Low Jia-Rong

GSE Senior Director, Asia

APAC registrars – Recent Lessons Learnt

Agenda:

- Uniform Dispute Resolution Policy (UDRP) Implementation - Sumi
- Abuse Complaint Requirements and Processing – Howard & Roger
- Quick Tips from GDD and Compliance
- Q&A



UDRP Implementation

Presentation by Sumi Lee, Manager, Contractual Compliance

General UDRP Issues

Uniform Domain Name Dispute Resolution Policy

- ⦿ Verify with providers and prevent improper transfer
 - ⦿ Registrars not responding to verification requests from providers
 - ⦿ Registrars transferring names during proceedings or instead of implementing Decision
- ⦿ Complexity of matters involving “mutual jurisdiction”
- ⦿ Complainants not providing information to registrars to update Whois
- ⦿ If domain name expires or is deleted during the course of a UDRP dispute, Complainant has the right to renew or restore under same commercial terms as RNH

Note: UDRP Rule revisions took effect 31 July 2015

Update to UDRP Rules

Implementation of revisions to UDRP Rules was 31 July 2015

- ⦿ **“Lock” defined**: measures to prevent modification to the registrant and registrar information by UDRP Respondent
- ⦿ **Verification Requirement**: Within two (2) business days of request for verification from UDRP Provider:
 - ⦿ Registrar must lock domain(s) at issue, confirm lock was applied and provide information requested in verification request to Provider
 - ⦿ Lock must remain during UDRP pendency and be removed within one (1) business day of Registrar being notified that proceeding has been withdrawn or dismissed
- ⦿ **Pendency of proceeding**: from time complaint is submitted to Provider to time Decision has been implemented or complaint terminated

Update to UDRP Rules

- ⦿ **Registrar Notice Requirement**: Within three (3) business days of receiving Provider's Decision, registrar must communicate implementation date to Parties, Provider and ICANN
- ⦿ **Settlement/Dismissal of Pending UDRP Case**: For cases settled between parties during the course of the UDRP matter
 - ⦿ Provider to inform Registrar of suspension and outcome of the settlement
 - ⦿ Registrar shall remove the lock within two (2) business days of being notified by the Provider
- ⦿ Other changes can be found in full redline of revisions at <https://www.icann.org/en/system/files/files/udrp-rules-redline-24sep14-en.pdf>

A world map where the continents are defined by a network of white dots connected by thin white lines, set against a dark blue background. The dots vary in size and are densely packed in some areas, creating a complex, interconnected web that represents global connectivity.

Abuse Complaint Handling

Presentation by Howard Li, Registrar Services Senior Manager

Abuse Complaint Handling

- Registrar to publish complaint handling / tracking procedures (RAA 3.18.3)
- Registrar to document all complaints
- Documentation retained 2 years (or maximum period permitted by applicable law, whichever is shorter)
- Records available to ICANN upon request

Abuse Complaint Handling, cont'd

Two possible complaint paths:

Standard (Public) & Law Enforcement

Standard Abuse Complaints (RAA 3.18.1)

- Published email address
- Registrar must take reasonable & prompt steps to investigate and respond appropriately

LEA Complaints

Law Enforcement Agency Complaints (3.18.2)

- Dedicated email address & telephone number
- Monitored 24x7
- Illegal Activity complaints
- From law enforcement, consumer protection, quasi-governmental or other similar authorities
 - As designated by the government of the jurisdiction in which the Registrar is established or maintains a physical office

LEA Complaints, cont'd

- Well-founded complaints (illegal activity) reviewed w/in 24 hours
- By individual empowered to take necessary & appropriate responsive action
- Registrar never obligated to commit illegal acts to resolve complaints

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Abuse Requirements and Processing

Presentation by Roger Lim, Senior Manager, Contractual Compliance

Abuse Reports Requirements

Section 3.18 of the 2013 Registrar Accreditation Agreement (RAA)

- ⦿ Most common abuse reports are about online pharmaceuticals, malware, viruses and spam
- ⦿ Examples of out of scope reports:
 - ⦿ Registrars on 2009 RAA
 - ⦿ Reporter did not contact the registrar before complaining to ICANN
- ⦿ ICANN continues to conduct outreach with registrars, abuse reporters and IP rights protection groups

Abuse Reports Requirements

Section 3.18 of 2013 RAA

- ⦿ 3.18.1: anyone worldwide can file valid abuse reports
- ⦿ 3.18.2: law enforcement, consumer protection, quasi-govt. - no jurisdictional limitation once entity is designated by registrar's local government
- ⦿ Registrar must investigate reports
 - ⦿ Court order NOT required to investigate
 - ⦿ Investigative process can vary depending on report
- ⦿ Home page must link to abuse process and email address

2013 RAA: Abuse Reports Requirements

Section 3.18.1

- Registrars must:
 - Take reasonable and prompt steps to investigate and
 - Respond appropriately to ANY reports of abuse
- Reasonable steps may include:
 - Contacting the RNH of the domain(s)
- Appropriately varies depending on the facts and circumstances
- Whois data verification by itself is insufficient
- Court order is not required for registrar to investigate absent a specific local law or regulation provided to ICANN

VS

Section 3.18.2

- Registrar must have dedicated abuse email and phone number in Whois output
- Reports of Illegal Activity must be reviewed within 24 hours by an individual who is empowered to take necessary and appropriate actions
- Reports can be from any applicable jurisdiction once reporter is designated by registrar's local government as an authority

Abuse Reports - ICANN Complaint Processing

- ⦿ ICANN confirms that reporter sent abuse report to registrar abuse contact before sending complaint to registrar
- ⦿ ICANN could request the:
 - ⦿ Steps taken to investigate and respond to abuse report
 - ⦿ Time taken to respond to abuse report
 - ⦿ Correspondence with complainant and registrant
 - ⦿ Link to website's abuse contact email and handling procedure
 - ⦿ Location of dedicated abuse email and telephone for law-enforcement reports
 - ⦿ Whois abuse contacts, email and phone
- ⦿ Examples of steps registrars took to investigate and respond to abuse reports:
 - ⦿ Contacting registrant
 - ⦿ Asking for and obtaining evidence or licenses
 - ⦿ Providing hosting provider info to complainant
 - ⦿ Performing Whois verification
 - ⦿ Performing transfer upon request of registrant
 - ⦿ Suspending domain

Abuse Reports – Resolve Codes

- ⦿ Abuse contact info published on registrar website
- ⦿ Added required abuse information in Whois output
- ⦿ Abuse report handling procedures published on registrar website

- ⦿ Registrar suspended or canceled domain

- ⦿ Registrar demonstrated that it maintained abuse records

- ⦿ Registrar responded to abuse report (non-LEA), including:
 - ⦿ Communicating report to registrant
 - ⦿ Registrant provides copy of government license
 - ⦿ Reporter removed from email distribution list (spam complaint)
 - ⦿ Website content in complaint removed
- ⦿ Registrar responded to LEA illegal activity reports

- ⦿ Registrar documented valid non-action, including
 - ⦿ Registrar previously responded to complaint
 - ⦿ Invalid abuse complaint

- ⦿ Registrar now monitoring abuse email address/phone

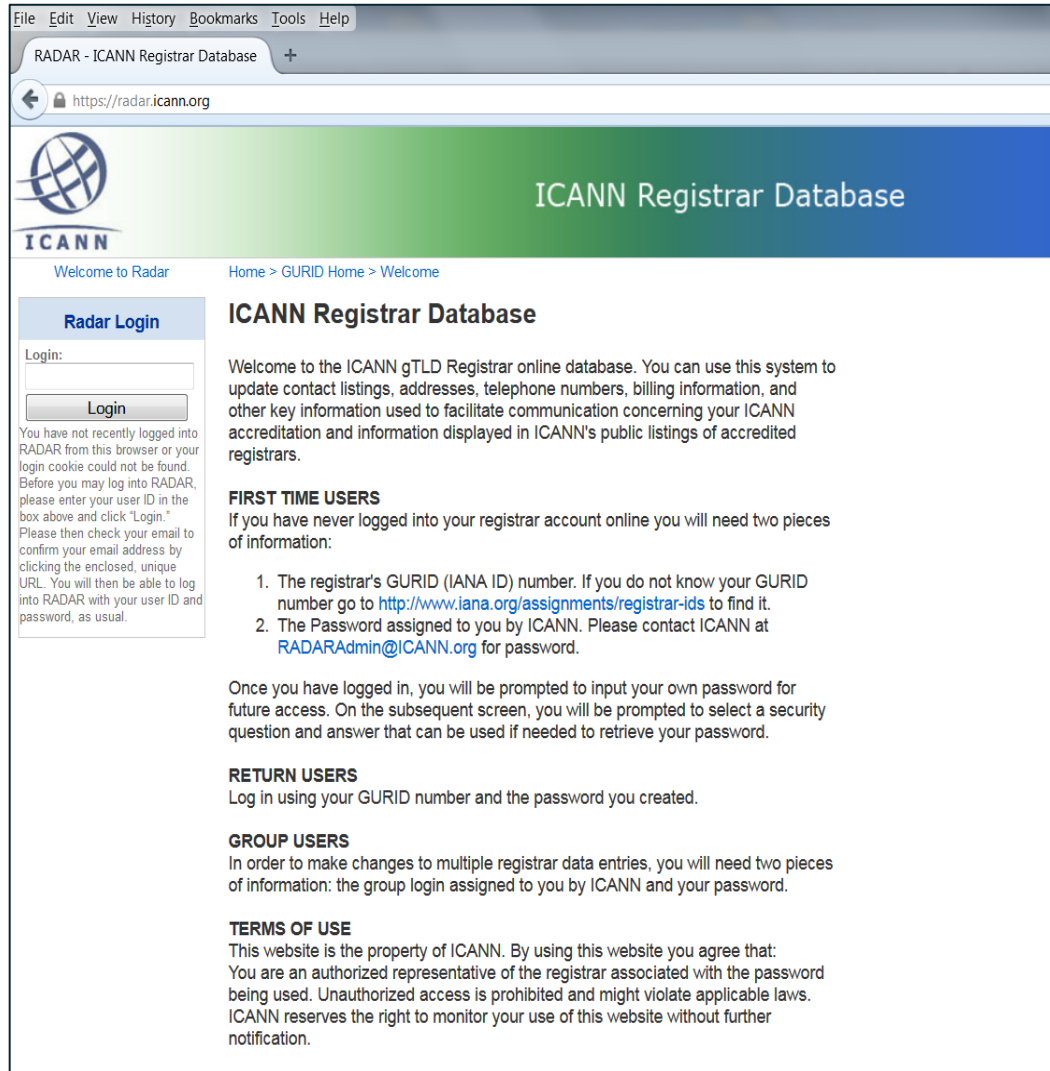
- ⦿ Registrar showed email/phone already published



Updating Registrar Contact Information (RADAR)

Updating Registrar Information (RADAR)

- Access the website at:
- <https://radar.icann.org/>
- RADAR users must now verify their email addresses to log in. RADAR will set a 90-day cookie in the browser, which means if you **change computers** or **delete the cookie**, you will need to go through the verification process again.



The screenshot shows the ICANN Registrar Database website. The browser address bar displays "RADAR - ICANN Registrar Database" and the URL "https://radar.icann.org". The page features the ICANN logo and the title "ICANN Registrar Database". Below the header, there is a "Radars Login" section with a "Login:" label, a text input field, and a "Login" button. A message below the login form states: "You have not recently logged into RADAR from this browser or your login cookie could not be found. Before you may log into RADAR, please enter your user ID in the box above and click 'Login.'" Below this, it says: "Please then check your email to confirm your email address by clicking the enclosed, unique URL. You will then be able to log into RADAR with your user ID and password, as usual."

ICANN Registrar Database

Welcome to the ICANN gTLD Registrar online database. You can use this system to update contact listings, addresses, telephone numbers, billing information, and other key information used to facilitate communication concerning your ICANN accreditation and information displayed in ICANN's public listings of accredited registrars.

FIRST TIME USERS
If you have never logged into your registrar account online you will need two pieces of information:

1. The registrar's GURID (IANA ID) number. If you do not know your GURID number go to <http://www.iana.org/assignments/registrar-ids> to find it.
2. The Password assigned to you by ICANN. Please contact ICANN at RADARAdmin@ICANN.org for password.

Once you have logged in, you will be prompted to input your own password for future access. On the subsequent screen, you will be prompted to select a security question and answer that can be used if needed to retrieve your password.

RETURN USERS
Log in using your GURID number and the password you created.

GROUP USERS
In order to make changes to multiple registrar data entries, you will need two pieces of information: the group login assigned to you by ICANN and your password.

TERMS OF USE
This website is the property of ICANN. By using this website you agree that: You are an authorized representative of the registrar associated with the password being used. Unauthorized access is prohibited and might violate applicable laws. ICANN reserves the right to monitor your use of this website without further notification.

Updating Registrar Information (RADAR)

Registrar View
<u>Billing Contact</u>
Public Contact
Primary Contact
TEAC Contact
Transfer Contact
UDRP Dispute Contact
Whois Contact
Corporate Officers
Description & Logo
gTLDs
Internic Preview
Languages
IPs for Whois Whitelisting
Port 43 Whois URL
View Change History

- All contacts except “**Primary Contact**”, can be updated through RADAR by registrar.
- To update “**Primary Contact**”, please complete and sign the form at <https://www.icann.org/resources/files/primary-contact-update-form-2012-02-25-en>, and email a copy to accredit@icann.org.
 - ✓ Please keep all contact information current, so that ICANN can reach you in time.
 - ✓ If you have more than one person responsible for a certain area (e.g. Whois, Transfers), you may list a secondary contact.



A world map where the continents are defined by a complex network of white dots and thin white lines, resembling a social or data network. The background is a solid dark blue color.

Update Registry Contacts Information

Update Registry Contacts Information (GDD Portal)

- ⦿ Ensure the contacts information are kept up-to-date.
- ⦿ To update contacts information after a TLD is delegated, the [Registry Operator](#) will create a case in GDD Portal to submit the request.
- ⦿ [ICANN Customer Service](#) will update the contacts information for the Registry Operator.



Communicating with ICANN Contractual Compliance

Tips for communicating with ICANN Contractual Compliance

- ⦿ Whitelist emails from icann.org
- ⦿ Check that your mail servers are not blocking emails from ICANN
- ⦿ Reply to compliance notices ASAP and state what you are doing
 - But no later than notice deadline
 - Early response allows for follow up and collaboration if insufficient
- ⦿ Do not change the subject line in any way when responding to compliance notices
- ⦿ Make sure response + attachments are less than 4 MB in total size
- ⦿ For information on ICANN Contractual Compliance Performance Reports <https://features.icann.org/compliance>
- ⦿ For Frequently Asked Questions: <https://www.icann.org/compliance/complaint>

IP Ranges to Whitelist

- 192.0.32.0/22
- 208.77.188.0/22
- 192.0.44.0/22
- 213.14.112.162
- 111.223.127.96
- 212.3.234.146
- 217.111.254.74

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Thank you!

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