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## ICANN Transcription

### Transfer Policy Review PDP WG

**Tuesday, 13 February 2024 at 16:00 UTC**

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JULIE BISLAND:

Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group Call taking place on Tuesday, the 13th of February, 2024. For today's call, we have apologies from Osvaldo Novoa (GNSO Council liaison), John Woodworth (ISPCP), Prudence Malinki (RrSG), Jothan Frakes (RrSG). Prudence formally assigned Essie Musailov, (RrSG), as her alternate for this call and for remaining days of absence. As a reminder, the alternate assignment form link can be found in all meeting invite emails.

Statements of interest must be kept up to date. Does anyone have any updates to share? If so, please raise your hand or speak up now. And I see no hands. All members and alternates will be promoted to panelists. Observers will remain as an attendee and will have access to view chat only. Please remember to state your name before speaking for the transcription. As a reminder, those

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who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you. And over to our chair now, Roger Carney. Please begin, Roger.

ROGER CARNEY:

Great. Thanks, Julie. Welcome, everyone. Before we jump into our agenda, just a few things. We have this session and two more sessions before everyone starts heading to ICANN 79. And that's just a few weeks away, actually, so that's coming up quickly. We do have two sessions scheduled for ICANN 79. They're both on Saturday, back to back. Saturday afternoon, right after lunch, we start. And we have most of the afternoon to cover. Our recommendations for the change of registrant, make sure that we're in a good spot for that. And tying any loose ends from our Group 1A discussions that, in light of our change of registrant discussions, if anything needs to change or not. So I think that the big part of our ICANN 79 will be the change of registrants and its impact, really, on anything we did in Group 1A. So that's the goal for ICANN 79, so everybody's aware.

Also, I see that Steinar posted to the list this morning that ALAC has their meeting scheduled. I don't remember exactly, Steinar, what day it was. Maybe you can jump on and tell us. They'll have an open discussion on change of registrant and change of registrant data. But yeah, as for those that didn't see it, schedule was published for ICANN 79, so take a look if you're going or if you're planning to tend remotely, start taking a look and get things lined up. Thanks, Steinar, for the post. Let's see, anything else?

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A couple comments. We still don't have any rationale for our changes to the change of registrants or basically reduction into what change of registrant is down to notification. So we still need that information to be put into the working document. And yes, there we go. Thank you. Still nothing in there. We need to fill this out, get it, all the rationale and logic that we used to get here. So we'll try to get some of that teased out a little bit today, but we need everybody to work on this so that we can have support when we go to public comment.

And the last thing I'll say is the survey for the working group closed last week, I believe, and we did get a good number of responses. We got nine responses out of it. So thank you for everyone that did that, and it'll help us move forward in our working group planning session. So let me jump to Theo here real quick. Theo, please go ahead. Oh, sorry, closed this next Wednesday. Thanks, Mary. So it is still open for another week or so. Theo, please go ahead.

THEO GEURTS:

Yeah, thanks. So on the COR reduction rationale, maybe the only one here, but we only decided last week what we were going to do with this. And before that, we had all kinds of discussions where this was going. So in my mind, it didn't make a lot of sense to move forward with the rationale when there's still lots of nuts and bolts being discussed. And you just mentioned that the CORD is going to be a heavy topic within ICANN 79, which I will not be there. So maybe we just should wait a little bit with the rationale till the dust settles, so to speak. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Yeah. And again, as we go through the recommendations today, as you mentioned we really got focused in on where we're heading. And as we go through the draft recommendations today, hopefully, again, we can tease out some of that rationale and start building that. Like you said we just finally agreed to what looks like a final direction. So we should be able to start teasing that out pretty well. Okay. Steinar, please go ahead.

STEINAR GROTTEROD: Yeah. Hi, this is Steinar for the record. I just want to welcome everybody to the At-Large session on Saturday at the ICANN 79 meeting. And I just want to emphasize, this is not a closed meeting. This is an open meeting where all the different stakeholders with their views can come in and kind of either listen to the discussion or take the floor and make their argument. The basic purpose of this is to have and to kind of educate the At-Large group to how this change of registrant data policy can or cannot be etc. etc. and all the pros and cons and so on. So I do hope that everybody can bring their cup of coffee and join for this kind of afternoon session. Thank you.

ROGER CARNEY: Great. Thanks, Steinar. Yeah. And thanks for that invite as well, just to make sure everybody's clear that they can attend. That's great. And that session is right after our session. So probably a good transition there. So. Okay. I think maybe I'll open the floor up to any stakeholder groups now that have anything they want to

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bring forward, any comments, any questions they want to pose to the working group. If there are any from the stakeholder groups that they've been having, please come to the mic and let's see if we can get anything resolved.

Okay. Well, I think with that, I think we can jump into our agenda then. And maybe I'll turn this over to Christian and he can take us through some talking points here for us. Christian, please go ahead.

CHRISTIAN WHEELER:

Thank you, Roger. Yes, the first thing that we're going to want to talk about, we started talking about this a few meetings ago, but we just kind of want to clarify whether the availability section of the current COR policy is still relevant to change of registrant data. So I'm going to pull that up again. This is a kind of a summary of section B of the transfer policy that basically talks about what points is the change of registrant policy valid or applicable.

So, for example, the first mention is that in general, registrants must be permitted to update the registration data and transfer the registration rights to other registrants freely. It's kind of just a general statement. That might still be true with this new evolved policy. Section two talks about when a registrar must deny a change of registrant request. So you can kind of think of this as rather than change of registrant, change of registrant data, whether this is still applicable. So for when the registration agreement has expired, that's when they must deny this kind of change of registrant data request. And number two, the part where that has a little section highlighted, this is a part that

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actually might be needing some change. That's why we want to, we highlighted it here. So per the current policy, a registrar has to deny a change of registrant request if it was not properly authorized by the prior registrant and the new registrant. Now you might recall that was done through the authorization process whereby they have to send a confirmation request, essentially, to both the prior registrant and the new registrant when they make a change to the data and they have to get a affirmative response back from both of them. This group has said that that's not necessary. It's no longer necessary to send a confirmation request. They can just, the registrant can just update the data and then receive a notification. So this section that's highlighted could potentially be deleted and keep the first unhighlighted part, saying that if it was not properly authorized by the prior registrant or rather just the registrant, then the registrar must deny the COR request. I don't know if the group thinks that that's reasonable or if everything needs to go, but essentially this is a stipulation and one of the only ones there currently that says that if it's not authorized, then the registrar can't follow through with it. And then this 2.3 is regarding the, if it's subject to a dispute like the UDRP, URS, I think it's supposed to be TDRP or court order. So I'll just pause there regarding the must deny section to see what the group thinks about if this should be maintained. And if not, then what should be there to replace it, if anything. What are the signs where registrar has to deny a change of registrant data request? I'll just pause right there for now.

ROGER CARNEY:

Great. Thanks, Christian. Ken, please go ahead.

KEN HERMAN: Ken Herman for the record. Thanks Roger. Just a quick clarification. Registration agreement, is that the agreement that the registrant has with the registrar or it's not the domain name registration? Can we clarify that for me please?

ROGER CARNEY: Thanks Ken. Christian, I believe this is the domain name registration agreement, right? Between the registrar and registrant.

CHRISTIAN WHEELER: Correct.

KEN HERMAN: Okay, so it's the domain name. So it means that, I mean, the domain has expired essentially, hasn't been paid up by the registrant.

ROGER CARNEY: Yes, something similar to that, Ken, exactly.

KEN HERMAN: Okay, great, thank you. Theo, please go ahead.

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THEO GEURTS: Yeah, I could be really short on this, but let me give it some color anyways. So, when you're talking about numbers two and three, I think they can go completely. We don't need this anymore. I mean, this was very irrelevant back in the day when the COR was still part of the transfer policy. That's why all this is in here, partially. So back then that was important. Now it's no longer important because the COR is no longer part of the transfer process. We've been through this, so we don't need to reiterate that again. And we are now talking about no longer of the change of registrant. We're now talking about updates to registrant data with passing any judgment on what that is. So going through all these points here, even with one, I've got a little bit of an issue, but let's not focus on that. But two and three can go when we are talking about, again, this is no longer relevant, but when we are talking about UDRP, URS that is also not longer relevant because if that is the case, the UDRP, URS, and so on, that will be part of the UDRP process and policy. So we already got it covered somewhere else in the policy realm. So I think we can just go easy on ourselves and go home early and remove these two sections. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Yeah. And 2.3, as you mentioned, probably is a duplicate policy language. As you state the UDRP, URS, all those actually already have restrictions on what can and can happen with that domain name and those contacts. So 2.3 makes sense. To me, it's a duplicate. So I don't know that we're saying we're getting rid of it. We're just saying that it's a duplicate requirement elsewhere.



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2.2, I don't know if that still makes sense or not. Obviously when you're talking about it, you wouldn't allow a change of registrant if the person doing it wasn't authorized. So I don't know how this would occur or when it would come up. I just don't know. Maybe it is something that's still relevant and there's no harm in keeping it or not. But it's definitely, to me, prior and new. We've already gone through this and I'm not sure the and makes sense there. But Theo, please go ahead.

THEO GEURTS:

Yeah, basically, you covered most of it yourself already. But back in the day, and we still have that policy active, the change of registrar policy, when there was a material change, then there was authorization required. Somebody had to do something. The prior registrant had to do something and so on. But now that we moved on to an update policy, at least what's being proposed that no longer applies. I mean, the COR policy suddenly doesn't deal with prior registrants and new registrants. So that language in there on 2.2 is redundant because the COR policy, as it was written then, will be completely changed and is no longer applicable when it comes to authorizations. I mean, we removed that to notification. So that's just redundant. Thanks.

ROGER CARNEY:

Great. Thanks for that, Theo. That helps a lot, in my head, anyway. So Christian, please go ahead.

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CHRISTIAN WHEELER: Thank you. Yeah, I just had a question and that is, is there an issue with getting rid of it in that would it implicitly imply that the registrar doesn't have to authorize it in order to move it forward? Or that if the domain name registration agreement expired, that they still, that's not an excuse to deny a change of registrant data request. So I just, I guess I assume, is there more harm in removing it by not stipulating these circumstances or, for instance, for number three, which again, when it doesn't apply, stipulating that for registrars versus leaving it as is? Would there be harm there? Because if the group wants to remove it, then we need some strong rationale for why it needs to be removed.

ROGER CARNEY: Great. Thanks, Christian. Theo, please go ahead.

THEO GEURTS: Yeah. So when you look at 2.1, I can't remember why we put that explicitly a decade ago. But again, we are not talking about a change of registrant anymore, but a change of registrant data. Yeah. An update of the registrant data. Again, not passing judgment. So I don't see why a registration agreement has expired and you cannot update the data if that is still possible. I mean, at a certain point, even that is no longer possible when we're talking about expired domain names. But within the grace period, yeah, that can be up to 45 days. The data can change, but it doesn't have any impact if there's a registration agreement in place. Is that really relevant? Do we really sort of want to define like, okay, you can sort of update your domain name, your registrant data all day in and out every hour, if you wish, or every minute. But, oh, you

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can't do that because the registration agreement has expired. You can technically still update it, but now we say, no, you can't do that. That sounds like a little bit arbitrary to me. I don't think it has any place in the policy anymore, but I go with the will of the group. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. And that's good clarity on that. Other thoughts? Anyone else have thoughts of, these should stay or they're not needed anymore? Okay. I think Theo's making some good points. I don't know why anyone would do it, but I don't know why we would try to stop them from doing it just because the registration agreement has ended, updating their personal information. I don't know why, what harm there is in allowing them to do that. And actually it may someone actually comes in and does that, which to me would be a miracle, but if they did, that just continues that contactability probability. So, I don't see, I mean, to me, it seems to be less harmful to allow them to do it than to not allow them to do it. Just as Theo describes that and going down that path, it just doesn't seem like there's a reason why that exists. And to Theo's point, I don't know why it was in there in the first place, especially 2.1. I'm not sure why that was in there. Maybe there was some reason behind it, but it just doesn't seem logical that you would stop someone from updating their data just because of the registration agreement. Thoughts though? Again Theo has laid out some explanations for the removal of them. And Catherine, please go ahead.

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CATHERINE PALETTA: I have been absent for quite a while. This is Catherine Paletta now. Exciting times. Yes, I was gone because I got married. So anyway, on 2.1, I guess I don't understand totally how that could ever happen. I think if there's a domain name registration, registrars are required to have an agreement with the registrant. And so if there's a domain name for which you can update the contacts or the registration data, there must be a registration agreement. So I guess on top of that, I don't see how it could ever happen. Does that make sense? Am I missing something?

ROGER CARNEY: No, no. And then I think you're on that path. And it's like, to me, it would be really odd that that could occur. But I think that depends on how the registrar system is set up. And if their contacts are loosely or directly tied to a domain, but it's two separate entities, you could update a contact without having to worry about the domain being there or not. And again, then you would just associate those two entities together when it was relevant. So I think it's possible. But again, I think it's highly unlikely that it would ever occur. So I don't know. And again, I just don't know. I don't see any harm in allowing them to update. Again, this is more of a registrar implementation on how they do it than anything, as Catherine points out, because I mean, some wouldn't even allow it just because there's no domain name anymore. Okay, any other comments on this? Again, I think Christian's point here is we're taking a look at all these and making sure they're still relevant and everything. You know, I think that Theo laid out very good reasons for it not necessary anymore. So I think that unless someone disagrees with that, it's a good path to simplify this instead of

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again, making people scratch their heads when they read it, what did they mean? So to me, simplification is a good reason alongside the lack of need of them anymore. Okay, any other comments on that? Christian, please go ahead.

CHRISTIAN WHEELER: Thank you. And just going back to 2.2. Does the group think that this—because how I read it, it's a layer of security there, or at least something that if it was there, contractual compliance could look at it when receiving a complaint. If the change was not properly authorized by the registrant, just get rid of prior. Does the group think that there needs to be a stipulation that it needs to be authorized without saying how that authorization is done? So if there's no more confirmation requests that they need to approve, maybe it doesn't make sense to include it. But does this still make sense that the registrar has to make sure that the registrant is the one authorizing the change of registrant data requests in order to approve it? Or is that just implicitly the understanding?

ROGER CARNEY: Great. Thanks, Christian. Yeah. And I think the interesting thing here was, and I'll let Theo talk here in a second, but Theo was trying to go back into history and tell us the reason for this was because there was an authorization required when a change was made. And now that we've removed that, then this one doesn't make sense. But to Christian's point, does it make sense just in light of anything, not the history or that there was authorization required before, but that a registrant needs to be basically approving it anyway? So, but Theo, please go ahead.

THEO GEURTS: Yeah. So before the change of registrant policy, domain registration data could be updated without any policy kicking into gear. And we operated for a very long time without any policy on that. Now there was a perceived problem back then, a decade ago. So we introduced the change of registration policy, which required authorization by several parties, either the registrant, the designated agent, those were the entities that could approve or authorize or not authorize a change of a registrant. And that is now gone because we said, okay, we are removing the entire authorization process. That's now been taken out since last week. So we went from an authorization focused policy to a notification only policy, where we only send a notification to the registrant in what is regarded a material change based on the three fields that we discussed last week. If this field is changing, like the email address, for example, then a notification is going to be sent to the registrant, like this happened. But there is no recourse in that anymore. Of course, there might be a recourse effect later, because we also said within the notification, a registrant can ring the alarms, hit the button, so the alarms go off and contact the registrar, because there will be instructions within a notification. Hey, if you did not authorize this, or this was a mistake made by whoever, maybe a reseller, we don't know, then at least the registrant can go to the registrar says, okay, we didn't authorize this. And then a completely different process is going to start there. But that is no longer part of the change of registrant policy. No, that will be part of a different procedure. And they can be very different, based on the registrar model or whatever, whatever processes they have in place. And they're going to be dependent

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on the log files. So there needs to be proper logging. But that's already there for most registrars, when it comes to this, because you're talking about disputes about, hey, who did what, and this is not okay. So that's going to be done and dealt with by a very different process, but no longer by the policy. I mean, that's gone. Thanks.

ROGER CARNEY: All right. Thanks, Theo. Okay, any other comments on this? Okay. Christian, I think we can move off of this one and move to the next one.

CHRISTIAN WHEELER: Yeah. And so yeah, if anyone thinks that number three, when they wouldn't apply, should be continued, then someone can raise their hand. But it sounds like trying to keep it simple, and that it's already explained in other policies. So we'll just go ahead and move on then. Okay, staff has drafted up some preliminary recommendations based on the working group's discussions. So we'd love to hear your thoughts and reactions, whether you agree with these, disagree, want to tweak it. And the areas that are highlighted on the slide is what we're going to be talking about. So I'll just go ahead and read it.

So the first preliminary recommendation states that the working group recommends that the transfer policy and all related policies must use the term change of registrant data in place of the currently used term change of registrant. This recommendation is for an update to terminology only and does not imply any other

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changes to the substance of the policies. It's just a just a change of terminology.

1.1 is change of registrant data is defined as a material change to the registered name holder's name, organization, or email address. And the working group affirms that the current definition of material change remains applicable and fit for purpose.

I do want to pull up the material change definition again, for the group. But does anyone have any questions or concerns about these first, 1.1, 1.2, or sorry, 1.1 first? Before material change. So let me just pull up the material change just to make sure that everyone has the same idea of what it is. So if material change is still fit for purpose, this is the current definition of material change. So it's a change that's not a typographical correction, which I think people kind of understand already. And it gives some examples of what are considered material changes. So the registered name holder's name or organization, that's not a typographical correction. And this is the one that want to draw people's attention to- Any change the registered name holders name or organization that is accompanied by a change of address or phone number. And then any change to the registered name holder's email address. Does anyone have any issues with this current definition of material change as it would apply to change of registrant data?

ROGER CARNEY:

Thanks, Christian. Volker, please go ahead.



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**VOLKER GREIMANN:** Yes, not necessarily an issue. I think the definition is fine. I think where the problem lies in this is that essentially, this is very hard, if not impossible to code for. I mean, we all operate our registrars in an automated fashion. This is not something where someone sits and enters numbers and letters into a database manually. And therefore, determining what is a typographical error and what is not a typographical error is very hard to determine by a machine. So essentially, we are defining something that we probably will not be able to recognize in an automated fashion. And therefore, most changes will still be treated as material, even if they're non-material, simply because of the fact that we do not know whether they're material or not. Thank you.

**ROGER CARNEY:** Yeah. Thanks, Volker. Yeah. And that's right. And I think that most registrars do do that. There's very little effort put into trying to see if it's typographical error. Now, smaller registrars, I don't know these registrars that are more customer hands-on, maybe they can and do implement this. It's like, oh, okay, yeah, we put an extra A in there or something like that. Maybe that does apply to them. But as you said, people that are dealing with thousands of changes a day aren't going to be doing this. And the policy doesn't affect that. And like you said, Volker, it still works. It's just that in practical terms, there is no check for typographical for a lot of people. So Theo, please go ahead.

**THEO GEURTS:** Yeah, thanks. So, of course, Volker is 100% correct there. But why did we put in that language in the first place a decade ago?

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Especially, we were talking about small registrars who actually do things manually. And they get a customer on the phone and they go like, "Hey, I made a typo. Will you correct it for me?" "Okay, yes, I can do that." And now it doesn't trigger the policy requirements, because it was a typographical correction. Volker is correct. Larger registrars who deal with thousands of these things, they cannot distinguish between that. So that is correct. But it was back then that we sort of figured like, well, there could be small registrars, there could be small resellers here that might fit this very narrow description. And maybe over 10 years, a magical AI will be able to recognize that for us. That didn't happen. So that shows you how far AI has come, in my opinion. But that is basically why we put in that language there to create a little bit of leeway. So smaller registrars could make those corrections and not trigger the policy. Because already back then, we thought this policy is pretty heavy handed. And this was a carve out to cater to certain businesses, not to trigger the policy. That's why we made it. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. It's great to have someone that has a memory that spans over the decade there. So that's great. Thanks. Rick, please go ahead.

RICK WILHELM:

Rick Wilhelm, registries. The registries don't have a proverbial dog in particular in this fight, as the saying goes. I'm not an attorney, but I would just kind of encourage us to think about the real world. Other folks have gone through this. The DMV, Department of

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Motor Vehicles, or contracts, or if the title on your house, or something like that, does not recognize this notion of a typographical correction, if your name is misspelled on the title for your car, or your passport, or your marriage license, if for some reason they have the wrong number of Ls, or the wrong number of Ts in your last name, you have to go down and get that corrected. And it's as though there's no notion of a typo. And so I don't know why the policy would be messing with someone's legal agreement. So this is the kind of thing that here where we're making policy, that seems well into the realm of well-established law and contractual conventions. And so I'm not sure why we would be messing with this. And I'm not saying anything about why it was put there originally, but now that the document is cracked open, we have a chance to fix it. I'm not sure why we wouldn't fix it. Thank you.

ROGER CARNEY:

Great. Thanks, Rick. Any other comments on this? Volker, I assume that's an old hand. Okay. I think this is good, and we can move forward, Christian. Thank you.

CHRISTIAN WHEELER:

Thank you. So does this still work, then? The material change is applicable and fit for purpose, or does the group want to change the typographical notion of material change? And I did just want to also highlight that as part of the current policy, there are some examples of what they were thinking of between it, which as they said might be more applicable to smaller registrars or ones that can make manual changes. But there is nothing that prevents a

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registrar from treating a change as a material change. So I just want to highlight that as well. Moving on. Volker, is that an old hand? Okay.

Moving on to 1.3. So again, this is the highlighted section. Preliminary rec one, we just went over last slide. So a change of registrant data record applies when a material change is made to the registered name holder's name, organization, or email address on file with the registrar of record, even when this data does not necessarily correspond to the registrant data published in the public RDDS, i.e. when the registrant's data is redacted for privacy or masked by a privacy proxy service. A change of registrant data does not apply to the addition, removal, or update of privacy proxy service provider data presented in the public RDDS, so long as the registered name holder's name, organization, or email address on file with the registrar remain unchanged. This is just kind of a clarification that we're talking about the registration, the registrant data that's on file with the registrar, not necessarily what is always public in WHOIS or RDAP.

ROGER CARNEY: Great. Thanks, Christian. Owen, please go ahead.

OWEN SMIGELSKI: Thanks, Roger. This is Owen for the record. I just want to make sure we tweak this because we're talking about registered name holder. That's going to be the proxy provider in the case where they're using a proxy service. A privacy service is not the registrant, so we just make a clarification that instead of we're

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talking about changing information or unchanged, that we're talking about the underlying customer information because we don't want to go down that path of not calling a proxy service the registrant or calling a privacy service the registrant. Thanks.

ROGER CARNEY: Great. Thanks, Owen. That's good clarity to bring up. Theo, please go ahead.

THEO GEURTS: So, I wonder why we even have this section here. I mean, we are talking about changes of registrant data being made within the databases on a registrar system. And why are we sort of, yeah, well, make it muddy when we are talking about what is being displayed in a WHOIS or whatever that there is? I mean, why do we sort of care about this? I mean, what is being published as a proxy service? I mean, and how does that tie in with a change of registrant data? I don't understand that. I can understand what an update is to registrant data. You know, the registrant has a new email address. Great. Let's update that. That goes fine with the spirit of GDPR and the accuracy principle. Done deal there. But this, the change of registrant applies when a material change is made to the registrants, etc., etc. And then we move on to the public RDDS. Why is that relevant? I don't understand. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Christian, please go ahead.

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CHRISTIAN WHEELER: Thank you. I believe it's relevant in that the working group received a lot of charter questions regarding privacy proxy provider data, that there wasn't a lot of clarity in the previous change of registrant policy. And so it resulted in registrars interpreting it in different ways. And so this was an attempt to try to clarify that in response to those charter questions.

ROGER CARNEY: Great. Thanks, Christian. Yeah. And I think it gets back to something more directly in line with what Owen was saying is, obviously, I think that we need to update this because to Owen's point, the registered name holder of a proxy is the proxy. So that's not what we're trying to get to. What this is trying to get to is if it is proxied or obscured somehow, whatever the way that is, this point here is trying to get to if the actual underlying customer updated their data and changed their email address, whatever, then there should be a notification sent. Even if the proxy information doesn't change or anything, the fact is, is that if someone comes in, and again, to me, this gets a bit tricky in that this is only probably relevant in affiliated scenarios, because otherwise you don't know. So I think that that's another issue that comes up. But that if it is, again, I think this point is trying to get to the underlying customer data like Owen is saying is, we can't talk about registered name holder because proxy is actually the registered name holder. And that's not the goal here. The goal is that underlying data change. So, Theo, please go ahead.

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THEO GEURTS:

Yeah, so I got a little bit more clear now in my head, I had to go back on the intent of all of this. Call it the origins, so to speak. I mean, this was relevant back in the day, when we're still relying on those FOAs in the incoming and the outgoing FOA. But basically, more importantly, the incoming FOA. I mean, that's where we were just basing a couple assumptions on the output of the WHOIS. I mean, was there still a proxy service in place? And maybe that needed to be changed before the transfer could even move forward. And then we were suddenly talking about change of registrant. Is that a change of registrant when somebody drops his proxy services? But that is no longer the case. I mean, GDPR kicked in. Again, a change of registrant is no longer part of the transfer process itself. So that is no longer applicable or relevant in this case. So this whole section about going like a COR applies when there's a material change, go on, go on, go on. Except when this is not relevant, when there is a change of registrant data, when it comes to privacy and proxy services. But again, those privacy and proxy services are no longer in play in this entire transfer process. So you basically got your first part is, well, this is what a material change is, and this is when it applies. Except for the part does not apply when a removal or update of the proxy services is initiated. That is all no longer relevant. So I would say this section can go. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. Any other comments? Again, as Christian pointed out, we had several charter questions specifically dealing with privacy proxy interaction on transfers. As Theo mentioned, some of that has changed because the FOA not being required.

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But as Theo brought up, one of the questions outstanding is when a privacy or proxy is removed, it's not necessarily named in here, but when you remove that and replace it with the underlying customer data, is that considered a change of registrant data? And does that mean a notification is set? Or are we saying that's not needed? And I think Theo is saying it's not needed. But Theo, please go ahead.

THEO GEURTS:

So basically, that was the heart of the problem back then, because registrants had to drop the proxy service to get the transfer going there. It required data that could receive the FOA, so the registrant could acknowledge the transfer. And that is basically, now that it's no longer there, because we took that out, and now that we acknowledge that the COR is no longer part of the transfer process, this entire section, we are no longer worried about that discussion anymore. Is that a change of registrant or not? Because back then, we had those discussions. So we put in the language like, okay, if there's a material change, okay, then the policy kicks in. Except it doesn't change when there is a removal or update for the privacy proxy, because we don't acknowledge that as a material change. Because back then, there was discussion about the fact that in some of these cases with these privacy proxy services, they could not accept those FOAs. And that was what triggered the entire discussion. So that's why we made a carve-out back then, like, okay, if this and this and this is a material change, except under these circumstances, then it's not. But again, this is ancient history. It's no longer applicable. It can go. Thanks.



ROGER CARNEY: Great. Thanks, Theo. And I think that that makes sense is on when privacy and proxy are just being removed. As you said, it seemed like that carve-out was important. And again, I think that that idea is still important because it can be removed in the underlying put forward. But that is not a change of registrant data, because there was no data. But I think that this specific point here is about there is privacy, there is proxy on it. And the underlying customer data changes. We still have a policy that says a notification is sent. And that's what this, I think, is trying to get to is, okay, even when there is privacy or proxy, if the customer changes their name, or changes their email address, or phone number, or organization, then a notification has to be set.

And again, I think that you have to be careful here. Because not all instances do you know if it is or is not privacy or proxy. So you can't necessarily draw a direct line all the time there. So Theo, please go ahead.

THEO GEURTS: Yeah, when you mentioned there is, when a privacy proxy service is enabled, there should be a notification ... I'm not sure if that is what you're saying. But if that's the case, let me just reply to that and tell you like, if a registrant applies privacy or proxy services, again, that is not a change of registrant. So that's not a material change. And if there is no material change, by that definition that I just unleashed on you guys there, then there should be notification. I mean, why is there? I mean you use a service of a privacy proxy service, for whatever reason that is, but you're not

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telling the privacy proxy service, “Oh, now you're going to be the domain name owner.” No, that's not the case. So there is no change of registrant data on the registrar database. It only has a notification in the code that says, “Oh, and with this domain name, the registrant data utilizes the privacy proxy services of the registrar.” That's maybe what you're going to see. Well, that is basically what you're going to see in the code that is being stored for the registrant and in combination with a domain name. But that is completely detached from any discussions about sending notifications when somebody turns or turns off that service. It doesn't change the registrant data. It just changes the service for that domain name, which is again, completely detached from the registrant data. But again, long time ago, those were really important back in the day, because we based things on the output of WHOIS, and that is no longer that relevant anymore, because policy has changed. Thanks. So no notifications.

ROGER CARNEY:

Yeah, thanks. Thanks, Theo. Yeah. And again, I think turning it on or off, I think that at least I think the group would agree that that's not a change of registrant data. But I think that the point here, I suppose it's the actual, I wouldn't say security or not. But you know, even when you look at GDPR and everything, you allow that registrant, that customer, who may or may not be the registrant, again, depending on if it's privacy or proxy. But there is underlying customer information. And when that changes, then you would send a notification. And I think that the point here is, should that be maintained, even if that is completely obscured? Like, I think all privacy providers still put the name out there. I

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think that's how that works. And the rest of the information is obscured. So a material change in name would obviously trigger notification because it's out there. So Theo, please go ahead.

THEO GEURTS:

Yeah. So you just said it there, Roger. If there is a change of registrant data, and the material change applies, then we send a notification. That's what we got so far. That's great. That is clear. And that is very simple to follow. But now with this section, and I know the history of this, but now we're getting into a discussion with stuff that no longer has anything to do with a change of registrant data in combination with the privacy proxy service. The policy we have so far is you send a notification regardless when it is a material change. Done. We already finished that. So this section just brings in a layer of complexity where you and I, and maybe others, are completely struggling with because we are talking about ancient history when this was important, and it's no longer important. And again, we already sort of figured it out in the current policy itself. So great. Let's move on. Thanks.

ROGER CARNEY:

All right. Thanks, Theo. Any other comments on this? Again, we do have a couple specific charter questions on privacy, and again, it needed to be looked at. So that's the reason why we're going through it. Any other comments on this? Okay. I think we can move forward, Christian.

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CHRISTIAN WHEELER: Thank you, Roger. I just had a comment or questions. In light of the fact that there were questions about this in the charter that it wasn't clear from the previous policy, should this be as part of like, should this be stipulated at all, the mentioning of privacy proxy data just to clarify that this doesn't apply, or should this just be removed? Really briefly.

ROGER CARNEY: Great. Thanks, Christian. Theo, please go ahead.

THEO GEURTS: Yeah, maybe I'm not the one who should be answering this, but I think when you start a project like this and you come across and you start your charter here, you sort of try to include everything as much as you can, because when you do policy, you can't anticipate what is going to be important and what's not going to be important. So, yes, we did include this in our charter, in the charter questions, because if you had asked me 120 meetings ago or whatever it is, is that going to be important, Theo, I would have said, most likely, this is going to be very important, because it was a problem back in the day. And if it's a problem back in the day, well, you sort of automatically sort of assume like, well, it could still be a problem. But we moved on. And when it comes to this policy, we made a lot of discovery, so to speak, in a positive way. And now we sort of come to the conclusion, like, yes, we did ask those questions back at the beginning of the charter. But 115 meetings further into the process, hey, okay, that's good news. This is no longer applicable. Great. We can go home now. Thanks.

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ROGER CARNEY: So, Theo, do you know if it's our 115th meeting or not?

THEO GEURTS: I don't know. Maybe it's—

ROGER CARNEY: That's a pretty good guess. I don't know what it is, but it's got to be a pretty good guess. I think we're over that.

THEO GEURTS: Congrats to all.

ROGER CARNEY: Okay, thanks. And again, people, think about it, because I think Christian's point here was good, was, does anything need to be said, even if it's, hey, we just ignore it or not? I think that people need to think about that. And again, to simplify, less language and confusion is better. SoGo ahead, Christian.

CHRISTIAN WHEELER: Thank you. So, preliminary recommendation two is that the working group recommends that the role and definition of designated agent is no longer fit for purpose. Accordingly, the working group recommends all references to designated agent must be eliminated from the transfer policy. Pause there. Make sure everybody is on board with that.

ROGER CARNEY: Great. Thanks, Christian. Any comments on this? Again, this is what we've heard from probably several meetings now, that it's no longer needed in this policy. So, thanks, Steinar, 118. Theo, please go ahead.

THEO GEURTS: Oh, 118. Yeah, thanks. So, and this is also a logical development. I mean, the designated agent was there especially to authorize or not authorize a change of registrant. Now, we went to notification. So, there is nothing to authorize or deauthorize anymore. So it's redundant language now. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Any other comments? Okay, great. Go ahead, Christian.

CHRISTIAN WHEELER: Preliminary recommendation number three is the working group recommends eliminating from the transfer policy the requirement that the registrar requests and obtain confirmation from both the prior registrant and the new registrant prior to processing a change of registrant, as detailed in sections ... of the transfer policy. That is essentially the confirmation request, that this part of the process is no longer required, and instead moving over to notifications.

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ROGER CARNEY: Great. Thanks, Christian. And my only comment before I'll take any comments is, should we change a registrant to change of registration data, registrant data, whatever we're using there? But any comments from anyone on this? Theo, please go ahead.

THEO GEURTS: Yeah, why would you change that, Roger, if this section is no longer relevant? I mean, again, there is no confirmation process anymore. There's only notifications. So, I don't think we need to change anything. We just need to remove the entire language there. Thanks.

ROGER CARNEY: Yeah, thanks, Theo. And the only reason I suggested it is because this will be published, and people will see this, and we've already stated earlier that any references to change of registrant, we're not talking about change of registrant, we're talking about change of registration data, the CORD, not the COR. So, I, that's the only reason I brought it up.

CHRISTIAN WHEELER: Like this?

ROGER CARNEY: Yeah.

CHRISTIAN WHEELER: Gotcha.

ROGER CARNEY: Okay, I think that's good, Christian. I think we can go ahead.

CHRISTIAN WHEELER: Number four is the working group recommends that following a change of registrant data, and this is in brackets, just until this is confirmed, unless the RNH previously opted out of notifications, which will be the next rec, the registrar must send a change of registrant data notification to the registered name holder without undue delay, but no later than 24 hours after the change of registrant data occurred. This is the notification recommendation. And 4.1 states that this notification must be written in the language of the registration agreement, and may also be provided in English or other languages. Does anyone have any issues or concerns with this recommendation?

ROGER CARNEY: Great. Thanks, Christian. Any comments, any issues, concerns on this? I think this covers what we were discussing, so I think it's good. Okay, I think this is good, Christian.

CHRISTIAN WHEELER: Okay, 4.2 goes into what the notification entails. The registrar must include the following elements in the change of registrant data notification. Domain names, text stating which registrant data fields were updated, date and time that the change of registrant data was completed, and instructions detailing how the registrant can take action if the change was invalid, how to initiate a

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reversal. These are the elements that must be included in the notification.

ROGER CARNEY: Great. Thanks, Christian. Jody, please go ahead.

JODY KOLKER: Thanks, Roger. This is Jody, for the record. I'm just curious on just the prelim rec four. It just says that the registrar must send a change of registrant data notification to the registered name holder. It doesn't say previous or current. Does that need to be in there? And I might have missed this in one of the meetings, but do we need to send it to the previous registered name holder also? Thanks.

ROGER CARNEY: Thanks, Jody. Yeah, I'll let Theo go. Theo, go ahead.

THEO GEURTS: No, you go ahead. Explain to your colleague. You'd probably do better than me.

ROGER CARNEY: Thanks. Yeah, we did get rid of the prior, because it's a change of registrant data. So, we're getting rid of the prior and current, or prior and new, prior, whatever the combinations are, and sticking with just to the registrant. And I think Christian tied this back in rec one, or whatever it was, that talked about what the data is to that.

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So, I don't know that we ever decided that you couldn't send to—  
Right, Theo. I don't know that we ever made a decision saying you  
could or couldn't send, like, if an email changes, that you could  
send it to both of them, if you choose to. But Christian, please go  
ahead.

CHRISTIAN WHEELER: Thank you. Yes, no, the [inaudible] 4.4 goes into that a little bit  
about the—when specifically updating the email address.  
Because, right, as the group is kind of discussed now, rather than  
framing this issue as a change of registrant, or change of  
ownership, it is really more of a change of data. And so, really, the  
only time that it would seem to make sense to send it to two  
entities, quote unquote, is when the email address is changed. So,  
we'll get into that in just a couple slides. But, so, framing it more  
about when certain data is changed, who that gets sent to, as  
opposed to updating the name. If you only update the name, for  
example, but the email stays the same, you're still only sending  
one notification. You're still just sending it to the email that's on  
file. So, framing it more in the way of, if there's a change of  
registrant, rather than clarifying who the prior registrant would be.  
You could, I guess, say the prior data. But, again, I think this is  
mostly applicable to when the email changes.

ROGER CARNEY: Great. Thanks, Christian. Hopefully, that helped, Jody. Okay,  
Christian, I think we can go ahead and move on.

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CHRISTIAN WHEELER: Okay. 4.3 is that the registrar must send the notification via email, SMS, or other secure messaging system. These examples are not intended to be limiting. It's understood that additional methods of notification may be created that were not originally anticipated by the working group.

ROGER CARNEY: Great. Thanks, Christian. Comments? Concerns? Updates? Suggestions on this? Okay, good. Christian?

CHRISTIAN WHEELER: And here is 4.4. So, when a material change to the registered name holder's email address occurs, the registrar must send the change of registrant data notification to the registered name holder's prior email address, the email address that was on file with the registrar immediately prior to the change. And this is in brackets here, because we still need to determine this, whether they send it to the prior email address and the new email address, and then also stipulating unless they opted out of the notifications. So, why don't we talk about this first pair of brackets first. So, if there is a change of email, so let's say if I contacted my registrar and I updated my email, I would get a notification to the email that I changed it from. Would I also get a notification to the email that I changed it to, confirming that a change has occurred and that this essentially is a confirmation that I updated it, that update was successful, or perhaps if the email went to the wrong place that they get notified that a change has occurred recently related to that. So, what does the group feel about where should those notifications be sent if there's a change of email?

ROGER CARNEY: Great. Thanks, Christian. Theo, please go ahead.

THEO GEURTS: So, this is Theo for the record. What are we trying to achieve by sending an email to the new registrant, except for the fact like it's been done, congratulations, it was processed, whatever your registrar might want to do there? But from a practical reason, I don't see what we're trying to achieve here, but please fill me in what we are trying to achieve.

ROGER CARNEY: Thanks, Theo. Yeah, and the one scenario that pops into my head is you're no longer using that prior email address, and it doesn't even work anymore. You're still getting a positive notification that the email address was updated. Theo, please go ahead.

THEO GEURTS: Yeah, I hear the argument. I don't think it's very valid, though. I think it only adds more complexity. I mean, let's assume, yeah, I don't want to even go there, but assume that the registrant fills in an email address incorrectly that belongs to somebody else. You know, now that person gets a notification. What is that person going to do? It's going to add only confusion there. "Hey, I didn't change anything. Who is this guy? What's happening here? That's not my domain name." So I don't see any good reasons to sort of move down this path here from a policy perspective. You know, if a registrar wants to do this, by all means, go ahead, but personally

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speaking, as a registrar, I would move away from this and not do this. If our resellers want to do this, go ahead. It's your customer. But from my perspective, no, the less I can communicate with a registrant, the better it is. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Yeah, and I'll add on to Theo's comments there and say, obviously when you are changing the email address, the registrar is required by contract to verify that email address, the new one. So, there is work that goes into that. So, it's not like it's just changed and it is what it is. So, Zak, please go ahead.

ZAK MUSCOVITCH: Thanks, Roger. Yeah, I think that that rationale you just mentioned, Roger, is the key to explaining this preliminary recommendation. From a registrant's perspective, I like that notification to the new email address of the registered name holder, and I don't mind having an email record in my inbox of that change. I like that. It's a benefit to me. But if it's already going to be done with the WHOIS verification email, perhaps even in combination, then that is a complete solution and rationale for this. Thanks.

ROGER CARNEY: Great. Thanks, Zak. Yeah, and Sarah's comment in chat, changing the must to the new to a may, is a good idea to think about as well. So, Theo, please go ahead.

THEO GEURTS: Yeah, thanks. And now I'm going to sort of ask the retail registrars if they are really on board with this. Because when I'm looking at this, that we send a notification, those notifications, what that is, that doesn't automatically imply that we are going to send a notification to an email address. I suspect that most of the retail registrars, you're going to get a notification within your account immediately when you made the update. Because that's what the majority, I guess, are doing. I just registered a domain name with a different registrar, retail registrar. And the moment I made changes with that, I got a notification within the control panel. It's not like I got a notification through email. Because that is what we are sort of heading towards to like, okay, if there is a change, okay, then you're going to send an email to the new registrant email address. I don't think that's something you want to do as a retail registrar or any registrar, because that's going to create only additional email traffic, which you're going to get flagged for. If everybody's going to do that, that's going to be problematic in the long run. So I would definitely not go down this road. But I'll leave it up to the will of the group. Thanks.

ROGER CARNEY: Thanks, Theo. Yeah, and as Theo pointed out, 4.3 was kind of explicit on that, that whatever secure mechanism they're using. Now 4.4 is trying to be specific to just when we're talking about an email update, and what happens there. Now obviously 4.3, if you're changing a registrant name or organization or whatever, you may be sending that notice out some other way. And again, it doesn't make it explicit, it just it's got to be a secure mechanism.

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But with 4.4, we are talking specifically about when the email address changes, what occurs then, so. Okay, any other comments, suggestions here on this? Okay, go ahead, Christian.

CHRISTIAN WHEELER: 4.5 states that the registrar is not prevented from sending additional notifications resulting from changes to the registered name holder's phone number, postal address, account holder information, or other contact information used by the registrar to associate the RNH with their domain name or relevant account. Essentially, that they're not prevented from sending more notifications if they use other information, for instance, is more important to them than just the name or email.

ROGER CARNEY: Great. Thanks, Christian. Any comments on this? Again, this is not a requirement here, it's just recognizing that there's other data and if registrars choose to for whatever reason they have, this policy is not preventing that. Any comments, suggestions, concerns? Okay, great. Go ahead, Christian.

CHRISTIAN WHEELER: Okay, to the extent that the change of registrant data is requested for multiple domains and the registered name holder is the same for all domains, the registrar of record may consolidate the change of registrant data notifications into a single notification. So, for instance, if there's a change done to 100 domain names and it's all the same, then they don't need to send 100 notifications, which maybe addresses the idea of needing an opt-out if that was the

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concern, was that the changes would be inundating them with emails. So, just thoughts on this requirement.

ROGER CARNEY: Great. Thanks, Christian. Yeah, and again, I we've talked about this, and exactly what Christian mentioned, making it as simple as possible for registrars. I mean, actually, it may take a little more work for a registrar, but it'll be easier on the registrant and the notification systems to consolidate these. So, again, any comments or concerns? Okay, great. Christian, I think we can move forward.

CHRISTIAN WHEELER: This is the last one for prelim rec four. To the extent that the change of registrant data may incur a verification request to be sent to the registered name holder pursuant to the RDDS accuracy program specification, the registrar of record may consolidate the change of registrant data notification and the verification request into a single notification. This is kind of speaking to what we were just talking about with, for instance, changing the email would trigger a verification request so that the registered name holder verifies that email before it's confirmed. So, rather than sending multiple notifications, they could combine it into one notification in this instance.

ROGER CARNEY: Great. Thanks, Christian. Any comments, concerns? Theo, please go ahead.



THEO GEURTS: Yeah, I wonder if we need to be that specific anyways. I mean, you're talking about registrant data that needs to be verified as according to the accuracy program specifications. That is a given, and is it really relevant? I guess it doesn't really matter, but I make a distinction between the registrant data that needs to be verified is not automatically linked to the domain names itself in my mind, but I could be wrong. But again, this may consolidate, so I guess it's okay.

ROGER CARNEY: Great. Thanks, Theo. Any other comments, questions? Okay, great. Christian, I think you can take us on to the next recommendation.

CHRISTIAN WHEELER: Okay, prelim rec five. This is about the opt-out. The working group recommends that registrars must provide registered name holders with the option to opt-out of receiving change of registrant data notifications. And 5.1 states that change of registrant data notifications must be enabled by default when a domain name is initially registered and when a new domain name holder signs the domain registration agreement, if applicable. Change of registrant data notifications may only be disabled if and when the registered name holder elects to opt-out of these notifications. And just to kind of add some color to that bracketed section, it was thought that if in the circumstance whereby a registrant, a registered name holder changes to a different owner, so rather than just updating

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an email or something, they're actually deciding to change it to a new person, change the ownership, if they had elected to disable those notifications, once it's with the new registrant, the idea is that they should have to make the decision whether they want to enable notifications or not, rather than it just continuing to be disabled for the new owner. So that was the idea behind when a new registration agreement is signed, that that would essentially be kind of reset, and that the opt-out would be disabled, was the idea. But what does the group think about this notification, about this opt-out option in general, whether it's necessary and also whether 5.1 makes sense?

ROGER CARNEY:

Great. Thanks, Christian. Theo, please go ahead.

THEO GEURTS:

Yeah, so I've got a few problems with this, or a few questions, issues. That it is enabled by default, that's great, that's somewhat what I suggested. But when it comes to a new registered name holder, I mean, that is something that is, again, out of our control. I mean, we work with resellers, so if somebody changes the data there, I've just got to assume that there is a new registration agreement between the reseller and the new person. I don't know that, I can't see that, so I'm not able to know that information, then I cannot simply go like, okay, this person was opted out before, but now there has been a change in the registrant data, I see that update from the reseller through our API coming in, oh, now I'm going to make the assumption, oh, there was a change of registrant, there's a new registered name holder here. He opted

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out, but now I'm going to disable the opt-out. That is something I cannot do, because I am not privy to all those details, so I would be reacting only to changes in the registrant data, which might or might not be a new registered name holder, and based on that, I'm going to make decisions on the opt-out, if that should be reversed or not, and that, I think, is not good, thanks.

ROGER CARNEY: Great. Thanks, Theo. Zak, please, go ahead.

ZAK MUSCOVITCH: Thanks, Roger. I have a little different tact that I'm taking, I don't want to sidetrack us from Theo's important comments, so let's all remember to circle back to those. So, my question is this, Christian. Well, first of all, my observation is that when we spoke about this, I think it might have been the last meeting, the meeting before, there were some good suggestions, I believe, from Jonathan about the express and proactive and obvious nature of the opt-out, and so maybe we could go back and integrate a little more of those kinds of concepts to it. I think you're getting at it with this text, but by bolstering it a little bit more, that could be helpful. And so, my question is, is there an ability to reverse the opt-out, and if so, when can that take place? Thanks.

ROGER CARNEY: Thanks, Zak, and I think you're stealing a little of Christian's thunder there, but let Christian talk to it.

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CHRISTIAN WHEELER: Thanks, Zak. You raise good points. Those are the next slides, so the next one's about providing clear instructions, so yeah, we're going to get into that and opting back into it, so that'll be the next slide.

ROGER CARNEY: Thanks, Zak. Okay. I think we're good, Christian.

CHRISTIAN WHEELER: Okay, so just a question about 5.1, so about these brackets, I hear you, Theo, about the not being able to determine whether that necessarily is a new registration agreement. Is there anything else that would trigger, or something else that, or maybe it's not even necessary, for when that lock, or not lock, when that opt-out needs to be reset, or I guess, so when a domain name changes hands, so to speak, is there anything there that would indicate for a registrar that that has actually happened, so that they know that this new domain holder is a new domain holder, and needs to make a decision whether they want to continue with that opt-out, selected by the previous holder?

ROGER CARNEY: Great. Thanks, Christian. Theo, please go ahead.

THEO GEURTS: Yeah, so again, we mentioned it, I do not see that, I cannot detect that. What I do know is, if I'm taking the opt-out, if I'm going to reverse a decision for the registrant where he explicitly,

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specifically opted out, then I'm certainly going to change that for him, that is not great when we are talking about registrants, data subjects, having control of their data. If a registrar suddenly goes make decisions, like, yes, you got opted out, and now you're not going to be opted out. I mean, we're talking about loss of control, where the registrant specifically, I think you're going to deal with those slides, but where a registrant made a decision, like, I want to be opted out. I do that all the time for whatever reason. Doesn't always work, but that's a different discussion. Maybe I'm too much a risk avoidance here when we talk about GDPR, control of the data, but I want to steer clear away from making decisions on assumptions that maybe some registrars can do, but I cannot. I think that's bad language. That's the end of it. It's bad language.

ROGER CARNEY:

Great. Thanks, Theo. And one of the other things that we had talked about, I think, was it not being a permanent flag or an ongoing flag, but a point and change flag. So, when, I think we did talk about this, that when you go in to make a change, you can opt out of receiving that notification, but you would have to opt out every time you make a change. And again, the default is always a notification unless, and again, here we're describing a permanent flag that you set once and then you can unset it later if you want to, but any changes in between you wouldn't get. I don't know if there's appetite or if it simplifies or makes it even more complicated, I don't know, I haven't thought about it, is if someone goes in and makes a change, they're prompted, do you want a notification or not? And that's for that change. So, if they come in a

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month later and make a change, they would get that same prompt. It's just something to think about. So, Theo, please go ahead.

THEO GEURTS:

Yeah, I support Sarah's suggestion that it's a permanent flag unless otherwise being, when the registrant changes his mind a year later, I mean, there could be reasons for that, we don't know that, that he goes like, well, that opt out wasn't really great, it's not working for me, great reverse the opt out, it's now an opt in again. There could be millions of reasons. I wish I had control when I log into my ICANN account, every time I log in there, I get a notification, ends up in the spam, days later I go like, what was that again? Oh, oh yeah, that was me, there's no alarms going off. But basically, I want to disable that notification that I get from the ICANN account, whenever I sign up for an ICANN meeting. I want to just have control of the data. So, Sarah's suggestion makes sense. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. Thanks, Sarah. I see that Jody did put in chat, I don't know if this was talked about or not, but I think Jody's talking about the actual recommendation itself and changing registrars must provide to registrars may provide. And I think the discussion we had was just consistency, and that the field would be the same, no matter what registrar that registrant was at, and that's why the must was put in, was for the consistency factor across registrars. Okay, Christian, I think we're good.

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CHRISTIAN WHEELER: Thank you. 5.2 states that registrars must provide clear instructions for how the registered name holder can opt out of, and opt back into, change of registrant data notifications, as well as provide warning of the consequences associated with opting out of these notifications, enabling the RNH to make an informed decision whether to opt out. So, this was stipulated in our last meeting that the registrant needs to be enabled to make an informed decision prior to just deciding to opt out of emails.

ROGER CARNEY: Great. Thanks, Christian. And again, this kind of adds on to what Zak was kind of leading into, and as he said, it's something that Jonathan brought up last meeting or meeting before, just trying to make sure that it's clear for the registrants and the expectations there. So, any comments, concerns here? Okay, great. I think we can move forward, Christian. Oh, Zak has a raised hand. Sorry.

ZAK MUSCOVITCH: So, just a quick question to clarify. So, if a registrant makes a change of registrant data, a CORD, a new acronym to me, if the registrant makes a CORD, and at the same time, or immediately prior to the CORD, opts out of the notification, does that mean that the notification—that means, I guess, the notification won't be sent to the old registrant or the new—the old registrant's email or the new registered name holder's email or the old or the new one, there still could be, there still would be the verification email. But is there any issue that anyone can see if there's a kind of a malattempt to change the registrant's name and organization and email address and phone number, and then opt out of any

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notifications at the same time, so that the innocent registered name holder gets no notice? Does anyone see any issue there?

ROGER CARNEY: Thanks, Zak. Thoughts on that, anyone?

ZAK MUSCOVITCH: Okay, let me put it differently. Why no problem? Because the control panels are so secure, and if they're penetrated, that means that there's nothing that anyone can do, the crime's taken place, the criminals are too smart, that kind of thing?

ROGER CARNEY: Theo, please go ahead.

THEO GEURTS: I was going to be very short in the chat. I think we're out of time, and this topic warrants a little bit more discussion than what I put in the chat, I guess, but I think that's for next week. Thanks.

ROGER CARNEY: Great. Thanks, Theo. Okay, yeah, and let's do that. Let's plan to pick this up then. We only had a few more to go through, but we are out of time. We're actually over time, so I think that we'll just pick this up next week and finish this up. And again, anyone that takes a look at these, and after a week's time of thinking about it, has any updates, we can go over those as well. So is there anything else we need to do, Christian?



CHRISTIAN WHEELER: I would just suggest that folks please provide some feedback in that COR reduction rationale document, which having these preliminary recommendations to refer to, I think, should help with that as well. So that is definitely something that we can continue talking about next week.

ROGER CARNEY: Great, okay. Well, thanks, everyone. Sorry about the little bit over time here. We'll talk to everyone next week. Thanks.

**[END OF TRANSCRIPTION]**