



Updates to the Transfer Policy

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Agenda

- Overview of Changes
- Changes to inter-registrar transfer
- Change of Registrant
- Examples
- Question & Answer

Overview of Changes

Transfer Policy

- Transfer Policy
- Includes inter-registrar transfer and change of registrant
- Recommendations from GNSO
- Effective for all ICANN-accredited registrars **1 August 2016**
- Link to policy:
<https://www.icann.org/resources/pages/transfer-policy-2015-09-24-en>
- Redline:
<https://www.icann.org/en/system/files/files/transfer-policy-redline-24sep15-en.pdf>

Changes to Inter-Registrar Transfers

Expiration of FOAS

FOAS now expire (I A, 2.2.3):

- a period of 60 days has passed since the FOA was issued by the Gaining Registrar (unless the Gaining Registrar allows automatic renewal of the FOA and the Registered Name Holder has expressly opted in to the automatic renewal)
- the domain name expires before the inter-registrar transfer is completed
- a Change of Registrant is completed prior to transfer
- the inter-registrar transfer is completed

Change of Registrant Definitions

Definitions

- Change of Registrant - Material Change to:
 1. Prior Registrant Name; OR
 2. Prior Registrant Organization; OR
 3. Prior Registrant email address; OR
 4. Administrative Contact email address, if there is no Prior Registrant email address.
- Prior Registrant – registered name holder when change is initiated
- New Registrant – entity or person to whom the Prior Registrant proposes to transfer

Definitions

- Material Change - means a non-typographical correction
- Material Changes =
 - 1.1.3.1 A change to the Registered Name Holder's name or organization that does not appear to be merely a typographical correction;
 - 1.1.3.2 Any change to the Registered Name Holder's name or organization that is accompanied by a change of address or phone number;
 - 1.1.3.3. Any change to the Registered Name Holder's email address.

Examples:

- Changing Registrant name from oJhn Smith to John Smith
- Changing Registrant Name field from Jane Kgan to Jane Kang.

Change of Registrant Details

Availability of Change of Registrant

Registrar must deny request for change of registrant:

- registration has expired, and registrant no longer has the right to renew or transfer the domain name per ERRP
- Change of Registrant was not properly authorized by the Prior Registrant and the New Registrant
- Domain name in dispute (e.g., URS, UDRP, TDRP, court order)

Availability of Change of Registrant

Change of Registrant process (section II C, 1.1) does not apply:

- registration agreement expires
- registration agreement is terminated by the Registrar
- registrar or registry updates the Prior Registrant's information pursuant to a court order
- Update per UDRP decision implementation
- Update per Expired Domain Deletion Policy
- Updates in response to an abuse complaint

Change of Registrant Process

- (1) Confirm domain name is eligible for Change of Registrant
- (2) Confirm, via **secure mechanism**, that New Registrant (or Designated Agent) has **explicitly consented** to Change of Registrant
- (3) Inform the Prior Registrant (or Designated Agent) that if its final goal is to transfer the domain name to a different registrar, advised to request the inter-registrar transfer before the Change of Registrant to avoid triggering the 60-day lock described in II C 1.2
- (4) Confirm, via **secure mechanism**, that Prior Registrant (or Designated Agent) has **explicitly consented** to Change of Registrant
- (5) Process Change of Registrant within one (1) day of obtaining the confirmations
- (6) Notify the Prior and New Registrant per 1.1.6
- (7) Lock name (if applicable) per II C 1.2

Notification

- 1.1.6.1 – always be sent to both the **New Registrant and Prior Registrant** before or within one day of the Change of Registrant;
- 1.1.6.2 - explain the request that was received and list the domain(s) in question;
- 1.1.6.3 - inform the New Registrant that it must enter into a registration agreement with the Registrar;
- 1.1.6.4 – inform the New and Prior Registrant of 60-day lock (if applicable);
- 1.1.6.5 - include instructions on how to approve or cancel the Change of and inform the Prior Registrant and New Registrant that the request will not proceed if it is not confirmed in a number of days set by the Registrar, not to exceed sixty (60) days)
- 1.1.6.6 – include contact information for questions

60-day Registrar Lock

- Registrar must impose 60-day inter-registrar transfer lock following Change of Registrant
- Registrar may offer “opt out” of lock prior to request
- Registrar may impose restrictions on removal of lock (example: lock removal must be authorized via the Prior Registrant's affirmative response to email)

Change of Registrant Examples

Example 1

- Sally Smith is the registered name holder of example.org
- Sally Smith updates the Registrant Name Field to: Amy King
- Is this a Change of Registrant?

Example 1 Answer

Yes, this would be considered a Change of Registrant.

The Registrar must follow the steps in section II C 1.1, including getting explicit consent via a secure mechanism from Sally Smith and Amy King (or their agents, if applicable).

Example 2

- Howard Lee is the registered name holder of example.biz
- Howard Lee updates the Registered Name Holder Field to Howard Lee
- Is this a Change of Registrant under the Transfer Policy?

Example 2 Answer

No. This would not be considered a Material Change under the Transfer Policy; this is most likely a typographical correction.

The registrar, however, may choose to perform the Change of Registrant process in II C 1.1.

Example 3

- Howard Lee is the registered name holder of example.biz
- Howard Lee updates the Registered Name Holder Email Field from howarddlee@example.biz to howardlee@example.biz
- Is this a Change of Registrant under the Transfer Policy?

Example 3 Answer

Yes. Any change to the Registered Name Holder's email address is considered a Material Change under II A, 1.1.3.3.

Example 4

Eduardo Black is the registered name holder of example.com.

Registrar receives a UDRP decision from an approved UDRP Provider, instructing it to transfer the name to Richard Green.

How should the Registrar proceed?

Example 4 Answer

Registrar must implement the decision within 10 business days of receiving decision (if no court order).

Change of Registrant process does not apply.

Thank you for participating.

Please submit questions via the
Q&A pod.