

GNSO gTLD Registries Stakeholder Group Statement

Issue: Post-Expiration Domain Name Recovery Working Group Proposed Final Report

Date: 21 April 2011

Issue Document URL: <http://icann.org/en/public-comment/#pednr-proposed-final-report>

The Registries Stakeholder Group (RySG) respectfully submits these comments addressing the Post-Expiration Domain Name Recovery Working Group Proposed Final Report. The statement that follows represents a consensus position of the RySG as further detailed at the end of the document. The RySG statement was arrived at through a combination of RySG email list discussion and RySG meetings (including teleconference meetings).

The registries recognize that the work undertaken by the Post Expiration Domain Name Recovery Working Group (PEDNR WG) was extremely challenging. The issues were complicated and were addressed by a diverse stakeholder group with largely varied interests. As such, the members of this team should be congratulated for arriving at implementable recommendations that address exposure to consumers (registrants) while not breaking down the positive, stable elements of the domain market place.

The RySG provides the following comments and clarifications:

Section 7. Deliberations of the Working Group

"Charter Question 1: Whether adequate opportunity exists for registrants to redeem their expired domain names"

The report states the following:

" In the current situation, the registrar is generally immediately charged by the registry for the auto-renewal following expiration; those costs are recovered from the registrant if it redeems the registration or reimbursed if the registration is deleted during the Auto-Renew Grace Period. Some suggested that an option would be to review this practice and explore whether the registry could absorb the costs, or whether another model could be explored. Others suggested that for registrars that do not delete the name early, a renewal grace period should always be offered to registrants."

RySG comment:

This statement implies that if the registration is deleted during the Auto-Renew Grace Period the registrar is absorbing the extra costs from the auto-renewal charge following expiration. This should be clarified, because the registrar either (a) never charges the registrant in the first place, or (b) is reimbursed by the registry if the registrar deletes the domain during Auto-renew Grace Period and reimburses the registrant.

"Charter Question 3: Whether adequate notice exists to alert registrants of upcoming expirations"

The report states the following:

"There was unanimous support within the Working Group that the lack of a clear indication in WHOIS that the registrant has not yet renewed, even the expiration date has been advanced by one year by the Registry's Auto-renew Grace Period to the Registrar is

major point of confusion. However the Working Group felt that it was beyond its capabilities to address exactly how this should be fixed."

RySG comment:

The RySG representative suggested that a WHOIS indication of "Auto-renew grace period" was feasible. While this is not as clear as might be desired, the suggestion was an improvement in consistency across Whois implementations. Furthermore, it should be noted the complexity in adjusting WHOIS to address this issue involves (a) coordinating relevant EPP status adjustments to reflect these additional clarifications, and (b) a lack of standardization in existing WHOIS standards. This same advice and direction by the RySG is further referred to later in the PEDNR WG report.

Proposed Recommendations and Next Steps:

Recommendation #4: All unsponsored gTLD Registries shall offer the Redemption Grace Period (RGP). For currently existing unsponsored gTLDs that do not currently offer the RGP, a transition period shall be allowed. All new gTLDs must offer the RGP.

Rationale: Although most current unsponsored gTLDs Registries currently offer the RGP service, there is no such obligation, nor is it required in the new gTLD Applicant Guidebook.

RySG comment:

It should be noted that in the Applicant Guidebook for new gTLDs, registries are no longer categorized as sponsored and unsponsored. We believe the intent of Recommendation #4 is to create an exception to the requirement for RGP for those registries that do not support open registration. These would include new registries that have intellectual property rights inherent in the registry string, *e.g.*, ".IBM" or ".GOOGLE", or registries with additional membership criteria that contain the practical benefit of RGP in the registration process (*e.g.*, .AERO). Recommendation #4 should be expanded to clarify the intent of the references to "sponsored" and "unsponsored".

5. Whether to allow the transfer of a domain name during the RGP.

No recommendation.

Rationale: The need is significantly reduced based on the recommendation to have the RGP mandatory for Registrars coupled with the complexity and possible adverse effects of allowing such transfers

RySG comment:

Given the rationale provided here, we believe there should be a proactive recommendation that transfers during the RGP process are **not** permitted. Transfers permitted during RGP would result in a complicated reconsideration of both RGP and Transfer Dispute processes, with no quantifiable benefit to the overall registrant community.

RySG Level of Support

1. Level of Support of Active Members: Supermajority

1.1. # of Members in Favor: 10

- 1.2. # of Members Opposed: 0
- 1.3. # of Members that Abstained: 0
- 1.4. # of Members that did not vote: 3

2. **Minority Position(s):** N/A

General RySG Information

Total # of eligible RySG Members¹: 15

Total # of RySG Members: 13

Total # of Active RySG Members²: 13

Minimum requirement for supermajority of Active Members: 9

Minimum requirement for majority of Active Members: 7

Of Members that participated in this process: 13

Names of Members that participated in this process: 13

1. Afilias (.info & .mobi)
2. DotAsia Organisation (.asia)
3. DotCooperation (.coop)
4. Employ Media (.jobs)
5. Fundació puntCAT (.cat)
6. Museum Domain Management Association – MuseDoma (.museum)
7. NeuStar (.biz)
8. Public Interest Registry - PIR (.org)
9. RegistryPro (.pro)
10. Societe Internationale de Telecommunication Aeronautiques – SITA (.aero)
11. Telnic (.tel)
12. Tralliance Registry Management Company (TRMC) (.travel)
13. VeriSign (.com, .name, & .net)

¹ All top-level domain sponsors or registry operators that have agreements with ICANN to provide Registry Services in support of one or more gTLDs are eligible for membership upon the “effective date” set forth in the operator’s or sponsor’s agreement (RySG Articles of Operation, Article III, Membership, ¶ 1). The RySG Articles of Operation can be found at <<http://gnso.icann.org/files/gnso/en/improvements/registries-sg-proposed-charter-30jul09-en.pdf>>. The Universal Postal Union and ICM, Inc. have concluded registry agreements with ICANN, but as of this writing have not applied for RySG membership.

² Per the RySG Articles of Operation, Article III, Membership, ¶ 6: Members shall be classified as “Active” or “Inactive”. A member shall be classified as “Active” unless it is classified as “Inactive” pursuant to the provisions of this paragraph. Members become Inactive by failing to participate in a RySG meeting or voting process for a total of three consecutive meetings or voting processes or both. An Inactive member shall have all rights and duties of membership other than being counted as present or absent in the determination of a quorum. An Inactive member may resume Active status at any time by participating in a RySG meeting or by voting.

Names & email addresses for points of contact

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