

**Comments of the Registries Stakeholder Group
Post-Expiration Domain Name Recovery Policy Development Process
October 5, 2009**

The Registries Stakeholder Group of the GNSO (RySG) appreciates the opportunity to provide these Comments on the Post-Expiration Domain Name Recovery Policy Development Process. The comments that follow represent a consensus position of the RyC as further detailed at the end of the document.

Please provide your constituency's views on:

1. Whether adequate opportunity exists for registrants to redeem their expired domain names;

Opportunity for a registrant to redeem an expired domain name currently lies in the control of the issuing registrar. Whereas the Redemption Grace Period is offered by most registries, it is typically preceded by the Auto-renew Grace Period. During the Auto-renew Grace Period registrars continue to have the ability to make adjustments to a registration, including related registrant information. Registries currently offer the Auto-renew Grace Period and the subsequent Redemption Grace Period for registrars to serve their registrant customers within existing ICANN policies and contracts or provide other means to provide similar options to registrars and registrants. Registry operators do not have visibility of registrants' opportunity to redeem expired domain names. The RySG recommends that the PEDNR WG should initiate some efforts with ICANN Staff support to try to:

1. Summarize the major alternatives that registrars give registrants with regard to redeeming expired names.
2. Develop some criteria to define "adequate opportunity for registrants to redeem expired names".
3. Evaluate whether any of the registrar alternatives do not give adequate opportunity for registrants to redeem expired names.

2. Whether expiration-related provisions in typical registration agreements are clear and conspicuous enough;

An opinion on this question would require an exhaustive examination of agreements between registrants and their registrars to opine on and goes beyond the scope and ability of the RySG members to comment on. See the recommendation in our response to question 1.

3. Whether adequate notice exists to alert registrants of upcoming expirations;

Again this would require an exhaustive examination of individual registrar practices and goes beyond the scope and ability of the RySG members to comment on. See the recommendation in our response to question 1.

4. Whether additional measures need to be implemented to indicate that once a domain name enters the Auto-renew Grace Period, it has expired (e.g., hold status, a notice on the site with a link to information on how to renew, or other options to be determined);

Once a registration has auto-renewed, the registry operator proceeds on the assumption the domain will continue as a valid registration. Again the onus to alert the registrant lies with the registrar. This question should be answered after more data is gathered and should be a guiding question for the PEDNR working group. Another meaningful question is, what current, contemporary purpose is served by the Auto-Renew Grace Period, and how does it affect or influence the success of the subsequent Redemption Grace Period?

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

Transfers have proven a vector for fraudulent activity in the domain industry. Registries and registrars have worked hard to achieve a point of stability where transfers are routinely and effectively vetted. This has significantly reduced the fraudulent transfers of registrations from their rightful registrants. The redemption grace period restoration activities are already complicated and require the submission of a supporting report in each and every case. Attempting to ensure the validity of a transfer on a name that is already in an expired state introduces another possible vector for fraudulent activity. We recommend that restoration of expired names during the redemption grace period and transfers remain separate and distinct activities. A transfer can always be requested following the successful restoration of an expired domain name.

RyC Information with regard to These Comments

A supermajority of 13 RyC members supported this statement:

- Total # of eligible RyC Members¹: 14
- Total # of RyC Members: 14
- Total # of Active RyC Members²: 14

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 (Article III, Membership, ¶ 1). The RyC Articles of Operations can be found at http://www.gtldregistries.org/about_us/articles.

- Minimum requirement for supermajority of Active Members: 10
- Minimum requirement for majority of Active Members: 8
- # of Members that participated in this process: 14
- Names of Members that participated in this process:
 1. Afiliats (.info)
 2. DotAsia Organisation (.asia)
 3. Dot Cooperation LLC (.coop)
 4. Employ Media (.jobs)
 5. Fundació puntCAT (.cat)
 6. mTLD Top Level Domain (.mobi)
 7. Museum Domain Management Association – MuseDoma (.museum)
 8. NeuStar (.biz)
 9. Public Interest Registry - PIR (.org)
 10. RegistryPro (.pro)
 11. Societe Internationale de Telecommunication Aeronautiques – SITA (.aero)
 12. Telnic, Limited (.tel)
 13. Tralliance Corporation (.travel)
 14. VeriSign (.com,.name & .net)

Regarding the issue noted above, the level of support in the RyC for the Constituency statement is summarized below.

1. Level of Support of Active Members:
 - 1.1. # of Members in Favor: 13
 - 1.2. # of Members Opposed: 0
 - 1.3. # of Members that Abstained: 0
 - 1.4. # of Members that did not vote: 1

² Per the RyC Articles of Operations, Article III, Membership, ¶ 4: 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 Constituency meeting or voting process for a total of three consecutive meetings or voting processes or both, or by failing to participate in meetings or voting processes, or both, for six weeks, whichever is shorter. 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 Constituency meeting or by voting.