



Inter-Registrar Transfer Policy

Public Forum

Rome ICANN Meeting

March 5, 2004

History and Process

- 2001: Registrars and registrants expressed concerns regarding existing transfer procedures.
- Oct 2001: A DNSO Transfer Task Force was formed to analyze the transfer issues and to recommend solutions.
- Feb 2003: The GNSO Council voted unanimously to accept the Final Report of the GNSO Transfers Task Force.
- Apr 2003: The ICANN Board approved the 29 consensus policy recommendations in the final report from the GNSO.
- July 2003: ICANN Staff formed the TAG to assist with implementation of the transfer policy. See < <http://www.icann.org/transfers/> >
- Jan 2004: The TAG presented their recommendation for transfer policy implementation.
- Mar 2004: At the close of the comment period, ICANN will post the final policy documentation and implementation information.

Policy Documentation

1. The Transfer Policy
2. The Transfer Dispute Resolution Policy
3. The Standardized Form that must be used by a Gaining Registrar when requesting authorization for a transfer
4. The Standardized Form that can be used by a Losing Registrar if a request for confirmation for transfers is made
5. Additionally changes will be made to existing RRAs and the RAA.

Transfer Policy

Goal: to facilitate inter-registrar transfers upon request.

Authorization: to proceed with a transfer, the burden is on the gaining registrar to obtain authorization via a standard form of authorization and valid identification.

Documentation: authorization and identification material must be stored by both registrars and provided to the other parties, if requested.

Transfer Policy

Denial of transfer requests:

- Registrar of Record must provide Gaining Registrar the specific reasons for denial.
- Registrar of Record may only deny a transfer request in specified cases.

Registry requirements:

- Notification to registrars regarding transfer transactions.
- Provide a mechanism to reverse transfers.

Dispute Resolution Policy

Procedures at the First Level – Registry Operator:

- Gaining or Registrar of Record submits Request for Enforcement to the relevant Registry Operator.
- Registry Operator collects all the relevant documentation and make a decision on the dispute.
- The losing party must pay the dispute fee and fees cannot be passed on to the registrant.
- Either Registrar may appeal the decision to a Second-Level Dispute Resolution Provider.

Dispute Resolution Policy

Procedures at the Second Level- Dispute Panel:

- Resolution options for the Dispute Resolution Panel are limited to either approving or denying a transfer.
- The decision of the Dispute Resolution Panel is final, except as it may be appealed to a court of competent jurisdiction.

Standardized Authorization Forms

- One Standardized Form must be used by the Gaining Registrar when requesting authorization for a transfer.
- Another Standardized Form must be used by a Registrar of Record if they choose to confirm that a transfer is authorized.

Changes to Agreements

The RAA will include references to the:

- Transfer Policy,
- Transfer Dispute Resolution Policy, and
- Standardized Forms

The Transfer Exhibits in the RRAs will be replaced with references to:

- Transfer Policy,
- Transfer Dispute Resolution Policy, and
- Standardized Forms

Next Steps

- ✓ Final Policy will be posted by the end of March.
- ✓ Registrars and Registry Operators will be provided 3 months to implement the policy.
- ✓ Registries will be provided up to 6 months to implement the transfer-undo mechanism.
- ✓ ICANN will solicit proposals for Dispute Resolution Providers.
- ✓ Review of the policy efficacy will be made 3, 6, and 12 months with review of appropriate date.