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AL/ALAC/ST/0411/6
ORIGINAL: English
DATE: 22 April 2011
STATUS: FINAL

AT-LARGE ADVISORY COMMITTEE

Statement of the ALAC on the Post-Expiration Domain Name Recovery Working Group Proposed Final Report

Introduction

By the Staff of ICANN

Olivier Crépin-Leblond, Chairman of the At-Large Advisory Committee (ALAC), originally composed this statement.

A [wiki workspace](#) on the ALAC Statement on the Post-Expiration Domain Name Recovery Working Group Proposed Final Report was posted on 20 April 2011. On the same day, a call for comments was sent to the ALAC-Announce and regional At-Large mailing lists.

A second version (the present document) was created after incorporating comments received.

On 20 April 2011, Olivier Crépin-Leblond, Chairman of the ALAC, requested the At-Large Staff to begin a five day ALAC vote on this statement starting 22 April 2011.

On 22 April 2011, the enclosed statement was submitted to the public comment for this issue, the relevant staff person responsible for the public consultation on the Post-Expiration Domain Name Recovery Working Group Proposed Final Report and the Board Secretary with a note saying that the document was currently undergoing ALAC ratification.

[End of Introduction]

The original version of this document is the English text available at www.atlarge.icann.org/correspondence. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on Post-Expiration Domain Name Recovery Working Group Proposed Final Report

The At-Large Advisory Committee (ALAC) is very pleased with the conclusion of the work undertaken by the Post Expiration Domain Name Resolution (PEDNR) Policy Development Process (PDP). The report shows that much work was undertaken in giving all subjects contained under this heading an in-depth treatment and analysis and we commend the group's members for the extensive work which was achieved.

The ALAC supports most of the recommendations being made by the PEDNR-PDP, but not all of them. It also believes that some recommendations are missing from the report. For the sake of clarity, this statement is therefore divided under several headings:

- Recommendations which the ALAC supports
- Recommendations which the ALAC believes are insufficient
- Recommendations which the ALAC would have liked to see included

Recommendations which the ALAC supports

These are summarized here with the ALAC's notes but should be considered fully from the original PEDNR-PDP text since our extracts are limited to save space and for readability purposes:

Recommendation 1: "the definition of "Registered Name Holder at Expiration" (RNHaE)."

The ALAC believes that this is a very helpful definition which clears other confusing nomenclature regarding in this field.

Recommendation 3: "The RNHaE cannot be prevented from renewing a domain name registration as a result of WHOIS changes made by the Registrar that were not at the RNHaE's request." Etc.

The ALAC believes that this is beneficial to end users.

Recommendation 4: All unsponsored gTLD Registries shall offer the Redemption Grace Period (RGP)." Etc. The ALAC fully supports the enshrining of this safety net which it believes should be afforded for all users. Missing such a safety net brings the potential for abuse to dangerous levels and is very bad practice.

Recommendation 5: "If a Registrar offers registrations in a gTLD that supports the RGP, the Registrar must allow the Registered Name Holder at Expiration to redeem the Registered Name after it has entered RGP." Etc.

The ALAC fully supports this recommendation since this offers all users an opportunity to exercise the RGP.

Recommendation 6: "The registration agreement must include or point to any fee(s) charged for the post-expiration renewal of a domain name." Etc.

The ALAC welcomes such a recommendation as a key point for transparency towards the end user, leading to consumer choice.

Recommendation 7: “...Registrars shall provide a link to the webpage [ALAC Editor: a Web Page that might be developed by ICANN to provide education materials to registrants] on any website it may operate for domain name registration or renewal clearly displayed to its Registered Name Holders at least as clearly as its links to policies or notifications required to be displayed under ICANN Consensus Policies.” Etc.

Recommendation 8: “ICANN, with the support of Registrars, ALAC and other interested parties, is to develop educational materials about how to properly steward a domain name and how to prevent unintended loss.” Etc.

The ALAC supports both recommendations 7 and 8, as it believes that ICANN has a duty to make sure that Registered Name Holders are fully informed of the rights and responsibilities with respect to registries, registrars and ICNN. The ALAC does suggest that these recommendations be re-written for additional clarity.

Recommendation 9: “The registration agreement and Registrar web site (if one is used) must clearly indicate what methods will be used to deliver pre- and post-expiration notifications, or must point to the location where such information can be found.” Etc.

In line with its support of Recommendation 6, welcoming transparency and consumer choice, the ALAC fully supports Recommendation 9. Users need to be offered as much information as possible to be made fully aware of their future registration.

Recommendation 10: “Subject to an Exception policy, Registrar must notify Registered name Holder of impending expiration no less than two times.” Etc.

The ALAC welcomes the focus of this recommendation which will serve to clean up the currently untidy definition of timing concerning notification and believes this will benefit the end user.

Recommendation 11: “Notifications of impending expiration must include method(s) that do not require explicit registrant action other than standard e-mail receipt in order to receive such notifications.”

Recommendation 12: “Unless the Registered Name is deleted by the Registrar, at least one notification must be sent after expiration.”

The ALAC welcomes the focus of both of these recommendations and supports any additional means of making the user more aware of an impending expiration so as to avoid hassle and costs for the user. If such deadline is not acted upon by the user, a post-expiration reminder is indeed in order.

Recommendation 13: “...the page shown must explicitly say that the domain has expired and give instructions on how to recover the domain...” Etc.

This recommendation is key to an Internet end user being able to keep its registered domain, should they choose to do so. The ALAC believes that it is a fundamental principle for a Registered Name Holder that might have built a reputation, a business, a brand, on a web site and using email addresses that use the domain in question. Again, this recommendation goes in the direction of increased transparency and accountability.

The ALAC firmly re-iterates that at all times, the focus on usability should be for the Internet user, in this case, the Registered Name Holder.

Recommendation 14: “Best Practice: If post-expiration notifications are normally sent to a point of contact using the domain in question, and delivery is known to have been interrupted by post-expiration actions, post-expiration notifications should be sent to some other contact point associated with the registrant if one exists.” Etc.

The ALAC believes that this is an obvious point and therefore recommends that a secondary point of contact should be supplied by all potential registered name holders during their registration process. This should be systematic and mandatory for all registrations.

Recommendations which the ALAC believes are insufficient

Recommendation 2: “For at least 8 consecutive days, at some point following expiration, the original DNS resolution path specified by the RNHAE, at the time of expiration, must be interrupted and the domain must be renewable by the RNHAE until the end of that period.”

The ALAC commends the overall intent of the recommendation for a minimum guaranteed number of days in which the domain can be renewed by the RNHaE and alerts the RNHaE to the expiration by ensuring that the domain no longer functions. However, given that most registrars already offer a 30-40 day period, the ALAC strongly believes that the recommendation should guarantee no less than 30 days.

Setting this guaranteed minimum to 8 consecutive days has the potential to be highly detrimental to users. It is unreasonable, especially considering the fact that prior to Registrars creating the post-expiration domain name re-assignment process, all Registered Name Holders had between 30 and 75 days to renew.

Recommendations which the ALAC would have liked to see included

Resellers have often been associated with renewal problems raised by Registered Name Holders. The ALAC finds it unfortunate that the WG did not address this issue directly because at the present moment, not incorporating reseller problems in the PEDNR-PDP leaves recommendations open for gaming. The ALAC is very disappointed with this oversight.

Conclusion

Bearing in mind the ALAC comments listed above, and excepting Recommendation 2, the ALAC is very pleased with the conclusions of the PEDNR-PDP working group final report, especially when considering the difficulty

for achieving consensus due to the variety of views held by its various members. All credit goes to the members of this group for bridging gaps in their disagreements and working positively to generate a sound set of recommendations.

That said, Recommendation 2, leaving a minimum period of only 8 consecutive days for a Registered Name Holder at Expiration to recover their expired domain name is too short notice and that should be amended to the 30 days thus far afforded by most Registrars.