

Transfer Policy Review - Final Recommendations (Only) for Final Report

Final Recommendation #1: Terminology updates: Whois

The working group recommends the following specific terminology updates to the Transfer Policy and the Transfer Dispute Resolution Policy:

- (i) The term "Whois data" SHALL have the same meaning as "Registration Data".
- (ii) The term "Whois details" SHALL have the same meaning as "Registration Data".
- (iii) The term "Publicly accessible Whois" SHALL have the same meaning as "RDDS".
- (iv) The term "Whois" SHALL have the same meaning as "RDDS".

For the avoidance of doubt, the terms referenced in above in Recommendation 1(i) -(iv) are intended to correspond to the definitions in the Registry Agreement ("RA") and the Registrar Accreditation Agreement ("RAA"), as appropriate. In the event of any inconsistency, the RA/RAA definitions, if updated, will supersede. The working group also recommends that the outdated terms should be replaced with the updated terms, e.g., all references to "Whois Data" should be replaced with the term "Registration Data," etc.

Final Recommendation #2: Terminology Updates: Administrative Contact and Transfer Contact

The working group recommends removing any reference to an "Administrative Contact" or "Transfer Contact" in the Transfer Policy and Transfer Dispute Resolution Policy and replacing it with "Registered Name Holder" unless specifically indicated.

Final Recommendation #3 – Transfer Restriction After Initial Registration

- 3.1 The Registrar MUST restrict the RNH from transferring a domain name to a new Registrar for 720 hours from the Creation Date in the RDDS.
- 3.2 To the extent that a Registry and/or Registrar has an existing policy and/or practice of restricting the RNH from transferring a domain name to a new Registrar for a different period of time following initial registration, all policies and practices MUST be updated to be consistent with this new requirement. For the avoidance of doubt, this includes, but is not limited to, a 60-day post-creation lock

currently specified in some Registry-Registrar Agreements (RRAs) [and some Registry Agreements (RAs)]. Recommendation 3 seeks to standardize the inter-Registrar transfer restriction period to 30 days across all gTLDs. Accordingly, an RRA, RA, or registration agreement that specifies a period other than 30 days would need to be amended pursuant to this recommendation, as a 60-day post-creation lock (or period other than 30 days) would no longer be permitted under the Transfer Policy.

Final Recommendation #4 – Update Term “AuthInfoCode” to “Transfer Authorization Code (TAC)”

The working group recommends that the Transfer Policy and all related policies MUST use the term “Transfer Authorization Code” or “TAC” in place of the currently used term “AuthInfo Code” and related terms. This recommendation is for an update to terminology only and does not imply any other changes to the substance of the policies.

Final Recommendation #5 – TAC Definition

The working group recommends that the Transfer Authorization Code MUST be defined as follows: “A Transfer Authorization Code (TAC) is a token created by the Registrar of Record and provided upon request to the RNH or their designated representative. The TAC is required for a domain name to be transferred from one Registrar to another Registrar and when presented authorizes an eligible transfer.”¹ Relevant policy language MUST be updated to be consistent with this definition.

- “Designated representative” means an individual or entity that the Registered Name Holder explicitly authorizes to request and obtain the TAC on their behalf. In the event of a dispute, the RNH’s authority supersedes that of the designated representative.

Final Recommendation #6 – Required Timing for TAC Provision

The working group confirms that the Transfer Policy MUST continue to require the Registrar to set the TAC at the Registry and issue the TAC to the RNH or their designated representative within five calendar days of a request, although the working group recommends that the policy state the requirement as 120 hours rather than 5 calendar days to reduce any risk of confusion. The working group further recommends that the policy MUST make clear that 120 hours is the maximum and not the standard period in which the TAC is to be issued.

¹ Note: This definition draws on elements included in Recommendation 10.

Final Recommendation #7 – TAC Composition

The working group recommends that the minimum requirements for the composition of a TAC MUST be as specified in RFC 9154, including all successor standards, modifications, or additions thereto relating to Secure Authorization Information for Transfer. The requirement in section 4.1 of RFC 9154 regarding the minimum bits of entropy (i.e., 128 bits) should be a MUST in the policy until a future RFC approved as “Internet Standards” (as opposed to Informational or Experimental standards) through the applicable IETF processes updates the security recommendation.

Final Recommendation #8 – Verification of TAC Composition

The working group recommends that, at the time that the TAC is stored in the Registry system, the Registry MUST verify that the TAC meets the syntax requirements specified in Recommendation 7.

Final Recommendation #9 – TAC Time to Live (TTL)

The working group recommends that:

- 9.1: The TAC MUST be valid for 336 hours from the time it is set at the Registry, enforced by the Registry.
- 9.2: The Registrar of Record MAY reset the TAC to null² prior to the end of the 336 hours (i) by agreement by the Registrar of Record and the RNH OR (ii) without the agreement of the RNH in cases where when resetting the TAC to null is in the best interests of the RNH, e.g., security breach, account compromise, etc.
- 9.3: If the Registrar of Record resets the TAC to null without the agreement of the RNH, the Registrar of Record MUST provide the rationale to the RNH if requested by the RNH.

² In the context of this recommendation, “reset the TAC to null” is to have the opposite meaning of setting the TAC. In other words, Recommendation 10.2 provides that the Registrar of Record sets the TAC at the Registry; here, the Registrar/Registry is reversing that action.

9.4: The Registry MAY reset any TAC to null³ prior to the end of the 336 hours (i) by agreement by the Registrar of Record OR (ii) without the agreement of the Registrar of Record in cases where resetting the TAC to null is in the best interests of the Registrar of Record or the RNH, e.g., security breach, account compromise, etc.

9.5: If the Registry resets any TAC to null without the agreement of the Registrar of Record, the Registry MUST provide the rationale to the Registrar of Record if requested by the Registrar of Record.

Final Recommendation #10 – TAC Generation, Storage, and Provision

The working group recommends that:

10.1: The TAC MUST only be generated by the Registrar of Record upon request by the RNH or their designated representative.

10.2: When the Registrar of Record sets the TAC at the Registry, the Registry MUST store the TAC securely, at least according to the minimum standard set forth in RFC 9154 (or its successors).

Final Recommendation #11 – Notification of TAC Issuance

The working group recommends that the Registrar of Record MUST send a “Notification of TAC Issuance”³ to the RNH without undue delay but no later than 10 minutes after the Registrar of Record issues the TAC.⁴ For the purposes of sending the notification, the Registrar of Record MUST use contact information as it was in the registration data at the time of the TAC request.

³ The working group recognizes that this notification MAY be sent via email, SMS, or a secure messaging system determined by the Registrar. These examples are not intended to be limiting, and it is understood that additional methods of notification MAY be created that were not originally anticipated by the working group.

⁴ The working group recognizes that from a security perspective, it is best for the “Notification of TAC Issuance” to be delivered by a method of communication that is different from the method used to deliver the TAC. If this is not possible, and the same method of communication is used, the Registrar of Record MAY choose to send the “Notification of TAC Issuance” and the TAC together in a single communication.

11.1: This notification MUST be provided in English and in the language of the registration agreement (if different) and MAY also be provided in other languages.

11.2: The following elements MUST be included in the “Notification of TAC Issuance”:

- Domain name(s)
- Explanation that the TAC will enable the transfer of the domain name to another Registrar
- Date and time that the TAC was issued and information about when the TAC will expire
- Instructions detailing how the RNH can take action if the request is invalid (how to invalidate the TAC)
- If the TAC has not been issued via another method of communication, this communication will include the TAC

Final Recommendation #12 – Verification of TAC Validity

The working group recommends that the Registry Operator MUST verify that the TAC provided by the Gaining Registrar is valid in order to accept an inter-Registrar transfer request.

Final Recommendation #13 – TAC is One-Time Use

The working group recommends that the TAC as created by the Registrar of Record according to Recommendation 10 MUST be “one-time use.” In other words, it MUST be used no more than once per domain name. The Registry Operator MUST reset the TAC to null⁵ when it accepts a valid TAC from the Gaining Registrar. For the avoidance of doubt, Registrars MAY confirm the validity of the TAC prior to initiating the inter-Registrar transfer. This confirmation, or read-only verification of the TAC, is exempt from the “one-time use” requirement and is consistent with RFC 9154.

Final Recommendation #14 – Maintenance of Records

⁵ In the context of this recommendation, “reset the TAC to null” is to have the opposite meaning of setting the TAC. In other words, Recommendation 10.2 provides that the Registrar of Record sets the TAC at the Registry; here, the Registry is reversing that action.

The Registrar MUST retain all records pertaining to the provision of the Transfer Authorization Code (TAC)⁶ to a Registered Name Holder or their designated representative, as well as all notifications sent per the requirements under the Transfer Policy. At a minimum, the records retained MUST document the date/time, means, and contact(s) to whom the TAC and notifications are sent. These records fall under the ICANN Data Retention Specification; the Registrar MUST provide such records to ICANN upon reasonable notice.

Final Recommendation #15 – Gaining Form of Authorization (FOA)

The working group recommends eliminating from the Transfer Policy the requirement that the Gaining Registrar send a Gaining Form of Authorization. This requirement is detailed in section 1.A.2 of the Transfer Policy.

Final Recommendation #16 – Registry Transmission of IANA ID to Losing Registrar

The Registry Operator MUST provide the Gaining Registrar's IANA ID to the Losing Registrar in the notification of a pending transfer request, which will enable the Losing Registrar to provide this information in the Transfer Confirmation and Notification of Transfer Completion.

Final Recommendation #17 – Losing Form of Authorization (FOA)

The working group recommends the following minor modifications to the Standardized Form of Authorization (FOA):

17.1: The term "Transfer Confirmation" MUST be used in place of "Standardized Form of Authorization (FOA)."

17.2: The Transfer Confirmation language MUST include the Gaining Registrar's IANA ID and a link to ICANN-maintained webpage listing accredited Registrars and corresponding IANA IDs. If available, the name of the Gaining Registrar MAY also be included.

⁶ Details about the Transfer Authorization Code (TAC) will be discussed in detail later in these recommendations.

17.3: The Transfer Confirmation MUST be provided in English and the language of the registration agreement (if different) and MAY also be provided in other languages.

17.4: The timeframe of five (5) calendar days specified in section I.A.3.5 of the policy MUST be expressed in hours: "Failure by the Registrar of Record to respond within 120 hours to a notification from the Registry regarding a transfer request will result in a default "approval" of the transfer."

17.5: The Transfer Confirmation MUST NOT include a mechanism for immediately approving the inter-Registrar transfer.

Final Recommendation #18 – Transfer Restriction After Inter-Registrar Transfer

The Registrar MUST restrict the RNH from transferring a domain name to a new Registrar for 720 hours from the completion of an inter-Registrar transfer. Accordingly, the Registrar MAY remove the 720-hour inter-Registrar transfer restriction early only if all of the below conditions are met:

18.1: The Registrar MUST be able to demonstrate that it received a specific request to remove the 720-hour restriction from the Registered Name Holder;

18.2: The Registrar MUST ensure the request to remove the restriction was requested by the Registered Name Holder;

18.3: The specific request includes a reasonable basis for removal of the restriction, which includes but is not limited to (i) well informed, documented, clearly intentional request by the registrant; (ii) mutual agreement between the prior and current Registrar of a transfer back to the prior Registrar; (iii) legitimate circumstances surrounding an escrow intermediary affecting the completion of the acquisition of the involved registered domain name; (iv) to complete documented registered domain name acquisition (aftermarket purchase, portfolio consolidation, or bona fide purchase); (v) intentional release of the registered domain name that had transferred to the Registrar where it becomes evident the domain name use would be in violation of the Registrar's Acceptable Use Policy (AuP), Terms of Service (ToS), or local law or other similar governance.

18.4: The Registrar MUST maintain a record demonstrating the request to remove the restriction (regardless of outcome) for a period of no fewer than fifteen (15) months following the end of the Registrar's sponsorship of the registration.

Final Recommendation #19 – Notification of Transfer Completion

The working group recommends that the Losing Registrar, the Registrar of Record at the time of the transfer request, MUST send a “Notification of Transfer Completion”⁷ to the RNH without undue delay but no later than 24 hours after the transfer is completed. For the purposes of sending the notification, the Losing Registrar MUST use contact information as it was in the registration data at the time of the transfer request.

19.1: This notification MUST be provided in English and in the language of the registration agreement (if different) and MAY also be provided in other languages.

19.2: To the extent that multiple domains have been transferred to the same Gaining Registrar or to multiple Gaining Registrars at the same time, and the RNH listed in the Registration Data at the time of the transfer is the same for all domains, the Registrar of Record MAY consolidate the “Notifications of Transfer Completion” into a single notification.

19.3: The following elements MUST be included in the “Notification of Transfer Completion”:

- Domain name(s)
- IANA ID(s) of Gaining Registrar(s) and link to ICANN-maintained webpage listing accredited Registrars and corresponding IANA IDs. If available, the name of the Gaining Registrar(s) may also be included.
- Text stating that the domain was transferred
- Date, time, and time zone that the transfer was completed
- Instructions detailing how the RNH can contact the Losing (Prior) Registrar for support if they believe the transfer was invalid, and any deadlines or policies which may be relevant.

Final Recommendation #20 – Format of Transfer Policy Section I.A.3.7

I.A.3.7 of the Transfer Policy currently reads, “Upon denying a transfer request for any of the following reasons, the Registrar of Record must provide the Registered Name Holder and the potential Gaining Registrar with the reason for denial. The Registrar of Record MAY deny a transfer request only in the following specific instances.” The working group recommends the following revision,

⁷ The footnote on Recommendation 11 regarding the method by which notifications are sent equally applies to the “Notification of Transfer Completion.”

in bold, to the first sentence: “Upon denying a transfer request for any of the following reasons, the Registrar of Record must provide the Registered Name Holder and, upon request, the potential Gaining Registrar with the reason for denial.” The working group further recommends expressing the two sentences of this provision as two distinct provisions of the policy.

Final Recommendation #21: Revised Reasons that a Registrar of Record MAY Deny a Transfer

The working group recommends revising the following reasons that the Registrar of Record MAY deny a transfer request as follows:

Reference	Current Text	Revision	Rationale
I.A.3.7.1	Evidence of fraud.	(a) Evidence of fraud or (b) evidence of DNS Abuse as defined in Section 3.18.1 of the Registrar Accreditation Agreement. If the Registrar denies a transfer request for this reason, the Registrar MAY provide specific evidence/rationale to the RNH upon request.	ICANN’s Contractual Compliance Department has observed difficulties from Registrars tying transfer denials involving domain names suspended for abusive activities to the denial instances contemplated by the Transfer Policy. The working group considered several possible revisions to I.A.3.7.1, including those submitted through public comment on the Phase 1(a) Initial Report, to appropriately address the issue identified while ensuring that the text is clear and narrowly-tailored. The working group wanted to avoid recommending broad language that might enable a Registrar to either a) prevent a transfer arbitrarily or b) prevent an RNH from transferring a domain from a jurisdiction where certain content or activity is illegal or restricted to another jurisdiction where that same content or activity is considered legitimate speech. The working group’s proposed revision seeks to strike this balance. The WG intentionally points to an ICANN-maintained webpage in the text to allow for changes in the specific threats that may be considered a DNS Security Threat in the ICANN context.
I.A.3.7.2	Reasonable dispute over the identity of the Registered Name Holder or Administrative Contact.	Reasonable dispute over the identity of concern that the transfer was not requested by the Registered Name Holder or Administrative Contact.	The working group believes that the term “identity” is not appropriate in this context, in part due to concerns regarding data privacy implications. Because the issue at hand is more precisely about authority over the domain, the working group refined the text to focus on the key underlying concern, namely that the transfer request was made by a party other than the Registered Name Holder.

			<p>Under the Registration Data Policy, Administrative Contact data is no longer collected by the Registrar, therefore this term has been removed. This update is consistent with Recommendation 2. The working group considered adding language to address other types of invalid requests or disputes by other parties.</p> <p>The working group determined that the use cases they discussed are appropriately covered by the revised language in I.A.3.7.2.</p>
I.A.3.7.3	<p>No payment for previous registration period (including credit card charge-backs) if the domain name is past its expiration date or for previous or current registration periods if the domain name has not yet expired. In all such cases, however, the domain name must be put into "Client Hold" status by the Registrar of Record prior to the denial of transfer.</p>	<p>Nonpayment for previous registration period (including payment disputes or credit card charge-backs) if the domain name is past its expiration date at the current Registrar of Record or for previous or current registration periods if the domain name has not yet expired. In all such cases, however, the domain name must be put into "Registrar Hold" status by the Registrar of Record prior to the denial of transfer.</p>	<p>The working group has added the term "payment disputes" to reflect problems related to payments other than a credit card charge-back.</p> <p>The working group received input from ICANN's Contractual Compliance Department that the term "expiration date" in this provision is not sufficiently precise, because during the Auto-Renew Grace Period, the domain will not show as expired at the Registry level, but will show as expired at the Registrar of Record. By adding "at the current Registrar of Record" the working group has clarified that if the domain name is past its expiration date at the current Registrar of Record and the RNH has not paid for the registration period prior to that expiration date, the Registrar of Record may deny the transfer.</p> <p>The working group notes that the sentence beginning "In all such cases. . ." dates back as early as the 2002 ICANN DNSO Transfers Task Force Final Report & Recommendations. The working group believes that the Expired Registration Recovery Policy now provides the necessary guidance on treatment of domains post-expiration and that this sentence is unnecessary in the Transfer Policy text.</p>

Final Recommendation #22 – Revised Reasons that a Registrar of Record MUST Deny a Transfer

The working group recommends changing the following reasons that the Registrar of Record currently MAY deny a transfer into reasons that the Registrar of Record MUST deny a transfer and revising the text as follows:

Reference	Current Text	Revision	Rationale
I.A.3.7.4	<p>Express objection to the transfer by the authorized Transfer Contact. Objection could take the form of specific request (either by paper or electronic means) by the authorized Transfer Contact to deny a particular transfer request, or a general objection to all transfer requests received by the Registrar, either temporarily or indefinitely. In all cases, the objection must be provided with the express and informed consent of the authorized Transfer Contact on an opt-in basis and upon request by the authorized Transfer Contact, the Registrar must remove the lock or provide a reasonably accessible method for the authorized Transfer Contact to remove the lock within five (5) calendar days.</p>	<p>Express objection to the transfer by the authorized Transfer ContactRegistered Name Holder. Objection could take the form of specific request (either by paper or electronic means) by the authorized Transfer ContactRegistered Name Holder to deny a particular transfer request, or a general objection to all transfer requests received by the Registrar, either temporarily or indefinitely. In all cases, the objection must be provided by the Registered Name Holder on an opt-in basis. If the Registered Name Holder removes this objection, then the transfer must be permitted within the standard timeframe. In all cases, the objection must be provided with the express and informed consent of the authorized Transfer Contact on an opt-in basis and upon request by the authorized Transfer Contact, the Registrar must remove the lock or provide a reasonably accessible method for the authorized Transfer Contact to remove the lock within five (5) calendar days.</p>	<p>Under the Registration Data Policy, Administrative Contact data is no longer collected by the Registrar. Accordingly, the RNH would be the only authorized transfer contact. The working group believes that it is logical that the Registrar of Record must deny a transfer if the Registered Name Holder expressly objects to the transfer. This update is consistent with Recommendation 2.</p>
I.A.3.7.5	<p>The transfer was requested within 60 days of the creation date as shown in the registry Whois record for the domain name.</p>	<p>The transfer was requested within 60 days 720 hours of the creation date as shown in the registry WhoisRDDS record for the domain name.</p>	<p>Per working group Recommendation 3, the Registrar MUST restrict the RNH from transferring a domain name to a new Registrar within 30 days of the initial registration date.</p> <p>"Whois" has been updated to "RDDS" consistent with Recommendation 1.</p>
I.A.3.7.6	<p>A domain name is within 60 days (or a lesser period to be determined) after being transferred (apart from being transferred back to the original Registrar in cases where both Registrars so agree and/or where a decision in the dispute resolution process so directs). "Transferred"</p>	<p>A domain name is within 60 days 720 hours (or a lesser period to be determined) after being transferred (apart from being transferred back to the original Registrar in cases where both Registrars so agree and/or where a decision in the dispute resolution process so directs). "Transferred" shall</p>	<p>Per working group Recommendation 18, the Registrar MUST restrict the RNH from transferring a domain name to a new Registrar within 30 days of the completion of an inter-Registrar transfer, unless the conditions</p>

	shall only mean that an inter-Registrar transfer has occurred in accordance with the procedures of this policy.	only mean that an inter-Registrar transfer has occurred in accordance with the procedures of this policy. This restriction does not apply in cases where the conditions described in [policy references to be inserted] are met.	described in Rec. 18.1-18.4 are met
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Final Recommendation 23 – Revised Reasons that a Registrar of Record MUST Deny a Transfer

The working group recommends revising the reasons that the Registrar of Record MUST deny a transfer request as follows:

Reference	Current Text	Revision	Rationale
I.A.3.8.1	A pending UDRP proceeding that the Registrar has been informed of.	A pending UDRP proceeding that the Registrar has been informed of by the Registrar in accordance with the UDRP Rules.	The working group has refined the current text in an effort to clarify that Registrars must deny inter-Registrar transfer requests that are received after a Registrar has been notified by a UDRP Provider of a UDRP proceeding in accordance with the UDRP Rules.
I.A.3.8.2	Court order by a court of competent jurisdiction.	N/A	The working group believes that this provision continues to be appropriate and that the language is sufficiently clear.
I.A.3.8.3	Pending dispute related to a previous transfer, pursuant to the Transfer Dispute Resolution Policy.	Pending dispute related to a previous transfer, pursuant to under the Transfer Dispute Resolution Policy.	This revision is editorial in nature. It is not intended to change the meaning of the provision.
I.A.3.8.4	URS proceeding or URS suspension that the Registrar has been informed of.	Pending URS proceeding or URS suspension that the Registrar has been informed of by the Provider in accordance with the URS Procedure.	The term “pending” has been added for consistency with language in I.A.3.8.1 and I.A.3.8.3. In addition, the working group has refined the current text in an effort to clarify that Registrars must deny inter-Registrar transfer requests that are received after a Registrar has been notified by a URS Provider of a URS proceeding or URS suspension in accordance with the URS Procedure.
I.A.3.8.5	The Registrar imposed a 60-day inter-Registrar transfer lock following a Change of Registrant,	The Registrar imposed a 60-day inter-Registrar transfer lock following a Change of Registrant, and the Registered Name Holder did not opt-out	The working group is removing this text entirely as the working group recommends removal of the 60-day inter-Registrar transfer lock from the Change of

	and the Registered Name Holder did not opt out of the 60-day inter-registrar transfer lock prior to Change of Registrant request.	of the 60-day inter-registrar transfer lock prior to the Change of Registrant request.	Registrant Data Policy. (See Rec. 26.4 and associated rationale for further information).
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Final Recommendation #24 – Revised Reasons that a Registrar of Record MUST NOT Deny a Transfer

The working group recommends changing the following reasons that the Registrar of Record currently MAY NOT deny a transfer into reasons that the Registrar of Record MUST NOT deny a transfer and revising the text as follows:

Reference	Current Text	Revision	Rationale
I.A.3.9.1	Nonpayment for a pending or future registration period.	Implementation Guidance Regarding the Auto-Renew Grace Period: Registrars are prohibited from denying domain name transfer requests based on non-payment of fees for pending or future registration periods during the Auto-Renew Grace Period, provided that any auto-renewal costs borne by the Registrar are reversible for future period.	The working group has provided Implementation Guidance in response to input from ICANN's Contractual Compliance Department that it would be helpful to provide additional guidance consistent with the Registrar Advisory , dated 3 April 2008 which states, "Pursuant to the Transfer Policy, registrars are prohibited from denying domain name transfer requests based on non-payment of fees for pending or future registration periods during the Auto-Renew Grace Period."
I.A.3.9.2	No response from the Registered Name Holder or Administrative Contact.	No response from the Registered Name Holder or Administrative Contact	Under the Registration Data Policy, Administrative Contact data is no longer collected by the registrar. Accordingly, the RNH would be the only authorized transfer contact. This update is consistent with Recommendation 1.
I.A.3.9.3	Domain name in Registrar Lock Status, unless the Registered Name Holder is provided with the reasonable opportunity and ability to unlock the domain name prior to the Transfer Request.	A Registrar-applied inter-Registrar transfer lock is in place on the Domain name in Registrar Lock Status, for reasons other than those specified in I.A.3.7 and I.A.3.8 unless and the Registered Name Holder is not provided with the reasonable opportunity and ability to unlock the domain name prior to the Transfer Request pursuant to the requirements in sections I.A.5.1 - I.A.5.4.	The updates are primarily intended to improve clarity of the provision, use terminology that will be understood, and refer to the relevant provisions that should be referenced alongside I.A.3.9.3.
I.A.3.9.4	Domain name registration period time	Domain name registration period time constraints,	The working group updated the language to

	constraints, other than during the first 60 days of initial registration, during the first 60 days after a Registrar transfer, or during the 60-day lock following a Change of Registrant pursuant to Section II.C.2.	other than as defined in I.A.3.7.5 and I.A.3.7.6 ⁸ during the first 60 days of initial registration, during the first 60 days after a registrar transfer, or during the 60-day lock following a Change of Registrant pursuant to Section II.C.2.	reference the applicable provisions of the policy rather than repeating the details of those provisions.
I.A.3.9.5	General payment defaults between Registrar and business partners / affiliates in cases where the Registered Name Holder for the domain in question has paid for the registration.	General payment defaults between Registrar and Reseller, as defined in the RAA, business partners/ affiliates in cases where the Registered Name Holder for the domain in question has paid for the registration.	The update is not intended to change the meaning of the provision, but rather to update legacy language to be consistent with currently used and defined terminology.

Final Recommendation #25 – Change of Registrant Data

The working group recommends that the Transfer Policy and all related policies **MUST** use the term “Change of Registrant Data” in place of the currently-used term “Change of Registrant”. This recommendation is for an update to terminology only and does not imply any other changes to the substance of the policies.

25.1: “Change of Registrant Data” is defined as a Material Change to the Registered Name Holder’s name or organization, or any change to the Registered Name Holder’s email address, subject to the language in 25.3.

25.2: The working group affirms that the current definition of “Material Change” remains applicable and fit for purpose.

25.3: A “Change of Registrant Data” does not apply to the addition or removal of Privacy Service Provider data in RDDS when such Privacy services are provided by the Registrar or its Affiliates.

⁸ In implementation, to the extent that there is renumbering of applicable provisions, this reference should be updated accordingly.

Final Recommendation #26 – Standalone Policy and Updates to Section II of Transfer Policy

The working group recommends eliminating Section II from the Transfer Policy; instead, the working group recommends that a standalone “Change of Registrant Data” policy MUST be established, existing outside of the revised Transfer Policy. For the avoidance of doubt, the working group is not recommending a new PDP to establish this standalone policy; instead, the working group is recommending the Change of Registrant Data Policy be created as part of the implementation of these policy recommendations. As part of the implementation of the new standalone Change of Registrant Data Policy, the working group recommends the following changes from the existing policy language in Section II of the Transfer Policy.

- 26.1: The working group recommends that the role and definition of “Designated Agent” is no longer fit for purpose. Accordingly, the working group recommends all references to Designated Agent MUST be eliminated from the future standalone Change of Registrant Data Policy.
- 26.2: The working group recommends eliminating Section II.B “Availability of Change of Registrant” from the future standalone Change of Registrant Data Policy. However, the working group recommends retaining the following statement from Section II.B.1 : “In general, registrants must be permitted to update their Registration Data” .
- 26.3: The working group recommends eliminating from the future Change of Registrant Data Policy the requirement that the Registrar request and obtain confirmation from both the Prior Registrant and the New Registrant prior to processing a Change of Registrant Data as detailed in Sections II.C.1.2 and II.C.1.4 of the Transfer Policy.
- 26.4: The working group recommends eliminating from the future Change of Registrant Data Policy the requirement that the Registrar impose a 60-day inter-Registrar transfer lock following a Change of Registrant. This requirement is detailed in section II.C.2 of the Transfer Policy. Additionally, the working group recommends eliminating from the Transfer Policy the text regarding opting out of the 60-day lock, as this text has been overtaken by the removal of the lock requirement from the Transfer Policy.

Final Recommendation #27 – Change of Registrant Data Notification

As part of the implementation of the new standalone Change of Registrant Data Policy, the working group recommends that, following a Change of Registrant Data and subject to the opt out requirements described in Recommendation 28, the Registrar

MUST send a Change of Registrant Data notification to the Registered Name Holder without undue delay, but no later than 24 hours after the Change of Registrant Data occurred. (emphasis added)

27.1: This notification MUST be written in the language of the registration agreement and MAY also be provided in English or other languages.

27.2: The Registrar MUST include the following elements in the Change of Registrant Data notification:

- Domain name(s)
- Text stating which registrant data field(s) were updated
- Date and time that the Change of Registrant Data was completed
- Instructions detailing how the registrant can take action if the change was invalid (how to initiate a reversal)

27.3: The Registrar MUST send the notification via email, SMS, or other secure messaging system. These examples are not intended to be limiting, and it is understood that additional methods of notification may be created that were not originally anticipated by the working group.

27.4: When a change to the Registered Name Holder's email address occurs, and subject to the opt out requirements described in Recommendation 28:

- a. the Registrar MUST send the Change of Registrant Data notification to the RNH's prior email address (the email address that was on file with the Registrar immediately prior to the change).
- b. the Registrar MAY send the Change of Registrant Data notification to the RNH's new email address.
- c. the Registrar MAY additionally send the Change of Registrant Data notification to the RNH via SMS or other secure messaging system.

27.5: The Registrar MAY send additional notifications resulting from changes to the Registered Name Holder's phone number, postal address, Account Holder information, or other contact information used by the Registrar to associate the RNH with their domain name or relevant account.

27.6: To the extent that the Change of Registrant Data is requested for multiple domains, and the Registered Name Holder is the same for all domains, the Registrar of Record MAY consolidate the Change of Registrant Data notifications into a single notification.

27.7: To the extent that the Change of Registrant Data may incur a verification request to be sent to the Registered Name Holder pursuant to the RDDS Accuracy Program Specification, the Registrar of Record MAY consolidate the Change of Registrant Data notification and the verification request into a single notification, where applicable.

27.8: The Registrar MUST retain all records pertaining to the provision of the Change of Registrant Data notification to the Registered Name Holder. At a minimum, the records retained MUST document the date/time, means, and contact(s) to whom the notification is sent. The Registrar MUST maintain these records for the shorter of 15 months or the longest period permitted by applicable law, and during such period MUST provide such records to ICANN upon reasonable notice. These records fall under the ICANN Data Retention Specification; the Registrar MUST provide such records to ICANN upon reasonable notice.

Final Recommendation #28 – Opt out of Change of Registrant Data Notification

The working group recommends that the Registrar MAY provide Registered Name Holders with the option to opt out of receiving Change of Registrant Data notifications. IF the Registrar chooses to provide the Change of Registrant Data notification opt-out option to the Registered Name Holder, THEN the following recommendations apply:

28.1: The Registrar MUST enable Change of Registrant Data notifications by default (i) when a domain name is initially registered AND (ii) when a domain name is transferred in from another Registrar.

28.2: If the Registered Name Holder elects to opt out of Change of Registrant Data notifications, the Registrar MAY disable Change of Registrant Data notifications, provided the opt out occurs AFTER initial domain name registration or the completion of an inter-Registrar transfer.

28.3: The Registrar MUST provide clear instructions for how the Registered Name Holder can opt out of (and opt back in to) Change of Registrant Data notifications. Additionally, the Registrar MUST provide warning of the consequences associated with opting out of these notifications, enabling the RNH to make an informed decision whether to opt out.

28.4: The Registrar MUST maintain a record demonstrating that the Registrar validated that the opt-out was requested by the Registered Name Holder. The Registrar MUST retain this record for a period of no fewer than fifteen (15) months following the end of the Registrar's sponsorship of the registration.

28.5: The Change of Registrant Data notification opt-out option does not apply to any verification notices sent pursuant to the RDDS Accuracy Program Specification.

28.6: The Registrar MAY modify their opt-out option at the data field level. For example, a Registrar may choose to offer an opt out for material changes to the Registrant Name or Registrant Organization but not allow an opt out for a change to the Registered Name Holder's email address.

Final Recommendation #29 – Timing for Responding to Contact from a Transfer Emergency Action Contact (TEAC)

Section I.A.4.6.3 of the Transfer Policy states, "Messages sent via the TEAC communication channel must generate a non-automated response by a human representative of the Gaining Registrar. The person or team responding must be capable and authorized to investigate and address urgent transfer issues. Responses are required within 4 hours of the initial request, although final resolution of the incident may take longer." The working group recommends that the policy must be revised to update the required timeframe for initial response from 4 hours to 24 hours.

Final Recommendation #30 – Timing for Additional Interactions with the TEAC

Section I.A.4.6.2 of the Transfer Policy states in part, "... Communications to a TEAC must be initiated in a timely manner, within a reasonable period of time following the alleged unauthorized loss of a domain." The working group recommends that the Transfer Policy must be updated to state that the initial communication to a TEAC is expected to occur no more than 720 hours following the alleged unauthorized loss of a domain. If the initial communication to the TEAC occurs more than 720 hours following the alleged unauthorized loss of a domain, the Losing Registrar must provide a detailed written explanation to the Gaining Registrar's TEAC justifying why this is an emergency situation that must be addressed through the TEAC communication channel and providing information about why earlier contact to the TEAC was not possible.

Final Recommendation #31 – Additional Communications with TEAC

Once a Gaining Registrar has provided an initial non-automated response to a TEAC communication as described in Section I.A.4.6.3 of the Transfer Policy, the Gaining Registrar must provide additional, substantive updates by email to the Losing Registrar

at least every 72 hours until work to resolve the issue is complete. These updates must include specific actions taken by the Gaining Registrar to work towards resolution.

Final Recommendation #32 – Method of Communication with TEAC

The working group recommends that initial communication to the TEAC described in Section I.A.4.6.2 of the Transfer Policy MUST either be in the form of email or, if the primary TEAC communication channel is designated as a phone number or other method, the verbal/non-email communication MUST be accompanied by an email communication to the TEAC. This email “starts the clock” for the response timeframe specified in Recommendation 29.

Final Recommendation #33 – Request to GNSO for further work on Transfer Dispute Resolution Policy and Potential New Dispute Mechanism

The working group recommends the GNSO request an Issues Report or other suitable mechanism to further research and explore the pros and cons of (i) expanding the TDRP to registrant filers and (ii) creating a new standalone dispute resolution mechanism for registrants who wish to challenge improper transfers, including compromised and stolen domain names. There remains a need for an intermediary mechanism to remedy unauthorized transfers between ToS claw backs and litigation as well as other issues as may be identified by the GNSO. The working group recommends that any such additional dispute mechanism that empowers registrants should be in addition to and not prohibit any informal resolution that registrars successfully employ in the overwhelming number of instances.

Final Recommendation #34 – Fees Associated with Full Portfolio Transfers over 50,000 domain names

34.1: The working group recommends that a Registry Operator MAY charge a fee to implement a full domain name portfolio transfer⁹ of 50,000 or more domain names from one ICANN-accredited Registrar to another ICANN-accredited Registrar(s)¹⁰, provided the conditions described in sections I.B.1.1 and I.B.1.2 are satisfied.

⁹ Note: this could include all of the domain names a Registrar has within a gTLD or all of the gTLD domain names a Registrar has under management.

¹⁰ In the majority of instances, ICANN org will choose one Gaining Registrar to take over the Losing Registrar’s domain name portfolio; this is the preferred scenario to avoid customer confusion. However, there may be a situation where multiple Gaining Registrars will be chosen. For

34.2: The Registry MAY waive the fee associated with full portfolio transfers.

34.3: The Registry MUST waive any fee associated with a full portfolio transfer in full portfolio transfers resulting from an involuntary Registrar termination, i.e., where a Registrar is terminated by ICANN due to non-compliance with the Registrar Accreditation Agreement, the working group recommends.

Final Recommendation #35 – Retainment of Current Full Portfolio Transfer Fee Ceiling and Minimum Domain Name Threshold

The Working Group recommends retaining both (i) the current minimum number of domain names that trigger the fee at 50,000 names and (ii) the current price ceiling of USD \$50,000. If the voluntary full portfolio transfer involves multiple Registry Operators who transfer greater than 50,000 names, the affected Registry Operators MUST ensure the collective fee does not exceed the recommended ceiling of USD \$50,000, and the fee MUST be apportioned based on the number of domain names transferred.

Additionally, for the purpose of assessing the 50,000 minimum domain name threshold, if there is an Affiliate relationship between the affected Registry Operators, the affected Registry Operators MAY calculate the fee as Affiliates to meet the minimum domain name threshold. For example, if Registry A transfers 25,000 names and Registry B transfers 25,000 names, and Registry A and Registry B are Affiliates, the minimum current minimum domain name threshold would be reached.

Example 1: if Registry A transfers 55,000 names, and Registry B transfers 5,000 names, totaling 60,000 names, Registry A MAY charge up to \$50,000, but Registry B cannot charge a fee.

Example 2: If Registry A transfers 40,000 names, and Registry B transfers 20,000 names, totaling 60,000 names, neither Registry A nor Registry B may charge a fee, as neither registry meets the 50,000 name threshold.

Example 3: If Registry A transfers 40,000 names, and Registry B transfers 20,000 names, totaling 60,000 names, AND Registry A and Registry B are in the same Registry Family, the Registry Family MAY charge up to \$50,000.

example, if there is no Registrar who offers all of the TLDs of the Losing Registrar, ICANN org will need to identify more than one Gaining Registrar to which the domain names will be transferred to.

Example 4: If Registry A transfers 55,000 names, and Registry B transfers 55,000 names, totaling 110,000 names, Registry A MAY charge up to \$25,000 (or 50% of the \$50,000 fee), and Registry B MAY charge up to \$25,000 (or 50% of the \$50,000 fee), as each Registry transferred 50% of the total names.

Example 5: If Registry A transfers 25,000 names and Registry B transfers 25,000 names, and Registry A and Registry B are Affiliates, the minimum current minimum domain name threshold would be reached. In this instance, Registry A MAY charge a fee of up to \$25,000 and Registry B MAY charge a fee of up to \$25,000.

Final Recommendation #36 – Restriction of Fee Adjustments for Voluntary Full Portfolio Transfers Involving Multiple Registry Operators

The working group recommends that if the voluntary full portfolio transfer involves multiple Registry Operators, and one or more affected Registry Operators chooses to waive its portion of the collective fee, the remaining Registry Operators MUST NOT adjust their fees to a higher percentage due to another Registry Operator's waiver.

Final Recommendation #37 – Registry Operator Notice to ICANN of Voluntary Full Portfolio Transfer Completion

The working group recommends that following the completion of the transfer, the Registry Operator(s) MUST provide notice to ICANN that the transfer is complete, and the notice to ICANN MUST include the number of domain names transferred.

Final Recommendation #38 – ICANN Notice to Affected Registry Operators of Associated Domain Name Numbers for Voluntary Full Portfolio Transfers

The working group recommends that following receipt of notices from all affected Registry Operators, ICANN MUST send a notice to affected Registry Operators, i.e., Registry Operators who transfer greater than 50,000 names, with the reported numbers and corresponding percentages of domain names involved in the bulk transfer, e.g., 26% of names for .ABC and 74% of names for .DEF. The Registry Operators MAY then charge the Gaining Registrar a fee pursuant to the requirements in Recommendation #35 and associated Implementation Guidance.

Final Recommendation #39 – Gaining Registrar Responsibility for Payment of Fees Associated with Voluntary Full Portfolio Transfer

The working group recommends that the Gaining Registrar MUST be responsible for paying any relevant Registry fees related to any voluntary full portfolio transfer that it initiated and approved.

Final Recommendation #40 – Inclusion of Bulk Transfer After Partial Portfolio Acquisition (BTAPPA) in Transfer Policy

40.1. The working group recommends updating the Transfer Policy to include the Bulk Transfer After Partial Portfolio Acquisition (BTAPPA) directly into the Transfer Policy, which would apply to all Registry Operators.

40.2. For the avoidance of doubt, the Working Group is recommending that the BTAPPA would be included as part of the Transfer Policy, and when the updated Transfer Policy becomes effective, Registry Operators will no longer have to file an RSEP to offer the BTAPPA.

Final Recommendation #41 – Expansion of BTAPPA to Registrar Customers

The working group recommends that the standard Bulk Transfer After Partial Portfolio Acquisition (BTAPPA) be expanded to include circumstances where a customer of the Registrar elects to transfer its portfolio of domain names to a new gaining registrar, and the registration agreement explicitly permits the transfer.

Final Recommendation #42 – Required Registrar Notification of BTAPPA

42.1: In the event of a BTAPPA, the Registrar shall either notify or ensure its Resellers (where applicable) notify affected Registrants approximately one month¹⁹ / at least 720 hours before the change of sponsorship is expected to occur. This notification must provide instructions on (i) how to opt out (if applicable), (ii) how to transfer the name to a registrar other than the Gaining Registrar

before the date of the sponsorship change, if desired, (iii) the expected date of the change of sponsorship, (iv) the name of the Gaining Registrar, and (v) a link to the Gaining Registrar's (or their Reseller's) terms of service.

42.2: The WG recognizes that some flexibility is required in the timing of Change of Sponsorship (BTAPPA) notifications. As such, one month should be treated as no less than 624 hours and no more than 840 hours. A Registrar is not precluded from sending additional notifications earlier or later than this required one month notification.

42.3: A notice MAY encompass multiple TLDs if a Registered Name Holder has registered domain names under more than one TLD and the same parameters apply to the transfers, i.e., the date of transfer, instructions, etc.

42.4: Regardless of the means used to notify registrants, notifications sent MUST be properly documented, retained, and made available to Compliance to facilitate the investigation of a BTAPPA complaint.

Final Recommendation #43 – Domain Name Expiration Dates During BTAPPA

The working group recommends that for a change of sponsorship, the expiration dates of transferred registrations are not affected, and, therefore, there are no ICANN fees. Once the change of sponsorship is complete, the working group recommends that there is no grace period to reverse a transfer.

Final Recommendation #44 – Permitted Rejection of BTAPPA Request

The working group recommends a Registry Operator MUST reject a change of sponsorship request if there is reasonable evidence that the change of sponsorship is being requested in order to avoid fees otherwise due to the Registry Operator or ICANN. A Registry Operator has discretion to reject a change of sponsorship request if a registrar with common ownership or management or both has already requested a change of sponsorship within the preceding six-month period.

Final Recommendation #45 – Required Registration Agreement Language for BTAPPA

The working group recommends the Losing Registrar's existing Registration Agreement with customers MUST permit the transfer of domain names in the event of the scenarios described in the Transfer Policy with respect to a change of sponsorship. Additionally,

the Losing Registrar's Registration Agreement MUST inform registrants that in the event of a change of sponsorship, the affected registrants will be deemed to have accepted the new registrar's terms, unless the registrant transfers their domain name(s) to a different registrar prior to the change of sponsorship.

Final Recommendation #46 – Notice of Registry Fees for BTAPPA

The working group recommends that a Registry Operator MAY charge a fee for a change of sponsorship, but Registry Operators MUST provide notice to Registrars of any fees associated with a change of sponsorship upon request and prior to the initiation of the transfer. How Registry Operators choose to provide notice of fees will be up to the Registry to decide, i.e., password protected portal, website, written notice, etc.

Final Recommendation #47 – Prohibition on Post-BTAPPA Transfer Restriction

The working group recommends that in the case of a change of sponsorship, the Gaining Registrar MUST NOT impose a new inter-registrar transfer lock preventing affected registrants from transferring their domains to another Registrar.