Change of Registrant (COR)

TPR Group 1(b): Part II

Meeting #118

ICANN

Availability of Change of Registrant [Data]

B. Availability of Change of Registrant

(1) In general, registrants must be permitted to update their registration data and transfer their registration rights to other registrants freely.

(2) A Registrar **MUST deny** a COR request under the following circumstances:

      2.1 the domain name registration agreement has expired

      2.2 the COR was not properly authorized by Prior Registrant and the New Registrant

      2.3 the domain name is subject to a domain name related dispute (UDRP, URS, UDRP, or court order)

(3) The COR process **does not apply** in the following circumstances:

      3.1 the registration agreement expires

      3.2 the registration agreement is terminated by the Registrar

      3.3 the Registrar or Registry Operator updates the Prior Registrant's information pursuant to a court order

      3.4 the Registrar updates the Prior Registrant's information in the implementation of a UDRP decision

      3.5 the Registrar updates the Prior Registrant's information in accordance with the Expired Domain Deletion Policy

      3.6 the Registrar updates the Prior Registrant's information in response to an abuse complaint

TPR Group 1(b) Preliminary Recommendations - DRAFT

Group 1(b) Preliminary Recommendations

Prelim. Rec. 1: 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.

1.1. "Change of Registrant Data" is defined as a *Material Change to the Registered Name Holder's name, organization, or email address.*

1.2. The working group affirms that the current definition of *"Material Change" remains applicable and fit for purpose.*

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1.3. A "Change of Registrant Data" ("CORD") applies when a Material Change is made to the Registered Name Holder's name, organization, or email address on file with the Registrar of Record, even when this data does not necessarily correspond to the registrant data published in the public RDDS (i.e. when the registrant's data is redacted for privacy or masked by a Privacy/Proxy Service). *A "Change of Registrant Data" does not apply to the addition, removal, or update of Privacy/Proxy Service Provider data presented in the public RDDS*, so long as the Registered Name Holder's name, organization, or email address on file with the Registrar remain unchanged.

Group 1(b) Preliminary Recommendations

Prelim. Rec. 2: 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 Transfer Policy.

Group 1(b) Preliminary Recommendations

Prelim. Rec. 3: The working group recommends ***eliminating from the Transfer 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 [as detailed in Sections II.2.1.2 and II.2.1.4 of the Transfer Policy].

Group 1(b) Preliminary Recommendations

Prelim. Rec. 4: The working group recommends that ***following a Change of Registrant Data,*** [unless the RNH previously opted-out of notifications,] ***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.

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

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4.2. 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)

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4.3. 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.

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4.4. *When a material change to the Registered Name Holder's email address occurs, the Registrar MUST send the CORD notification to the RNH's prior email address* (the email address that was on file with the Registrar immediately prior to the change) *[and the RNH's new email address]*, [unless the RNH previously opted-out of these notifications].

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> **…**

> 4.5. *The Registrar is not prevented from sending 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.

> **…**

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…

4.6. 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**.

…

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4.7. 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*.

Group 1(b) Preliminary Recommendations

Prelim. Rec. 5: The working group recommends that *Registrars MUST provide Registered Name Holders with the option to opt-out of receiving Change of Registrant Data notifications*.

5.1. Change of Registrant Data *notifications MUST be enabled by default* when a domain name is initially registered [and when a new Registered Name Holder signs the domain registration agreement, if applicable]. Change of Registrant Data *notifications may only be disabled if and when the Registered Name Holder elects to opt-out* of these notifications.

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...

5.2. Registrars must provide *clear instructions* for how the Registered Name Holder can opt-out of (and opt back in to) Change of Registrant Data notifications, as well as provide *warning of the consequences* associated with opting-out these notifications, enabling the RNH to make an *informed decision* whether to opt-out.

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

Group 1(b) Preliminary Recommendations

Prelim. Rec. 6: The working group recommends ***eliminating from the Transfer 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.

AOB