

# Policy Advisory Committee

## 20 June 2017 Meeting

---

UPDATES FROM THE CLAIM PROPOSAL WORKING GROUP

# Some issues identified so far...

---

- **Cybersquatting** concerns:- the BertieAhern.ie issue.....(someone has registered “MY name”)
- Potential for **defamation/slander** within the domain name:- eg “xxxxx-sucks.ie”
- Personal names:- concern that a private citizen could register another person's name and be **abusive**
- Request for a long **bedding-in period** to allow for awareness / promotion and marketing....
- Small businesses, arriving **too late**:- “somebody else has registered “my” name. How could you not reserve it, just for me?”
- Request to ensure the widest possible **inclusion** for the Public Consultation phase
- Request to ensure that **existing registrants** know about the changes
- Warning to be careful about linking the **aftermarket** to the policy liberalisation (risk of encouraging cybersquatters)
- Promotion and marketing message should be **positive**, and avoid scaremongering

# Some issues identified so far...

---

Based on the issues identified so far, there are 4 workstreams:-

1. Implications of removing the 'Claim' (**dispute resolution**, mediation, editing the PPPRG)
2. **Communications**, promotion and marketing (phases, IEDR's PSO, roles of PAC members & channel)
3. Aftermath of removal:-
  - Making the "**Connection**" easier & faster / refining the Guidelines in PPPRG)
4. Aftermath of removal:-
  - **Fast-Pass** for returning customers

# Alternative Dispute Resolution (ADR) Process

Appeals-lite process

---

## Considerations included:-

- Impact assessment of Claim removal
- Is there a need for an ADR Process?
- How should it work, the role of the Channel and what scenarios should it apply to?
  - IP infringement - 'Faster, cheaper WIPO',
  - 'Use' abuse (illegal activity, slander, impersonation and defamation),
  - Problems during registration
  - Technical abuse issues...
- Mediation Service for ADR
  - Who/ what is the appropriate person(s), panel, body?

## Updates:-

- Discussions are ongoing
- Broad consensus among Registrars that an ADR should:
  - be introduced to the IE namespace
  - handling complaints regarding website content is notoriously challenging (*in particular defamation & slander*)
- Proposal to consider ADR as a **separate** policy change
- Feedback from other WG members o/s
- Plan to request feedback from Law Society also

# Communications & Awareness building

Marketing & promotion

---

## Considerations included:-

- Notifications to existing registrants
  - If IEDR is under obligation to notify registrants of the proposed changes (before implementation, if approved)
  - If such notifications would be classified as a public service announcement / marketing comm.
  - If Registrars could opt out of having their clients receive such notifications (to avoid confusing their clients)
  - If Registrars opt-out, if IEDR could require accredited .ie Registrar to handle notifications

## Updates:-

- Discussion ongoing
- IEDR could create white label content for Registrars to use for notifications
- Agreed to consider the communications over three distinct phases
  - Phase 1 - Awareness building around public consultation, including '1-to-1' with relevant bodies e.g. DPA and CCPC
  - Phase 2 – existing registrants and current customers (last chance to ring-fence your name)
  - Phase 3 – countdown stage, shortly before implementation (if approved).  
Public service type comms - especially by IEDR.

# 'Connection' to Ireland

## Guidelines for showing evidence

---

### Considerations included:-

- Objective is to simplify new registrations
- Need for deterministic registration guidelines
  - Remove any confusion around what is sufficient to show connection
- Need to identify 'one-item' proofs that show connection
  - 'Give us 1 piece of evidence to register a domain'
- Catch-all clause
  - How to ensure we don't clog-up the PPPRG with every corner-case

### Updates:-

- Suggested edits to the 'Guidelines' of the Registration and Naming Policy were drafted and circulated to the WG
- Word-crafting and discussion are on-going
- Further consideration required, particularly for:-
  - **Organisations** (e.g. clubs, bands etc.)  
How should these bodies show their connection?  
E.g. VAT number, RBN number, register to individual, use social media links?
  - **Utility bills**  
Do these provide suitable evidence of a connection and proof of identity?

# Fast-Pass Registration Process Proposal

For returning customers – post implementation

---

## Considerations included:-

- Process proposal – Applicable to existing registrants wanting to register more domains
  - They will have already shown their ‘connection’
- Process would be optional for Registrars to use for their clients
  - Opt-in model
- Should a registrant need to ‘re-prove their connection’ after a defined time period has elapsed since the original registration?
- How to handle applications from dissolved companies?

## Updates:-

- Discussion ongoing
- Broad consensus for the process (and opt-in model)
- Discussion has focused on technical considerations:
  - How to ‘flag’ applications as fast-pass
  - Need to update Registrar front-end and back-end systems
  - Need to update IEDR systems to accept a ‘flag’ (www.iedr.ie, API and Console)
  - Fast-pass registrations – potential to add to the IE zone without manual approval from IEDR staff

# Some resources drafted...

---

- Information Bulletin – draft prepared
- FAQ – draft prepared
- new Guideline on evidence of “Connection”



# Potential Timetable...

## Potential Implementation Timetables - Claim Removal

Key =

Designing Alternative Dispute Resolution Process (Appeals)	Awareness Building	Public Consultation I (PC)	Review PC Feedback	Finalise system design & testing (API and front-end systems - 15 days)	Registrar system change required notice period (API and front-end systems - 90 days)	Marketing & Promotion	Go-Live
--	--------------------	----------------------------	--------------------	--	--	-----------------------	---------

Scenario I (No Public consultation during the Summer)	June & July	September	September (30 days)	Mid-Oct (15 days)	Mid-Oct	1 Nov to 31 Jan	1 Feb 2018
					Mid-Oct to 31 Jan		

### Critical Path items:-

- Public Consultation (earliest start date is 1<sup>st</sup> September)
- Finalise API changes (if any), **then** give 90 days notice
- Finalise modus operandi and T&Cs of ADR (**prior to** Public Consultation)

# Next Steps...

---

- Working Group – complete the discussions on the four work streams
- Public Consultation – prepare and issue consultation doc, with infographic / visuals etc.
- Awareness, promotion and marketing – Design the marketing content for the 3 phases
- Conclude on API changes (if any) and give 90-days notice
- Working Group to report back at next PAC meeting