

## **Policy Advisory Committee (PAC)**

### **Minutes of the Meeting held on December 16th 2015**

**Meeting Location:** Yeat's Suite, O'Callaghan Mont Clare Hotel, Dublin 2

Meeting called to order at approximately 10:35am by meeting Chair.

#### **Members present:**

Chair	Alfie Shaw
Department of Communications, Energy & Natural Resources	Rory Conaty
Department of Jobs, Enterprise & Innovation	James Kelly
Enterprise Ireland	Paula Maguire
.ie Accredited Registrar	Jonathan Bate (Hosting Ireland)
.ie Accredited Registrar	Kelly Salter (Register 365)
.ie Accredited Registrar	Michele Neylon (Blacknight Solutions)
.ie Accredited Registrar	Conor Moran (Irish Domains)
HEAnet	Brian Nisbet
ICS	Kevin Thomas
IIA	Joan Mulvihill
ISPAI	Fred Logue
SFA	Linda Barry
IEDR	David Curtin
IEDR	Jimmy Joyce
IEDR	Oonagh McCutcheon
PAC Secretariat	Sarah Keegan

#### **1. Apologies - Members not present:**

Judy McCullough – APTMA (pre-arranged)

Joe Kane – Law Society

Membership change announced with Fred Logue replacing Niall Rooney, representing the ISPAI. Fred was welcomed to the PAC by the Chair.

#### **2. Minutes**

It was confirmed that the Minutes from the September 23rd 2015 meeting were published online, and that no further comment was received in relation to their content.

### **3. Policy Change – to allow 1 & 2 Letter .ie domains**

An overview of the progression of the policy change was outlined to the Committee.

It was confirmed that the implementation of the policy change had begun on November 16<sup>th</sup> 2015, with the launch of the Sunrise registration phase for trademark holders who could satisfy the trademark eligibility criteria agreed upon by the 1 & 2 Letter Development Group.

The IEDR provided statistics on the number of applications received to date, and it was noted that Sunrise would end at 23:59:59 GMT on December 16<sup>th</sup> 2015, and that there are currently no contested applications in the system, potentially resulting in no applications progressing to auction, where the highest bidder would gain the right to use the domain.

The IEDR advised that, in light of the absence of a requirement for auctions, the potential to alter the release timetable existed, as the time frame budgeted for auctions was now unlikely to be required, allowing the secondary registration phase, Landrush, to begin sooner if consensus existed.

Discussion on this matter continued, and it was agreed that, in order to allow ample time for marketing campaigns supporting the release, the original proposed time table would be adhered to, with Landrush beginning on February 21<sup>st</sup> 2016.

Discussion on the progress of the Sunrise registration phase continued; with the marketing and PR efforts of the IEDR/SFA/Law Society/APTMA/Registrars for this phase also clarified.

There was a request submitted to the IEDR to provide the Registrar Community with samples of any relevant PR materials relating to Landrush, in order to assist with the promotion of this registration phase.

The IEDR confirmed that it had no objection to this, and agreed that such materials would be issued to the PAC / Registrar Community in due course, through the relevant channels.

### **4. Policy change – to allow IDNs (fadas on the vowels) in .ie domain names**

The progression of the policy change was recapped for the Committee, and it was further confirmed that supporting documentation to support the launch of a Public Consultation had been drafted by the PAC Secretariat, and was ready for distribution to the IDN Development Group for review / feedback.

This documentation will be sent to the IDN Development Group for review in January 2016, and in line with the IEDR's Policy Development Process, the Public Consultation will begin soon afterwards on a "to be announced" date.

There was brief discussion regarding the provision of Registrar test systems, relating to the potential implementation of these domains, and it was confirmed that Registrars have the ability to test IDNs in the IEDR Test API Environment at present.

## **5. Policy change – to allow Secondary market / aftermarket in .ie domains**

A summary on the progression of this policy change was provided. It was noted that:-

- Consensus exists on the policy change.
- Consensus exists on the purchaser complying with IEDR registration and naming policies.
- Some disagreement exists on “caveat emptor” versus consumer protection public policy / reputational damage to IEDR from a tainted auction (where the winning bidder cannot comply with registration policies).

As agreed at the last PAC meeting, the IEDR confirmed that it had sought the opinions of the IEDR Board of Directors, and legal advice regarding the mechanisms proposed in previous discussions, under which the secondary market could potentially operate.

It had been proposed that through altering the IEDR’s Registration and Naming Policies, Registrant Agreement and Registrar Agreement, along with all applicable terms and conditions to include protection mechanisms for the IEDR, that the Registry could potentially remain a bystander to the secondary market operations, provided all buyers still satisfy the standard registration criteria.

The next steps were summarised as - IEDR to obtain further legal opinion, report back to the IEDR Board, and report back to the PAC at the next meeting. Additional updates will be provided at the next meeting.

As an aside, it was noted that the current Registrant Agreement could be regarded as overly legalistic and complicated for the average consumer. It had been drawn up in the 1990’s and has remained unchanged since as it was not part of the IEDR’s ‘Plain English campaign’ which ran a number of years ago.

As such, there was discussion around reviewing this entire Agreement in tandem with the proposal to permit secondary market operations.

There was also a request for the IEDR to host a central page on [iedr.ie](http://iedr.ie), where the end-customer could access all policy information relating to the IEDR Operations, rather than the current display system, whereby the various policies of the Registry are listed on individual, relevant pages across the website.

The IEDR agreed that it had no objection to this, and would review the matter further.

## **6. Policy change – to remove restrictions on Geographical .ie domain names**

A brief overview of the policy change, and PAC discussions on this matter to date, were outlined.

It was again noted that full consensus for this policy change exists.

As previously agreed, the Department of Communications is expected to meet with County and City Management Association (CCMA) and the Place Names Commission to discuss the adequacy, and

implementation, of a final 90 day registration period during which time the Geographic Rule would be enforced, affording Local authorities the opportunity to register any available .ie domains reflecting Geographic locations within the island of Ireland, which they have a need for.

The Department of Communications confirmed that this meeting has been scheduled for January 2016, and as such, further updates are expected to be provided to the PAC at the next meeting.

## **7. Policy change – to remove restrictions on .ie domain names corresponding to TLDs.**

The progression of this policy change was outlined, along with a summary of previous discussions.

It was again agreed that no objection to this policy change exists, and that the release of two letter domains which reflect country codes, e.g. fr, it etc, has effectively made this policy change request redundant, as the IEDR is now permitting the registration of many domains that reflect ccTLDs.

Additionally, it was further noted that with the launch of gTLDs in recent years, many .ie domains that correspond to these extensions have also been available and registered.

In light of this, it was agreed to fast track the implementation of the policy change to ensure even implementation of the rule.

Furthermore, there was discussion around the need to implement a Public Consultation, a phased release which would include a Sunrise process, or an alternative structured release for the remaining TLDs.

However, consensus found that this was unnecessary, due to the volume of domains reflecting gTLDs and ccTLDs already available / registered, and that the policy change implementation was effectively ensuring a more even operation of the registration policy.

There was agreement that the PAC Secretariat would issue an implementation proposal document to the TLD Development Group for discussion purposes, with the objective of achieving consensus to release certain restricted TLDs for registration. Further updates will be provided at the next meeting.

## **8. Policy change – to allow shortened versions of a person's first name with regard to Personal Name Domain applications**

This proposal was submitted by the accredited .ie Registrar, Blacknight Solutions, and was presented to the PAC for discussion.

The background to the policy change, and the current requirements for obtaining a .ie domain on the grounds that it reflects a personal name were considered, and there was consensus that these requirements are quite restrictive as applicants are only permitted to register domains that reflect their personal name exactly as it appears in their supporting documentation (e.g. proof of ID – passport, or proof of address – utility bill or bank statement).

It was agreed that those individuals, who are known by a shortened / abbreviated version of their first name, encounter difficulties when applying for the domain name that reflects an obvious abbreviation of their name, and that the PAC should work to remove this potential obstruction from the registration process.

In light of this, it was agreed that relaxing this policy would be in the best interest of the .ie namespace and the Irish Internet Community. However, it was felt that any proposed method of implementation must be “deterministic” and practical for the Registrars and IEDR’s Registration Services Team to operate.

Discussion continued around the various potential methods of implementation that could be used, with a particular focus on the following three options:

- Using privately managed / public / IEDR created personal name databases online to verify if the domain being applied for is a valid abbreviation of the applicant’s name as it appears on their supporting documentation.
- Requesting applicants to provide evidence that they are known under the abbreviated form of their personal name as it appears on their supporting documentation, such as social media / blog sites.
- Requesting applicants to provide signed statements, as per the operations of the Passport Office, stating that they are known by the abbreviated form of their name, which they are applying for.

The merits of each proposal were considered, along with potential drawbacks.

As there was strong consensus amongst the PAC to proceed, it was agreed to establish a Development Group to assist with the review of mechanisms which could be implemented to support this policy change.

Furthermore, it was agreed that the Development Group would include representatives from the following PAC Member Bodies:

- Blacknight Solutions
- Irish Computer Society (ICS)

Due to the level of consensus that exists for this policy change, it was agreed that in an attempt to “fast track” the change, the PAC Secretariat would draft a document outlining the outcome of further research on the proposed methods of implementation which would be submitted for consideration to the Development Group.

Further updates on this will be provided at the next meeting.

## **9. Any Other Business**

### **a. University Rule**

A brief recap of this policy change request was outlined, and it was noted from the last meeting that the Department of Education, which was strongly opposed to the policy change, had not yet provided their formal correspondence confirming their opposition.

At the last PAC meeting, it had been agreed that without consensus from the Department of Education, that the policy change request, as submitted, would not have sufficient consensus to proceed.

As such, the Department of Communications advised that they will follow up on this matter.

Furthermore, the IEDR agreed that once written confirmation of their objections was received from the Department of Education, that the IEDR, as the proposer of the policy change, would withdraw the Policy Change request.

Discussion turned to submitting a new policy change request, which would aim to maintain the current restrictions of Section 3.9 of the Naming Policy, but which would allow for registered trademarks to supersede the rule.

However, it was felt that there was insufficient demand to justify such a policy change, and it was agreed to await the Department of Education's official correspondence, and withdraw the policy change request once received.

### **b. Registrar Accreditation Policy – Minimum Requirements**

The accreditation process for applicant Registrars that meet the minimum requirements to avail of accredited status was discussed.

This scenario of a sub-reseller being 'promoted' to full accredited Registrar status was raised. It was noted that current accredited .ie Registrars, who unexpectedly lose a certain volume of domains from their portfolio to a new applicant accredited Registrar's account in the accreditation account setup process, ought to be provided with a minimum courtesy notice period advising them of the transfer, prior to completion of accreditation.

After further discussion on this matter, it was agreed that the current accreditation process could be enhanced to include a 7 day notice period to the losing Registrar.

The IEDR confirmed that they held no objections to this, and would implement this for future bulk transfers.

It was further noted by the IEDR that they do not proactively contact resellers / corporate clients of current accredited Registrars.

Furthermore, it was added that the IEDR has limited / no visibility of the number of domains held by corporate groups / resellers, and therefore would not have the ability, nor does it have the desire, to encourage movement of business from its accredited Registrars' portfolios.

In relation to signed Declarations submitted by applicants, a request was made to the Registry to action compliance spot checks on the registrants of .ie domains being transferred to an applicant accredited Registrar's account, in order to ensure that they have been adequately informed of the pending move of their domain.

The IEDR agreed to review these requests further and provide updates to the Registrar Community in due course.

### **c. IEDR Communication Policy with Registrar / end user clients**

The matter of the IEDR communications/engagement with Registrants / Applicants, who have their registered domains and applications managed through an accredited .ie Registrar, was raised.

The IEDR noted that it handles all customer queries on a reactionary basis, and does not proactively contact any clients of the Registrars.

However, in instances where Applicants / Registrants contact the Registry directly to request the urgent processing of an application / modification, in the interests of providing the highest standard of customer service, the IEDR does complete such requests as a priority for clients who can complete security verification.

It was noted that the IEDR does receive a relatively high volume of calls from Applicants / Registrants whose domains are managed by accredited Registrars, particularly after they have unsuccessfully tried to engage with their Registrar. Discussion on this continued, and it was suggested that the IEDR follow up with Registrars commonly found to be unresponsive to their clients and work with them to improve their service, where possible.

### **d. Annual Report**

It was proposed that the PAC Secretariat create an Annual Report for the IEDR Board of Directors, outlining the operations of the PAC throughout 2015.

As there was no objection, this was agreed to, and it confirmed that the report would be distributed to PAC members in early 2016, in advance of the next scheduled meeting.

## **10. Next Steps:**

- The PAC Secretariat will issue a formal discussion document to the TLD Development Group, requesting confirmation of their consensus to release certain restricted TLDs for registration.

- Distribution of supporting materials for the launch of the Public Consultation on IDNs to the Development Group.
- Launch IDN Public Consultation process, in due course.
- IEDR to continue discussions with legal counsel regarding alterations to the Registrar / Registrant Agreements, along with all relevant Terms and Conditions in order to review potential operation mechanisms for a secondary market in the .ie namespace.
- DCENR to discuss Geographic policy change with CCMA and Place Names Commission and provide updates at next meeting.
- DCENR to obtain the letter of objection from Department of Education in relation to the use of 'University' in domain names.
- The PAC Secretariat will draft a document outlining further research on the proposed methods of implementation relating to the Personal Name policy change, which will be submitted to the Development Group for consideration.
- The PAC Secretariat will draft an Annual Report for the IEDR Board of Directors in early 2016, which will be distributed to the PAC for review, prior to its submission to the Board.

## **11. Next Meeting:**

10:30am on February 25th, 2016.