

Report on Registrar Whois Data Reminder Policy Survey

Executive Summary

ICANN adopted the Whois Data Reminder Policy (WDRP) on 27 March 2003. The purpose of the WDRP is to encourage registrants to review their Whois data and make changes if necessary. The WDRP requires all ICANN-accredited registrars that are actively selling domain names to send an annual reminder to registrants instructing them to review, and if necessary, update their Whois data.

In 2004, ICANN began reporting on registrar compliance with the WDRP, <http://www.icann.org/en/registrars/wdrp.htm>. Since that time, compliance with the WDRP has consistently improved within the registrar community. ICANN has measured registrar compliance with the WDRP by conducting annual surveys to ensure that both ICANN and its contracted parties fulfill the requirements set forth in the agreements between the parties. This Report was prepared based on information obtained through a survey emailed to 945 ICANN-accredited registrars on 15 December 2009. After the notices were transmitted, 14 registrars were terminated or non-renewed before publishing the results of this survey. Therefore, when those 14 registrars were excluded, 931 registrars were required to respond.

Methodology

The survey was designed to elicit important information about registrar implementation of and compliance with the WDRP. The survey was sent to registrars on 15 December 2009 and all registrars were required to respond by 19 January 2010. Registrars that failed to respond by this deadline received several automated compliance notices allowing them additional time to respond before escalated compliance action was taken. The questions covered:

- The size of the registrar (domain names under management)
- The percentage of registrations for which WDRP notices were sent
- The primary and secondary methods of transmitting the notices
- The percent of notices that was undeliverable
- The languages(s) in which the notices were sent
- The percent of notices that led to changes in registrant data
- The fields that were most frequently changed

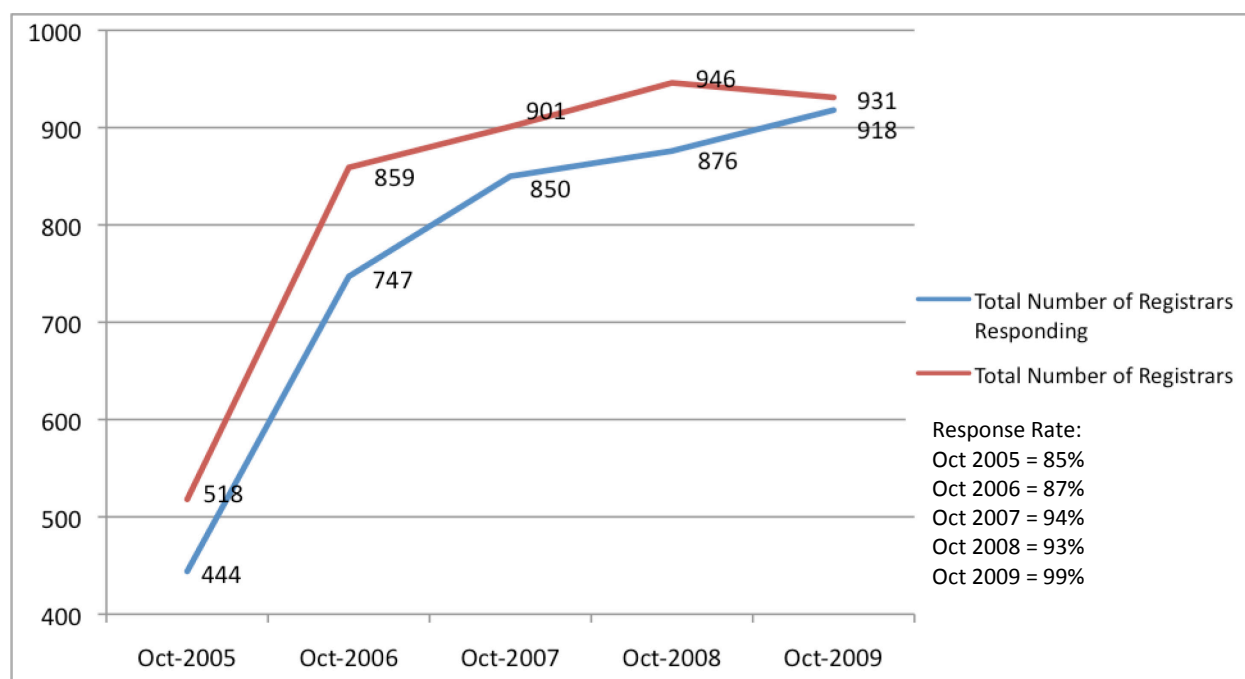
The survey invited registrars to use a free-text box to describe any problems or suggestions for improving the WDRP, the accuracy of Whois data or implementation of the WDRP process. A copy of the 2009 survey can be found at <http://survey.icann.org/wdrp-2009.html>.

The following are key findings from the 2009 survey on the WDRP:

- Of the 945 ICANN-accredited registrars surveyed in 2009, 14 were terminated or non-renewed before the survey results were posted. Thus, those 14 were not counted in the analysis of the results.
- 99% (918 of 931) of then ICANN-accredited registrars participated in the 2009 WDRP Survey.
- 13 of the 931 registrars did not respond.
 - a) Seven of the 13 non-responsive registrars were terminated or non-renewed.
 - b) Five of the 13 non-responsive registrars came into compliance and one registrar voluntarily terminated its contract with ICANN.
- 99% of the registrars required to send WDRP notices were in compliance with the form and content requirements for the notices.

Figure 1-1 represents a historical analysis over the past five years of registrar participation in the Whois Data Reminder Policy Survey.

Figure 1-1: Five Year Historical View of Registrar Response Rate against Total Number of Accredited Registrars



Survey Participation

ICANN requested that all registrars complete the WDRP survey document. ICANN staff proactively attempted to contact all non-responsive registrars using several methods including email, fax and phone calls to improve overall participation by registrars.

A total of 918 registrars (99% of all then ICANN-accredited participating registrars) responded to the WDRP Survey. Table 1-2 represents the estimated total number of gTLD names under registrar sponsorship on 1 January 2009.

Table 1-2 Estimated Total gTLD Names Under Registrar Sponsorship as of 1 January 2009

Registrar Participation in the 2009 WDRP Survey by Registrar Size	Number of Registrars Responding	Number of Registrars Terminated or Non-renewed	Non-responsive Registrars
0 names	81		3
1-999 names	182	7	3
1,000-9,999 names	276	5	4
10,000 - 99, 999 names	136	2	3
100,000 - 999,999 names	177		
1,000,000+ names	66		
Total	918	14	13

All ICANN-accredited registrars are contractually obligated to comply with the WDRP. Registrars that are actively selling domain names are required to provide each registrant with a reminder notice containing the relevant Whois data before the anniversary of the creation date of each registration.

Each year registrars are required to send a WDRP notice to all registrants with registrations more than one year old. Registrars are not required to send WDRP notices to registrants with new registrations until just before the one-year anniversary of the creation date of the domain name.

Registrar Compliance

Compliance with the WDRP was assessed using two sources: (i) the survey responses; and (ii) the sample WDRP notices provided to ICANN by responding registrars. The survey was designed to measure two primary compliance benchmarks: (i) whether required WDRP notices were transmitted to registrants; and (ii) whether the notices contained the substantive information required by the WDRP.

For the registrars that were actively selling domain names and were obligated to send WDRP notices, Table 1-3 details the number of notices sent, according to registrar size.

Table 1-3 Percentage of Registrants to Whom WDRP Notices Were Sent

Registrar Size	Percentage of Registrants To Whom Notices Were Sent					
	0%	<5%	<100%	100%	Not Determined	Total
<1000	5	1	1	159	16	182
1,000-9,999	3		2	269	2	276
10,000 - 99,999	5	5	8	118		136
100,000 - 999,999		1	4	171	1	177
1,000,000 or more		1	1	64	4	66
Total	13	8	16	781	19	837

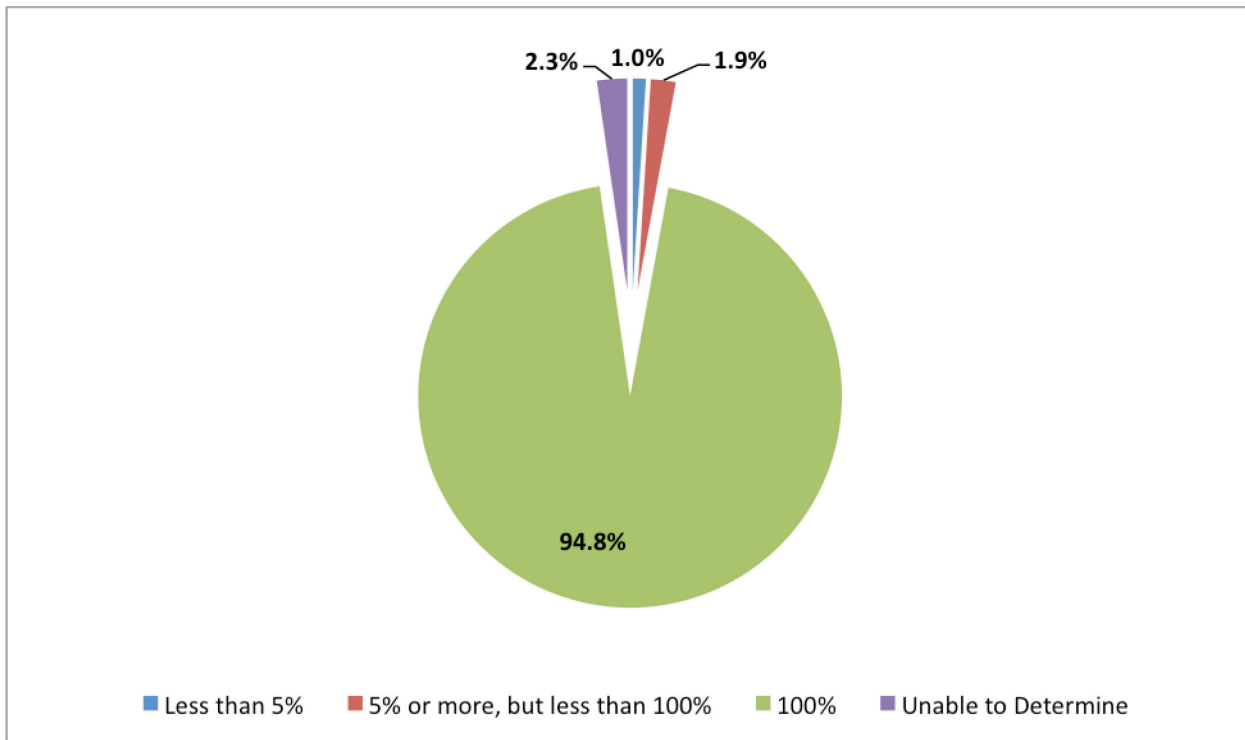
When the 81 registrars that reported not having domain names under their management and the 13 registrars that reported having gTLD registrations for less than one year were removed from the data set, 805 of the 824 registrars that responded to the survey (98%) indicated they sent WDRP notices. All of these registrars had gTLD names under their management for at least a year and could determine the number of WDRP notices sent to registrants.

Percentage of Registrants That Were Sent WDRP Notices

In addition to asking registrars whether they sent notices, the survey also asked registrars for an estimate of the percentage of notices they sent in relation to the number of registrations the registrar sponsored. The survey allowed registrars to indicate whether they sent WDRP notices to: (1) 0% of registrants; (2) less than 5% of registrants; (3) 5% or more, but less than 100% of registrants; or (4) 100% of registrants. (As noted earlier, registrars also had the option to indicate that they could not determine the number of WDRP notices they sent.)

Figure 1-4 represents the total number of registrars required to send WDRP notices

Figure 1-4 Registrants Sent WDRP Notices (by registrars required to send notices)



When registrars not yet obligated to send WDRP notices were removed from the data set, a great majority (94.8%) of the remaining registrars reported that they had sent notices to 100% of their registrants. Approximately 1.9% of obligated registrars sent notices to 5% or more and less than 100% of their registrants, approximately 1.0% sent notices to less than 5% of their registrants, and approximately 2.3% of registrars were unable to determine how many notices were sent.

Communication Methods Registrars Used to Send WDRP Notices

Registrars responding to the survey were also asked to identify their primary means for communicating WDRP notices. As in previous years, email proved to be the most commonly used method.

Table 1-5 shows the WDRP notice communication methods used by registrars.

Table 1-5 Primary Communication Methods Used by Registrars

Web	(2%) 15
Fax	(.2%) 2
Postal Mail	(.2%) 2
Email	(97.4%) 805
Other	(.2%) 2
Total	100% (826)

Primary method of communicating WDRP notices, by percentage of registrars using each method.

Registrars were asked to identify secondary methods used for communication of WDRP notices. Their responses appear in Table 1-6.

Table 1-6 Secondary Communication Methods Used by Registrars

Web	(9.3%) 63
Fax	(1.5%) 10
Postal Mail	(1.5%) 10
Email	(70.9%) 478
Other	(16.8%) 113
Total	(100%) 674

Secondary method of communicating WDRP notices, among registrars indicating use of a secondary method.

Registrars were asked to indicate the percentage of WDRP notices that were returned as undeliverable in order to evaluate the potential effectiveness of each method of communication provided in Table 1-7.

Table 1-7 Percentage of Undeliverable WDRP Notices

Primary Method of Sending	Percentage of WDRP Notices That Were Undeliverable					Grand Total
	<1%	<10%	<50%	50%	Unknown	
Web	15					15
Fax	2					2
Postal Mail	2					2
Email	101	194	6	3	501	805
Other					2	2
Total	120	194	6	3	503	826

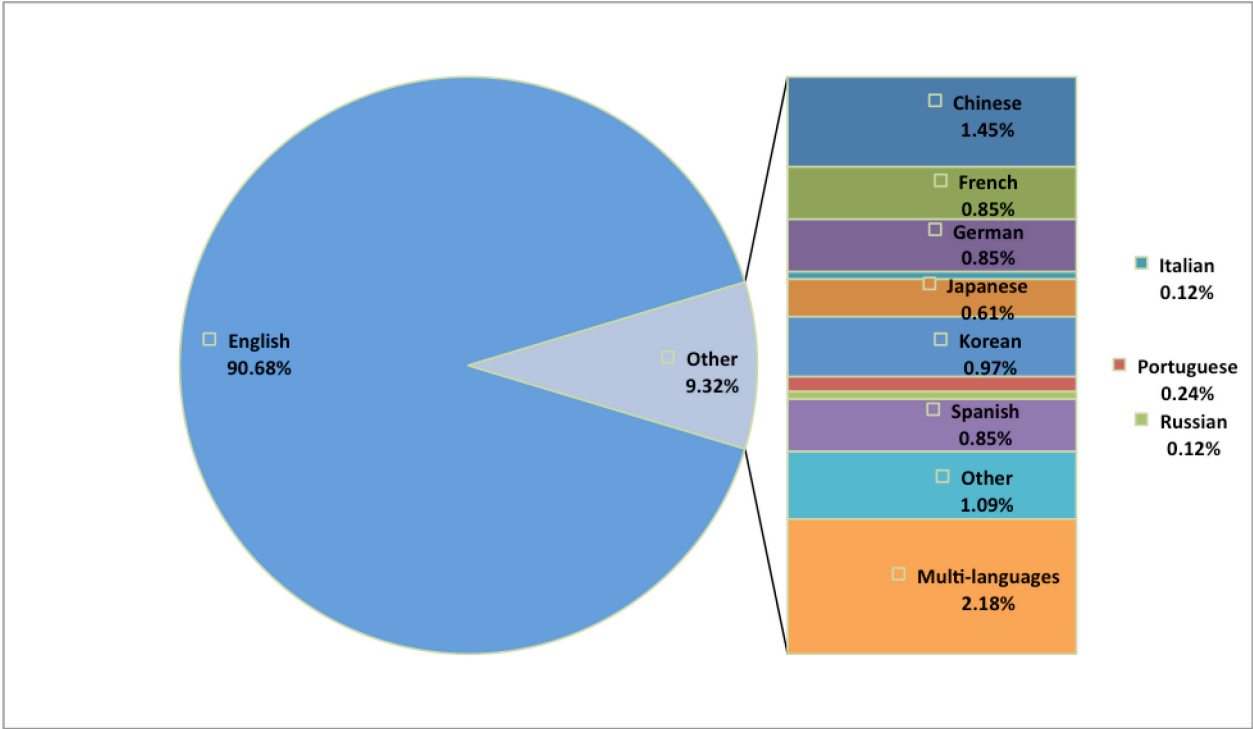
The data shows that most messages were received by registrants, but the majority of responding registrars said they were unable to count undeliverable messages. As demonstrated, 39% of registrars could measure the success of their communication efforts.

Language of WDRP Notices

Registrars reported transmitting WDRP notices in several languages, with English being the most common.

Figure 1-8 details the primary languages used by registrars to transmit WDRP notices.

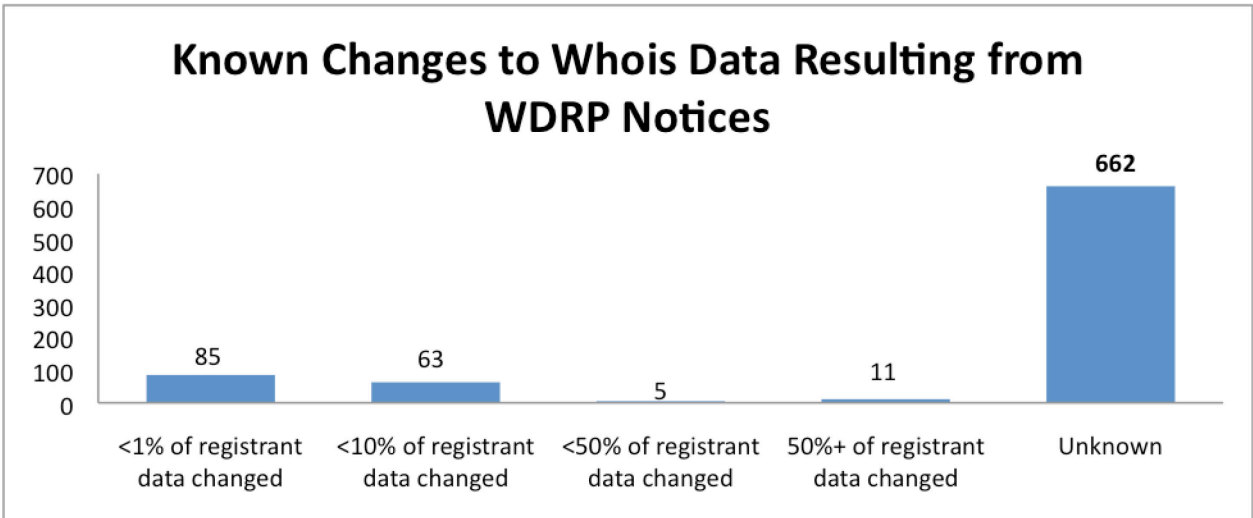
Figure 1-8 WDRP Notice Primary Language



Changes to Whois Data

As Figure 1-9 shows, when asked to what extent WDRP notices improved Whois data accuracy, registrars responded most frequently that they did not know or could not determine this information. Changes resulting from WDRP notices that were tracked by registrars are shown in Figure 1-9.

Figure 1-9 Known Changes to Whois Data Resulting from WDRP Notices



Approximately 80% or 662 of responding registrars said they could not track the changes resulting from the WDRP notices. Changes resulting from WDRP notices that were tracked by registrars are shown in Figure 1-9.

Content of Notices

Registrars were asked to send a copy of an actual WDRP notice to ICANN for review. Each WDRP notice must contain: (i) a copy of the data elements listed in Section 3.3.1 of the RAA; and (ii) a statement reminding the registrant that the provision of false Whois information can be grounds for cancellation of a domain name registration. Section 3.3.1 requires the following data elements: (i) the domain name; (ii) the primary name server and secondary name server(s); (iii) the identity of the registrar; (iv) the original creation date of the registration; (v) the expiration date of the registration; (vi) the name and postal address of the registrant; (vii) the name, postal address, email address, voice telephone number, and (where available) fax number of the technical contact for the domain name; and (viii) the name, postal address, email address, voice telephone number, and (where available) fax number of the administrative contact for the domain name.

In 2009, 760 registrars provided a sample WDRP notice. ICANN examined the sample notices to determine whether they complied with the WDRP requirements as stated above, including providing the registrant with the current Whois data by actual text or a link and providing a warning to the registrant that provision of false Whois data could be grounds for cancellation of the domain name.

In reviewing the 760 sample WDRP notices provided, ICANN discovered that five of the 760 registrars (0.66%) did not comply with the requirements of the WDRP. ICANN contacted all five registrars indicating that they had non-compliant WDRP notices; all five registrars corrected their notices.

Registrar Comments

Registrars responding to the survey had the option to provide a description of any problems encountered throughout the WDRP process. Some registrars took the opportunity to provide substantive comments. The majority of these respondents indicated there were no problems, while others raised concerns or made suggestions for improvement. Highlights of these survey responses are provided below.

The few comments received tended to vary by topic, but generally ranged from comments about the WDRP survey itself, the policy pertaining to the WDRP survey, Whois, and the validation process concerning Whois.

One registrar commented that this exercise is not useful for registrars who “primarily deal with their own ISP or other services.” This registrar further stated that registrars with “less than 10,000 domains” could disregard the WDRP exercise and it wouldn’t have a significant impact on the statistical results on Whois accuracy. It is this registrar’s view that this exercise is not about whether “registrars could, and should provide correlatable [sic] data about known inaccuracies in their data,” but rather about “the accuracy of Whois data generally.” Another registrar commented that it is a “challenge to send out WDRP reminders to our domains registered by the resellers. Many customers mistake the WDRP with SPAM.”

One registrar commented specifically on the policy behind the study, and suggested ICANN “consider revising the policy to allow for a registrar to send one notice to a registrant where each of their domain names has identical registrant and contact info.” In this registrar’s experience, it can be “frustrating” for larger clients who own multiple domain names to receive a WDRP notice for every domain they have registered. This registrar stated that revising the policy “will reduce the intensive bandwidth used in sending these notices,” and also help registrars “provide a better customer experience.”

A few registrars commented on Whois in general rather than on the survey. One registrar stated that ICANN should not “...allow registrars to use privacy protection” and another registrar stated that Whois is “a blatant violation of our customers’ privacy that exists only because the people who designed Whois never envisioned ‘ordinary people’ registering domain names.” This registrar also stated that registration information “should not be revealed to the general public (although a ‘point of contact’ system would be fine).” In this registrar’s experience, when investigating

invalid Whois, registrants choose to provide invalid Whois in order to protect their privacy. Therefore, this registrar stated that if “the information was restricted to only those people who legally need to see it, customers would presumably provide more accurate information up front.”

One registrar noted that despite this exercise, it is “still possible for people to provide fake Whois information & ignore any notices.” Therefore, the registrar suggested that ICANN implement an address validation service “similar to Google Local validation where you send out post cards with a validation code to the registered address. This would be entered online to confirm the postal address is correct, & incorrect addresses wouldn’t receive the code.” Another registrar took the position that it is difficult to validate information because there is “no unit or standard criterion which may help to judge if a domain Whois data is accurate or not. Some Whois info is actually accurate even though there is a complaint.” Consequently, this registrar stated they “hope ICANN may improve the domain Whois accuracy criterion.”

A few registrars made comments about improving the WDRP survey. One registrar suggested adding a question that asks what actions are taken if the Whois Data Reminders are undeliverable. Another registrar suggested that question #1 should not only include zero names under management, but also registrars that have domain registrations for less than one year.

Conclusion

The purpose of the WDRP is to encourage registrants to review their Whois data on an annual basis and make corrections if necessary. The WDRP survey is intended to assess whether registrars are sending the required WDRP notices to their registrants.

In 2009, ICANN transmitted 945 WDRP surveys to registrars electronically, 931 of which were counted in the results. The registrar response rate of the 931 counted was 99%. This was the highest registrar response rate in over five years. Of those registrars required to send WDRP notices, 92% were found compliant with the form and content requirements. Since 2004, a small number of registrars complain that they did not receive the survey. ICANN strongly encourages all registrars to maintain accurate contact information to ensure that all ICANN correspondence is received.

In past WDRP survey reports, ICANN expressed concern about non-responsive registrars that do not complete the WDRP survey, even after receiving friendly reminder notices from ICANN. ICANN terminated or non-renewed 14 of the 945 registrars surveyed in December 2009 and observed that non-responsive registrars are usually non-compliant in other areas.

The 2009 Registrar Accreditation Agreement <http://www.icann.org/en/registrars/ra-agreement-21may09-en.htm> authorizes ICANN to conduct registrar audits (see Section 3.14). Future WDRP compliance assessments will be considered audits and registrar responses will be required. Registrars are advised to continue to take their WDRP obligations seriously and timely transmit the required notices to their registrants to avoid escalated compliance action by ICANN. Registrars should refer their customers to ICANN’s frequently asked questions for more information about the WDRP <http://www.icann.org/en/whois/wdrp-registrant-faq.htm>.

ICANN commends those registrars that consistently send Whois data reminder notices to their registrants annually. Registrar compliance in this area is intended to improve Whois data accuracy and thereby contribute to a better Internet eco-system for all Internet users. ICANN is committed to improving Whois data accuracy and will continue to enforce the WDRP.