

13 November 2018

RE: Domain Name Transfers as specified in the Temporary Specification
Mr. Graeme Bunton, Registrar Stakeholder Group Chair

Dear Mr. Bunton,

Thank you for your letter of [3 August 2018](#) regarding domain transfer-related questions associated with [Appendix G of the Temporary Specification](#).

ICANN org agrees that, under the Temporary Specification, the Form of Authorization (FOA) is not required for the first scenario identified in your letter, when “The email address is redacted or obfuscated.” In this scenario, registrant information is not exchanged between the current Registrar of Record and the Gaining Registrar as part of a domain name transfer. Therefore, as stated in Section 1.1 of Appendix G of the Temporary Specification, the Gaining Registrar is not required to obtain a Form of Authorization from the Transfer Contact and, as stated in Section 1.2 of Appendix G, “The Registrant MUST independently re-enter Registration Data with the Gaining Registrar.” This Registration Data must be obtained and maintained by the Gaining Registrar in accordance with [Section 3.4 and Section 7.1 of the 2013 Registrar Accreditation Agreement](#).

The second scenario noted in your letter was, “The email address is not available because the gaining registrar may not have consent to use/process this personal data because it may belong to a subject of European Economic Area.” In that case, the email address is available in the registrar of record's WHOIS, and therefore the language of the Temporary Specification does not apply.

A registrant seeking to transfer a domain name will visit the site of the Gaining Registrar and independently enter registration data with the Gaining Registrar. The Gaining Registrar must inform the registrant of how it intends to use the registrant's personal data, including to process the transfer request.

If you should have suggestions for changes to domain transfer requirements we recommend that they be taken up through the registrars' representatives on the Temporary Specification for gTLD Registration Data Expedited Policy Development Process which is currently reviewing the Temporary Specification and may recommend policies on this issue.

Sincerely,



Cyrus K. Namazi

Vice President
ICANN Global Domains Division