

# AGP Limits Policy - Implementing GNSO Recommendations

## Final Staff Implementation Report

2 June 2011

### Introduction

This report is the fifth and final ICANN Staff update to the Generic Names Supporting Organization Council (the “GSNO”) on the implementation of its recommendations for the [Add Grace Period \(AGP\) Limits Policy](#) (the “Policy”). ICANN Staff committed to analyzing and reporting on the effects of the Policy to the GNSO at six-month intervals for two years after its implementation.<sup>1</sup> The purpose of these reports has been “to allow the GNSO to determine when, if ever, these recommendations and any ensuing policy require additional clarification or attention based on the results of the reports prepared by ICANN Staff.”<sup>2</sup>

### Background

The AGP Limits Policy, an ICANN Consensus Policy, is the result of a GNSO Policy Development Process regarding Domain Tasting. The GNSO motion and its recommendations were adopted by the ICANN Board on [26 June 2008](#), and ICANN announced this new Policy and its implementation on [17 December 2008](#).

In its first report to the GNSO, Staff reported that all TLD operators that were required to comply with the Policy had done so. The second report included: all TLD operators that had processed exemption requests since the initial report were in compliance with the requirement to maintain and provide exemption request documentation, three registrars complained when exemption requests were denied when fraud was the basis for the request, and a TLD operator sought clarification about the appropriate interpretation of “extraordinary circumstances” and “reoccur regularly” referenced in the Policy. The third and fourth reports presented only new information for Exhibits 1 and 2; there were no registry or registrar issues such as those presented in the second report. The contents of this fifth report are consistent with the information presented in the third and fourth reports except that the statistics presented in Exhibits 1 and 2 have been updated for the current reporting period that is August 2010 to February 2011.

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<sup>1</sup> The Policy’s [implementation notes](#) were posted on 17 December 2008 and its effective date is 1 April 2009. The [first implementation report](#) was issued on 10 June 2009, the [second report](#) on 14 December 2009, the [third report](#) on 2 June 2010, and the [fourth report](#) on 18 November 2010.

<sup>2</sup> This information is from the 25 April 2008 [GNSO Council Report to the Board](#).

## Monitoring Progress

This report presents data ICANN Staff committed to providing to the GNSO that it could use to assess the effectiveness of the Policy and to inform any future discussions or work it might conduct in response to outcomes of the implementation.

### *TLD Net New Registrations and AGP Deletes*

The information in Exhibit 1 to this report presents the number of net new registrations, AGP deletes, and percentage of names deleted on an aggregate basis for all Registrars, for the period August 2010 through February 2011, from each Operator.<sup>3</sup> Prior to implementation of the Policy, AGP deletes across all TLDs were on the order of millions of names per month. Since the Policy was implemented, the number of AGP deletes across all TLDs has held steady at around 65k names per month – a reduction of approximately 99.7% from what it once was.

### *History of Exemption Requests*

Since the Policy's effective date of 1 April 2009, there have been 33 exemption requests (2 in this period) reported for nearly 94,000 domains across the 15 gTLDs that offer an AGP in their TLD. The information in Exhibit 2 to this report presents the data points listed below for the requests that have been received and processed in the current period. The relevant data points reported include:

- TLD
- Registrar name and IANA ID #
- Reason for request
- Number of names affected
- Disposition by the Operator (approved/denied) and their rationale

## ICANN's Experience Implementing the Policy

The implementation of the Policy has been effective at curtailing domain tasting. As reported in ICANN's 12 August 2009 [announcement](#), domain tasting has been reduced by 99.7% since the introduction of the Policy.

An element of the implementation review is to assess how the Policy has affected TLD operators and ICANN-accredited registrars. As was presented in the second report, there had been some registrar complaints regarding exemption requests that were denied when fraud was the basis for the request. The second report also recounted an

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<sup>3</sup> Information from more recent reporting periods is not available due to the confidentiality restrictions applied to registry reports supplied to ICANN (i.e., Registrar specific information could not be provided to the GNSO until 90 days after the latest applicable reporting period).

inquiry from a TLD operator who sought clarification about the appropriate interpretation of “extraordinary circumstances” and “reoccur regularly” referenced in the Policy.

At the time of this fifth report, ICANN is not aware of any new registrar complaints regarding the implementation of the Policy and has not received any additional requests from TLD operators about interpreting it. In fact, the number and frequency of reported exemption requests from registrars has dropped considerably.

### **Staff Summary and Analysis of the Policy Implementation**

The incidences of domain tasting that were reflected in an excessive volume of AGP deletes have been nearly eliminated since the Policy went into effect on 1 April 2009. As previously noted in the second report, there had been isolated registrar complaints about the implementation of the Policy but those concerns were limited to that reporting period.

During GNSO calls in April and May 2010, following inquiry from ICANN Staff about whether or not additional Policy work should be considered, the GNSO decided that the success of the Policy and the low number of exemption requests demonstrated that modifications to the Policy were not warranted at that time. Further, since the time of those calls in 2010 there hasn't been any additional GNSO discussion about the Policy.

In summary, the Policy has achieved its desired outcome and has significantly reduced abuse of the AGP.

### **Future ICANN Reporting Expectations**

The Policy provides that ICANN is to report on the results of implementation for two years following its effective date of 1 April 2009. This fifth report, issued on 2 June 2011 and more than two years since the Policy's effective date, fulfills ICANN's reporting commitment to the GNSO. At this time and unless requested by the GNSO or the ICANN Board, this fifth report is the final staff implementation document. Staff is available to consult further with the GNSO on this matter at any time.

Exhibit 1

Net New Registrations, AGP Deletes and % Names Deleted per TLD  
(August 2010 – February 2011)

TLD	March 2009 - Prior to Policy			August			September		
	Net New Reg.	AGP Deletes	% Deleted	Net New Reg.	AGP Deletes	% Deleted	Net New Reg.	AGP Deletes	% Deleted
.aero	n/a (1)	n/a (1)	n/a (1)	120	1	.83%	91	0	0
.asia	2916	148	5.10%	3912	38	.97%	3769	28	.74%
.biz	47322	1382	2.90%	45179	1012	2.24%	45789	1263	2.76%
.cat	841	177	21.00%	643	2	.31%	1131	2	.18%
.com	2368840	2721859	114.90%	2174797	39604	1.82%	2198343	44071	2.00%
.coop	75	0	0	66	0	0	74	0	0
.info	209303	25734	12.30%	360702	8897	2.47%	338369	8251	2.44%
.jobs	145	205	141.40%	271	0	0	196	0	0
.mobi	31919	916	2.90%	24307	570	2.35%	23639	535	2.26%
.museum	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)
.name	3601	298	8.30%	2437	109	4.47%	2648	175	6.60%
.net	342541	110899	32.40%	316344	17801	5.63%	325279	6898	2.12%
.org	197516	35573	18.00%	196145	3084	1.57%	202028	6160	3.05%
.pro	1912	7	0.40%	45099	28	.06%	2656	73	2.75%
.tel	129509	952	0.70%	4879	40	.82%	4626	38	.82%
.travel	293	9	3.10%	221	0	0	226	0	0
<b>Total</b>	<b>3336733</b>	<b>2898159</b>		<b>3175122</b>	<b>71186</b>		<b>3148866</b>	<b>67494</b>	

(1) .AERO did not provide monthly reports until May 2009

(2) .MUSEUM does not offer an AGP

Exhibit 1 (cont'd)

Net New Registrations, AGP Deletes and % Names Deleted per TLD  
(August 2010 – February 2011)

TLD	October			November			December		
	Net New Reg.	AGP Deletes	% Deleted	Net New Reg.	AGP Deletes	% Deleted	Net New Reg.	AGP Deletes	% Deleted
.aero	97	1	1.03%	88	1	1.14%	119	0	0
.asia	4775	330	6.91%	4977	46	.92%	4117	40	.97%
.biz	47532	1382	2.91%	45416	985	2.17%	42561	1047	2.46%
.cat	1041	6	.57%	1077	30	2.78%	866	2	.23%
.com	2286669	49817	2.18%	2244633	50800	2.26%	2075948	43771	2.11%
.coop	78	0	0	66	0	0	61	0	0
.info	325166	10673	3.28%	339205	5693	2.24%	458363	5470	2.00%
.jobs	111	0	0	93	0	0	128	0	0
.mobi	23724	693	2.92%	24960	325	1.30%	28692	43	.15%
.museum	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)
.name	2985	183	6.13%	3620	133	3.67%	2817	173	6.14%
.net	331791	7154	2.16%	326620	7331	2.24%	311594	6251	2.00%
.org	206613	15876	7.68%	203832	4254	2.09%	201523	3517	1.75%
.pro	2935	47	1.60%	2749	49	1.78%	2474	45	1.82%
.tel	4358	37	.84%	4434	39	.88%	6739	44	.65%
.travel	224	2	.89%	238	0	0	228	1	.44%
<b>Total</b>	<b>3238099</b>	<b>86201</b>		<b>3202010</b>	<b>69686</b>		<b>3136231</b>	<b>60404</b>	

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Exhibit 1 (cont'd)

Net New Registrations, AGP Deletes and % Names Deleted per TLD  
(August 2010 – February 2011)

TLD	January			February		
	Net New Reg.	AGP Deletes	% Deleted	Net New Reg.	AGP Deletes	% Deleted
.aero	122	0	0	101	10	9.9%
.asia	3917	49	1.25%	4844	56	1.15%
.biz	47063	1336	2.84%	48339	1020	2.11%
.cat	1047	3	.29%	1257	3	.23%
.com	2354541	49478	2.1%	2287129	47212	2.06%
.coop	73	0	0	68	0	0
.info	377893	6583	1.74%	344178	4002	1.16%
.jobs	8989	0	0	329	0	0
.mobi	28806	536	1.86%	30239	313	1.03%
.museum	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)	n/a (2)
.name	2760	160	5.8%	2887	97	3.36%
.net	334418	6517	1.95%	323269	5852	1.81%
.org	231149	3850	1.67%	225467	3468	1.54%
.pro	3130	97	3.1%	3220	67	2.08%
.tel	54477	60	.11%	3557	77	2.16%
.travel	171	3	1.75%	261	1	.38%
<b>Total</b>	<b>3448557</b>	<b>68672</b>		<b>3275146</b>	<b>62178</b>	

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Exhibit 2

History of Exemption Requests  
(August 2010 – February 2011)

<b>TLD</b>	<b>Month</b>	<b>Registrar</b>	<b>Basis of Request</b>	<b>Number of Names Requested</b>	<b>Operator Response /Rationale</b>
.ORG	September	AB Systems, IANA #1261	Registrar deleted names during the AGP	3012, not approved	Declined: Exemption request was submitted after the filing deadline.
.ASIA	October	Melbourne IT, Ltd., IANA #13	Registrations caused accidental technical error	278, 228 over threshold, approved for 228	Approved: Registry has been assured that measures have been implemented to prevent this error from reoccurring.