



30 July 2019

RE: Response to Complaint 00010269 re: Issue with ICANN Consensus Policies

Kay Caines
Via electronic mail

Dear Kay Caines,

Thank you for your submission. Based on your complaint (see: <https://www.icann.org/en/system/files/files/complaint-00010269-redacted-24may19-en.pdf>), it is my understanding that you purchased a domain name, shortly thereafter you wanted to transfer it to a different registrar, and when you requested the transfer you were told you needed to wait 60-days in order to move your domain. I believe the 60-day period you are referring to is what we call a 60-day lock and is a requirement that is imposed on initial domain name registrations, and domain names whose contact details were recently changed. I appreciate the frustration this has caused you and understand that sometimes the complex rules around domain registrations can be challenging to navigate. I've researched this issue with various departments inside the ICANN organization (all subsequent uses of "ICANN" refer to the ICANN organization) and worked with them to provide you with this response.

Following my research and internal discussions, I found that removing the 60-day lock requirement that is imposed on initial domain name registrations, and domain names whose contact details were recently changed, is not something that ICANN has the authority to do without community input (as described below). While I suspect this is not the answer you were hoping for, I thought it might be helpful to provide background information as to why we are not authorized to change this requirement, and what you can do in the future.

ICANN is not a governmental agency but instead a private sector, non-profit organization with limited technical responsibility for coordinating the assignment of Internet domain names and IP addresses. This coordination is provided using a bottom-up, consensus-driven, multi-stakeholder model comprised of three parts: [the ICANN Community](#), [the ICANN Board](#), and [the ICANN Organization](#). The ICANN community is a volunteer-based group of diverse stakeholders from across the world. They work together to give advice and develop policy within ICANN's mission. In order to create new policies or amend existing ones, the [Policy Development Process](#) described in [ICANN's Bylaws](#) must be utilized and driven by the ICANN community. The ICANN Board is a group of representatives from the ICANN community that oversees the ICANN organization. The ICANN organization provides staff and resources to support the ICANN community and Board, and implements policies developed by the community.

The ICANN organization accredits registrars and registries to provide certain domain name registration services. ICANN's authority is purely contractual, and limited to [registrar agreements](#), [registry agreements](#), and [ICANN community developed policies](#). The agreements between ICANN and registrars and registries outline certain responsibilities for both ICANN, the registrar and the registry. The ICANN organization is responsible for overseeing and enforcing the contracts.

One of the policies developed by the ICANN community is the [Transfer Policy](#). The Transfer Policy provides standardized requirements for registrar handling of domain name transfer requests from their owners and implements measures for reducing unauthorized transfers. The Transfer Policy includes a requirement that a registrar impose a 60-day transfer lock for newly registered domain names and for domain names where certain contact details have been changed. Please be aware that the 60-day lock attempts to strike a balance between security and convenience by providing more security to protect consumers from having their domain name transferred without authorization. Please see ICANN's [Frequently Asked Questions document regarding Registrant's Domain Name Transfers](#).

Additionally, in your complaint you refer to your "hosting provider" and to the "ICANN refund policy". I wanted to clarify with you that ICANN has contractual authority over accredited registries and registrars. ICANN does not have contractual authority over hosting providers and while some registrars may provide hosting services, these services are not covered under ICANN contracts. Additionally, ICANN does not have a registrant domain name refund policy nor are registrant refunds something that is covered under our agreements.

ICANN's fundamental belief is that all users of the domain name system deserve a say in how it is run. Participating in ICANN provides the opportunity to share your thoughts and concerns regarding current and future policies. I encourage you to consider contributing to the policies developed by the ICANN community. If you're interested in learning more about how to participate, you can review the "[About ICANN](#)" section of our website. You may also want to think about reviewing and commenting on proposals through our [Public Comment Forums](#), or attending an [ICANN Meeting](#) in person or remotely.

Thank you again for your submission regarding the 60-day lock that is imposed on new domain name registrations, and domain transfers after the contact details are changed. For these reasons, the ICANN organization is unable to remove the lock on any domain name during the period(s) specified in the Transfer Policy. Although ICANN cannot fulfill your request, I hope this information was useful to you.

I appreciate the opportunity to provide you with this information and encourage you to consider participating in the ICANN model.

Kind regards,
Krista Papac
Complaints Officer
ICANN