ICANN’s Contractual Compliance Program

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Agenda

- Contractual Compliance Program Overview
- Compliance “Business” Strategy and Objectives
- New gTLDs Compliance Action Plan Framework
- Recent Developments in Contractual Compliance
- Ongoing Contractual Compliance Work
- Community Suggestions for Contractual Compliance
Contractual Compliance Program

Overview

• Manage Relationships with 940 ICANN Accredited Registrars and 16 Registries
• Enforce ICANN’s Contracts
• Enforce Policy (UDRP, Transfer Policy)
• Conduct Contract Audits
• Communicate Plans, Goals and Accomplishments (Reports, Newsletter and Website)
• Enhance Constituency Outreach Efforts
Contractual Compliance Program

Business Strategy

• **Build and maintain** strategic, collaborative contractual relationships

• **Use** leading-edge, innovative contractual compliance tools to create value and deliver mutual business objectives

• **Focus** on contractual aspects that really matter – trust, approach to dealing with problems, meeting stakeholder needs and providing incentives to perform
Contractual Compliance Program

Objectives

- **Operational** – Enhance the stability, reliability, security and global interoperability of the Internet
- **Risk Assessment** – Identify, mitigate and manage ICANN’s most significant contractual risks
- **Compliance** – Ensure contracted parties adhere to norms the Internet community has established in registry and registrar agreements and ICANN policies
Contractual Compliance Program

Objectives (Cont.)

• **Enforcement** – Give strength or force to the terms of the Registrar Accreditation Agreement (RAA) and Registry Operator Agreements

• **Business Partner** – Contractual compliance team works collaboratively with contracted parties to achieve community expectations
New gTLDs Compliance Action Plan

Framework

• Perform Compliance Risk Assessment
• Analyze Compliance Terms in New gTLD Registry Agreement
• Assess Compliance Capabilities of Registry Applicants
• Hire “Dedicated” ICANN Compliance Staff and Secure IT Resources in FY 2010
• Monitor/Audit New Registry Operators
• Enforce Registry Agreements
Recent Developments in Contractual Compliance

• **Improved Whois Enforcement Efforts**
  - Redesigned WDPRS to include registrar compliance checks to assess compliance with investigation requirements.

• **Enhanced Outreach Efforts**
  - Held UDRP Workshops in Korea and Paris to increase awareness of Registrar obligations
  - Met with Dispute Resolution Providers to discuss concerns and provide information regarding UDRP compliance enhancements
  - One on one meetings with constituency leadership

• **Hired Additional Staff**
  - David Giza, Senior Director
  - William McKelligott, Auditor
Recent Developments in Contractual Compliance (cont.)

• Terminated 10 registrars in 2008
  – Terminated 21 registrars since ICANN’s inception

• Redesigned Complaint Intake System
  – Processed over 11,000 complaints in 2008

• Conducted a Registrar Deletion and Auto-Renewal Policy Audit
  – To assess whether registrars are in compliance with the Expired Domain Deletion Policy
Ongoing Contractual Compliance Work

- Whois Data Accuracy Study
- Registrar UDRP Best Practices
- Privacy/Proxy Registration Services Study
- New gTLDs Compliance Action Plan
- Transfer Policy Audit
- Compliance Program Risk Assessment
- Semi-Annual Contractual Compliance Report
- Hire Additional Staff
Community Suggestions for Contractual Compliance

- What do you think the focus of the Contractual Compliance Program should be going forward?
- What do you think are Contractual Compliance Program risks?
- What is your vision for ICANN’s Contractual Compliance Program?
Contractual Compliance Team

THANK YOU

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