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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