



Domain Name Front Running

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What is Domain-Name Front Running (DNFR)?

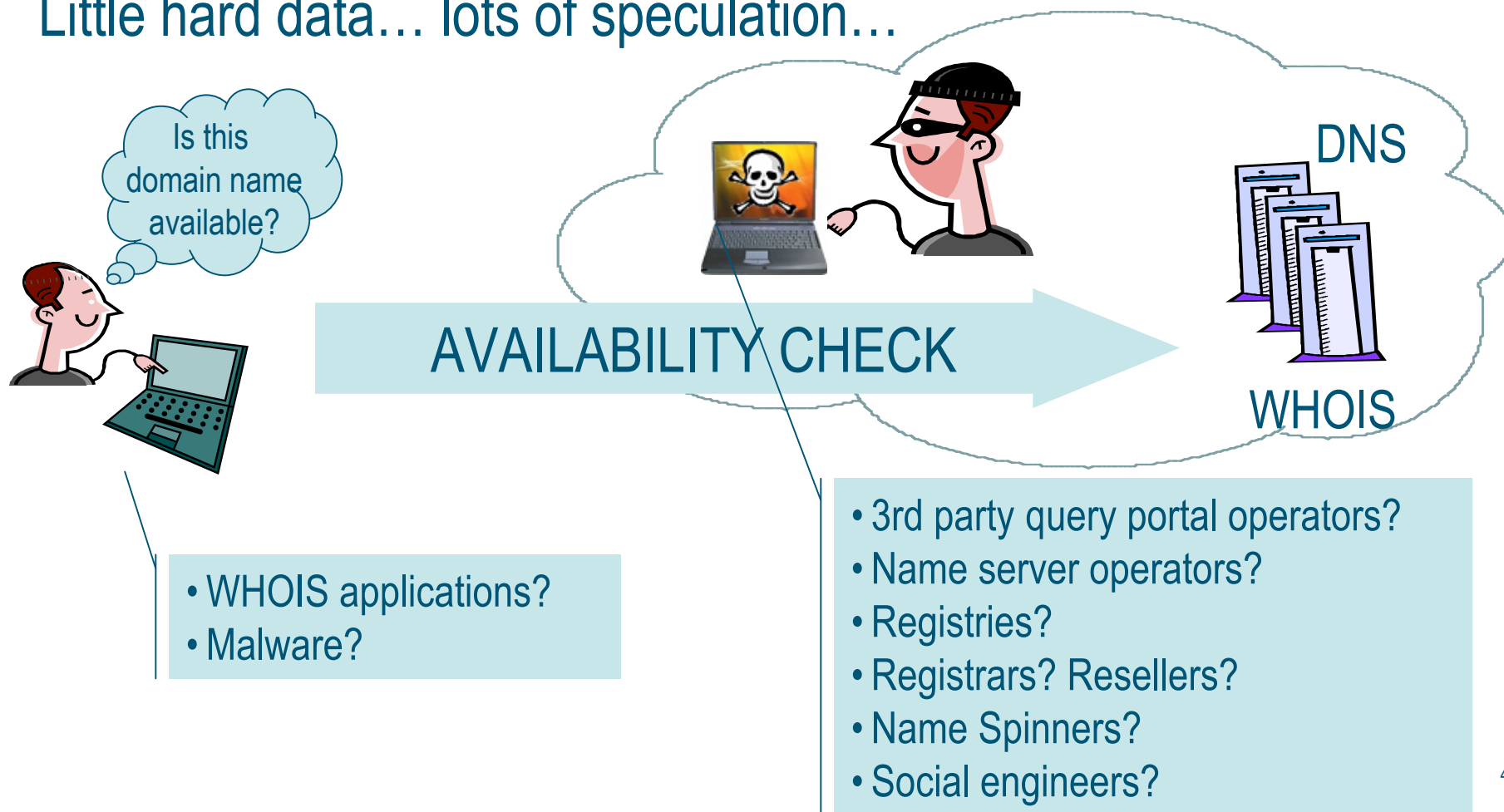
- A party with some form of insider information tracks an Internet user's preference for registering a domain name and preemptively registers that domain name
- Similar to “front running” in stocks and commodities
- User community also calls this “grabbing” or “snatching”

How does a party obtain insider information?



What are they using to obtain insider information?

Little hard data... lots of speculation...



How should we characterize DNFR?

- Illegal activity (e.g., if spyware)?
- Appropriate use of data (disclosed in EULA)?
- Appropriate use (disclosed in provider AUP)?
- If registrars and registries involved, what could ICANN do?
 - Not expressly prohibited in agreements?
 - thus implicitly permitted?
 - An unanticipated and undesirable consequence of registration process?
- Some monitoring methods are outside ICANN's influence

Preliminary Findings

- Checking the availability of a domain name can be a sensitive act which may disclose an interest in or a value ascribed to a domain name
- Some potential registrants perceive that parties associated with the domain name registration process participate in domain name front running.

SSAC believes that preventing this perception from evolving to accepted wisdom is an important consideration for the domain name community.

Preliminary Findings

- At this time, no Internet user has presented sufficient information to conclude that any party associated with the domain name registration process engages in domain name front running.
- No single process to handle domain name front running complaints exists today
- There does not appear to be a strong set of standards and practices to conclude whether monitoring domain name availability checks is an acceptable or unacceptable practice.
- Even if formal policies or processes were to exist, it is possible to collect data to facilitate domain name front running from a variety of sources.



SSAC's position

- SSAC believes that domain names are a highly speculated and potentially valuable commodity for monetization and sale. Further we believe that availability checking may have unanticipated consequences, depending on the methods a would-be registrant uses to perform such checks and the parties that the would-be registrant uses.



Call for Public Comment

- Advisory issued 22 October 2007
- Advisory invites community to comment and submit alleged cases of DNFR to SSAC
- As of 29 October, ~ 100 emails received
 - Many emails provide insufficient information and thus difficult to pursue
 - Some emails appear to warrant further study