Committee Meetings with Registrars and Users

Minutes of the plenary meeting held on February 7, 2013

1. Attendees

Registrars : 12 (out of 45 registrar members)

Ascio Technologies Inc	Eric Lantonnet
Business Domains	Fabien Riehl
Claranet	Sophie Pacave
Connection SAS	Jean-Benoît Richard
Dataxy	Bernard Dulac
Epistrophe	Philippe Batreau - *(Videoconference participation)*
EuroDNS	Luc Seufer
Mailclub	Frédéric Guillemaut
Nordnet	Scott Jung
Online SAS	Jean-Claude Michot
Orange	Laetitia Bellanger
SFR	Sylvie Poussin

Users, individuals and legal entities: 10 (out of 32 user members)

Legal entities	
ACFCI	Thierry Hinfray
Association des Maires de France	Véronique Picard
Bibliothèque Nationale de France	Annick Lorthios
CCI Paris-Ile-de-France	Delphine Besson
CCI Paris-Ile-de-France	Laurent Delin
Haas Avocats	Laurent Goutorbe
SEP IMS RESOURCES	Guy Frankin - *(Videoconference participation)*
Individuals	
	Sébastien Bachollet
	Florian Maury
	David-Irving Tayer

Guests: 1

CAMTEL – Cameroun Telecommunications	Oumarou Mounpoubeyi - *(Videoconference participation)*

Afnic

Fabien Betremieux, Product Manager, Program Manager
Pierre Bonis, Deputy CEO
Marine Chantreau, CFO
Julien Naillet, Communication & partnerships Manager
Virginie Navailles, Executive assistant
Isabel Toutaud, Legal and Registration Policy Department
Emilie Turbat, Head of customer service
Mathieu Weill, CEO

Excused

Pages Jaunes	Richard Coffre
Isoc France	Gérard Dantec
Renater	Patrick Donath
	Jean-Claude Gorichon
IP Twins	Sylvain Hirsch
Online SAS	Stéphanie Kolaric
Gandi	Nicolas Lhuillery
Namebay	Alexandra Madonia
INPI	Michelle Pages
	Elisabeth Porteneuve
Namebay	Pierre Salas
Union des Annonceurs	Claudie Voland-Rivet

2. Agenda of the plenary meeting

✓ **Discussion Points**

- Strategy for promoting the *.fr* TLD
- Registry policies
    - o Opening registration to domain names with 1 or 2 characters
    - o The WIPO ADR
- Batch trades

✓ **Information update and stocktaking for the period under consideration**

- Monitoring our commitments under the State-Afnic Agreement
    - o FSDI
    - o Syreli
    - o Remote participation
    - o DNSSEC deployment
- New TLDs
- Other information items
    - o Board application calendar
    - o Setting up the Board of directors' committees

3. Report

Mathieu Weill welcomed in-room and remote participants, announced the agenda and gave a brief report on 2012, which was an important year for Afnic in particular with its renewal as the registry for the *.fr* TLD, the filing of 17 applications for French gTLDs for which Afnic is the technical registry, the opening of IDNs and the developments in the Syreli dispute resolution system.

3.1. Discussion Points

3.1.1. Strategy to promote the .fr TLD

During the morning presentation, Julien Naillet summarized the findings of the study carried out with TNS Sofres in summer 2012 on the perception of the *.fr* TLD among various target audiences in France and in 4 European countries:

- A poorly formed image of the *.fr* TLD that did not stand out very well from the *.com* TLD.

- The choice of a TLD had little meaning for the general public and was not considered to be that important

- A slight preference for the *.fr* TLD based on proximity, trust and the French community, but which did not lead to a purchase.

A strengths-weaknesses analysis, a comparison with the most dynamic European TLDs and efforts to identify the criteria determining the selection of a TLD had also been carried out. These criteria appeared to be reputation, the practicality of the TLD and the target geographical area.

Building on these findings, Afnic confirmed its commitment to achieve an annual growth of 10% for the *.fr* TLD (State-Afnic Agreement), and having it become the ccTLD with the best growth rates within the European Union, as well as to gain market share in France over the *.com* TLD, specifically by addressing the three major obstacles identified, i.e. a lack of interest in domain names in general, an underdeveloped distribution network and the unfavorable image of the *.fr* TLD.

The position of registrars:

- ✓ In accordance with the proposed actions, the registrar representatives wished for a large scale "evangelization work" to be conducted among the general public to explain why there were different TLDs, provide insights, and explain the usefulness of domain names and the benefits of having a *.fr* domain name by highlighting its added value in terms of independence in trade and related services.

- ✓ With regard to the organization of the network, they wished for an actual promotion kit to be provided with sales arguments, brochures and any other tools as Afnic may deem necessary. They suggested a few ideas for action: organizing joint registrar/Afnic operations, at trade shows for instance, to ensure the brand presence (Afnic's visibility would benefit the *.fr* TLD), setting up a dedicated website, e.g. "Afnic Quick Starter Guide" or "How do I register a domain name with the *.fr* TLD?" to show that certain operations were no longer required, etc.

- ✓ Finally, they called for thought to be given about how to approach young people who used Facebook (which was free) for all their communication needs, and to the positioning of Afnic against major players such as Google.

The position of users:

- ✓ They approved the proposed approach and insisted that a close coordination with registrars be implemented.

3.1.2. Registry policies

3.1.2.1.   *Opening registration to domain names with 1 or 2 numeric or alphabetic characters*

Isabel Toutaud explained that since the first discussions in October, a study had been conducted in 27 European registries to determine the procedures they had used to open registration to domain names with 1 or 2 characters:

- ✓ 7 allowed domain names with 1 or 2 characters
- ✓ 13 only allowed domain names with 2 characters
- ✓ 7 registries did not allow either, but 3 were considering allowing them

As part of its agreement with the State, Afnic had undertaken to open registration to domain names with 1 or 2 numeric and/or alphabetic characters; however, several scenarios were possible:

- ✓ An opening without a sunrise period, where the "first come, first served" rule would be applied. There would be no checks but naming restrictions upon entry (e.g. domain names containing TLD labels managed by Afnic, domain names containing ".co" or ".tm", naming conventions subject to prior review).

- ✓ An opening with a sunrise period of three months for all categories with defined priority (holders of intellectual property, last names of individuals and names of local authorities), subject to submitting supporting documents stating the same name as the requested domain name. The name/brand submitted would have to have been registered before the date when the agreement containing such commitment was executed, i.e. 07/09/2012. The registrant would be eligible under the naming policy and would hold intellectual property rights protecting the relevant name/brand in France.

- ✓ Opening with or without naming restrictions, with the implementation of an auction system to be defined, or using a special pricing system for creating a domain name in order to recover the costs resulting from the implementation of this policy and the processing of applications, with a possible donation to charities.

The discussion initially focused on the best way to ensure that everyone had the opportunity to assert their rights, then on the issue of pricing. The registrar representatives pointed out the differentiated and/or variable pricing system applied by some registries, which was both very complicated and poorly perceived by users. Finally, the impact of using auctions on the image of Afnic was discussed. Pierre Bonis said that Nominet donated its auction profits to charities, and that the money raised could be allocated to the Support fund for the development of the Internet (FSDI) that Afnic was to implement.

The position of registrars:

- ✓ They wished to have an opening with a sunrise period to allow registrants to enforce their rights, but no auction system. The sunrise period could be divided into several phases in order to prioritize the various types of rights.

The position of users:

- ✓ One user did not wish to express his/her views on the implementation of a sunrise period. The other users were favorable to such implementation in order to prevent cybersquatting, with restrictions which, according to them, should be limited to a dozen obvious cases, as it would be impossible to establish an exhaustive list.
- ✓ Opinions were divided about the use of an auction system or the "first come, first served" rule, as well as about the prices that might be applied, but they were not opposed to a transfer to the FSDI.

3.1.2.2. *The WIPO Alternative Dispute Resolution (ADR) procedure*

Isabel Toutaud reported on the progress made since the Committee meetings held in October. Afnic and WIPO met on November 8, 2012 to discuss all the details of the procedure: selection of subject matter experts, lead time, legal framework, respective area for intervention, remedy, payment and publishing platform (a modified version of the Syreli platform). The two organizations planned to hold an annual meeting to review the decisions issued in order to identify any case law.

The outline of the project, which was to be handed over to the Registry Policy Committee in the coming days, was presented to the Board on February 21, and submitted for review to the community through a public consultation to be launched in March on the new Afnic discussion platform.

The work was to be continued in April with WIPO to develop a draft regulation and define the outlines of the procedure, and in May and June 2013 with the Ministry responsible for electronic communications. The final version of the procedure was approved by the Board on June 7, and forwarded to the Ministry for approval, signature and publication in the Official Journal in the summer. The procedure was to be opened in November 2013 after the platform testing period, the selection and training of experts and after amending Afnic rules of procedure.

Answering the participants' questions on the selection of experts and the number of experts working on each matter, Isabel Toutaud said that the annually renewed panel was to include relevant experts in all the areas covered by Article 45.2 of the French Electronic Communications and Telecommunications Act, and that every matter was to be handled by an expert in order to meet the two-month period requirement for procedure completion.

The position of registrars:

- ✓ They made no specific comments about this issue and approved the planned development process.

The position of users:

- ✓ They wished for the experts to be selected according to clear and transparent criteria, facilitating the assessment for renewal.
- ✓ To ensure quality of service, which would be identified with Afnic's quality of service even though the decisions would be made by WIPO, it would be appropriate to:
    - o Regularly evaluate the experts and, for example, limit their assignments to 3 years and the number of possible terms to 3
    - o Set a numerus clausus for experts to establish the initial list
    - o Request the experts to make a formal commitment to comply with the operating modes, which would enable suspensions in the event of non-compliance.
- ✓ As the procedure was new, consideration might be given to adding a complementary list of experts in the 2nd year.

Mathieu Weill concluded that Afnic was to share the responsibility for the procedure with WIPO. Therefore, the selection of experts should receive special attention.

3.1.3. Batch trades

Emilie Turbat explained that in response to recurring demand, especially since the opening to Europe, Afnic suggested setting up an alternative batch transfer (batch trade) service based on the RECOVER operation: domain names would be transferred without the need to send "trade" validation emails for each domain name.

This service would be operated by Afnic via EPP on behalf of the applying registrar, which ensures transparency for customers. However, batch trades would only be possible from a single Nic-handle to another single Nic-handle and with the same registrar; they involved a change in the renewal dates and the provision – by the applicant – of an Afnic Operations Request (DOA) duly completed and signed by the incoming and outgoing parties, a list of the domain names involved and the Nic-handles of the holders, as well as the Nic-handles of the administrative and technical contacts.

The position of registrars:

- ✓ They wished to be able to determine whether an operation had been initiated by the registrar or Afnic through EPP authentication, avoid the misappropriation of domain

names, and maintain a record of operations by receiving an email notification of the operation, which they would then approve.

✓ In addition, they wished that, ultimately, a merging solution would be implemented to allow transfers from several Nic-handles.

The position of users:

✓ They noted that they were less directly affected than registrars, while requesting that the procedure not become more complicated than it currently was for customers.

Emilie Turbat then discussed the many technical developments that were underway and sought the opinion of the committees on the *.fr* operations they wanted to see replicated to the gTLDs and vice versa.

The position of registrars:

✓ They wanted to keep the online billing system with deferred payment for the gTLDs, and be able to financially manage the different TLDs with the same account.

Emilie Turbat and Pierre Bonis clarified that the interface under development was to be tailored to the registrars' accreditations and of course harmonized with the interfaces of the TLDs for which Afnic was the technical operator.

3.2. Information update and stocktaking for the period under consideration

3.2.1. Monitoring our commitments as part of the State-Afnic Agreement

3.2.1.1. Support fund for the development of the Internet (FSDI)

Pierre Bonis stressed that this was the most symbolic commitment among the 56 commitments made within the framework of the Agreement with the State. The FSDI was to contribute to Afnic's objectives by funding research projects or economic solidarity initiatives (inclusion projects based on new technologies), backed by the French Internet community, with the exception of projects directly related to Afnic business lines.

The choice fell on a fund hosted by a foundation outside Afnic to ensure the transparency and independence of the experts who selected the projects. In France, there were currently only a few dozen registered public interest foundations that were able to host funds; in

addition, the chosen foundation should serve a sufficiently general purpose in order to be compatible with that of Afnic.

90 % of the profits from the *.fr* TLD were to be allocated to the Fund. The funding target for the 2nd half of 2012 and 2013 was approximately 2 million Euros. The FSDI was planned to be launched by the end of 2013.

3.2.1.2. *Remote participation*

Pierre Bonis recalled that it was also a commitment in agreement with the State, initiated today by the systematic implementation of a Webex solution for all consultative committees in order to increase the participation of our members and to offer new means of expression within Afnic.

In parallel, a space for dialogue designed for the entire French Internet community was opened in early March on the Afnic website, with a page to conduct all public consultations and a more informal one dedicated to major community debates.

With regard to remote participation, a user specified that the easiest means should be chosen, and congratulated Afnic for setting up a platform facilitating consultation. He hoped that Afnic would provide a French version of the documents published on other sites.

3.2.1.3. *DNSSEC deployment*

Pierre Bonis said that DNSSEC was considered as the only answer to one of the most serious attacks on the Internet. Afnic conducted a study in summer 2012 that showed that some of its counterparts, including Sweden and the Netherlands, were ahead of the FR namespace in terms of DNSSEC deployment. Furthermore, the 2012 survey on the quality of Afnic service provided to registrars revealed a strong demand for support from those who wanted to deploy DNSSEC. Afnic decided to implement a strategic plan over 5 years to support deployment. The terms, targets and actions (training, methodological support, etc.) were being developed.

The position of registrars:

- ✓ They stated that there was not a strong demand from customers, that deployment was quite complex, time-consuming and not a priority to them. The deployment of DNSSEC was sometimes combined with an infrastructure upgrade, otherwise it was not carried out at all. They generally recognized the quality of Afnic training and believed that some support would be necessary.

The position of users:

✓ Having a stable and secure system was essential. They delegated this responsibility to the registrars, which were in charge of implementing the appropriate solutions to ensure the system was stable and secure.

3.2.2. New TLDs

Fabien Betremieux recalled that Afnic, as the technical operator, was supporting 17 of the French applications for gTLDs filed with ICANN, including 10 brands, 2 generic TLDs and 5 geographical TLDs, and informed the committees that the schedule was uncertain despite the order determined by the draw of December 17, 2012. He wished to discuss the issues posed to them by the gTLDs with registrars, if they had already incorporated them into their development plans.

The position of registrars:

✓ They wished that not too many changes were made to the procedures, that the features, in particular the billing features, be extended to gTLDs, and that the various TLDs be manageable using a single interface. They were preparing for this but it still seemed a long way off to them, the ICANN schedule was not finalized, applications had not been approved, there were still technical issues to resolve. They asked Afnic to meet with them to inform them of and discuss technical issues. They also needed information from new TLDs for promotion purposes. They suggested that registries that were backing projects should take part in the committee meetings of October 8, 2013 on a voluntary basis.

The position of users:

✓ They suggested that commercial and promotional aspects should be discussed at the community level and that Afnic should organize co-branding actions with its customers.

Fabien Betremieux answered that Afnic customers had in fact allocated budgets to implement the communication campaigns required, and that they needed the registrars to provide them with information. Mathieu Weill added that it was in the interest of Afnic to ensure the progress of projects, and that the projects should therefore be supported with technical aspects, and that advice and related services should also be provided, and finally, that joint actions were in fact being studied.

3.2.3. Other information items

3.2.3.1. Board application schedule

Mathieu Weill recalled that at the Annual General Meeting of June 7, 2013, five (5) representatives were to be elected to the Board of Afnic (2 registrar representatives, 2 user representatives and 1 representative of the "International" college). He also gave an update on the current situation of elected members and informed the committees of the various phases of the schedule:

- ✓ February 21: setting up of the Application Validation Committee by the Board of Directors
- ✓ Mid-March: opening of the election campaign and start of the candidate nomination process (statements of intent and declarations of interests were sent by the applicants)
- ✓ April 16: nomination closing date
- ✓ May 17: notice of AGM sent electronically
- ✓ Between May 17 and 24: publication on the Afnic website of the applications ruled admissible by the Application Validation Committee
- ✓ June 7: Annual General Meeting

3.2.3.2. Setting up the Board of directors' committees

The Board of Directors meeting of November 13, 2012 approved the creation of thematic committees to assist the members of the Board in the decision-making process on issues affecting the life of Afnic:

- ✓ The Finance and Risk Management Committee, whose tasks included monitoring and analyzing financial documents; examining the suitability of the accounting methods, including the methodology chosen to set up cost accounting; monitoring the proper implementation of internal data collection procedures and identifying and monitoring any major risks affecting Afnic;
- ✓ The Registry Policy Committee, whose tasks included examining the existing policies; identifying and determining work priorities; ensuring compliance with any consultation process required prior to any vote by the Board of Directors; ensuring that the interests and needs of the Internet community were taken into account;
- ✓ The Application Validation Committee in the framework of elections.

The next meeting of the consultative committees was scheduled for Thursday, October 10, 2013 at 9:30 am