

TDG Agenda
27 January 2011
18:00 UTC

- Continued Registry Operations Instrument (see Exhibit 1)
 - Status: TDG to propose/identify workable alternatives and if appropriate propose revisions to Specification 8.

- Pricing for Registry Services
 - Status: ICANN welcomes proposed solutions that address concerns and retain the notice requirement.

- Registry Code of Conduct
 - Status: TDG is requested to suggest edits that provide any additional clarification or language that would be useful.

- Termination of Registry Services Agreement
 - Re: Opportunity to Cure
 - Status: ICANN to draft language providing an opportunity to cure for inclusion in next Applicant Guidebook.
 - New SLA measurement methodologies
 - Status: Michael Young and interested parties are drafting proposed revisions to Specification 6 to be circulated to TDG for discussion and follow-up.

Exhibit 1

Draft Discussion Notes re: Requirement for a Continuing Operations Instrument

- Note that this instrument is tied to the cost of maintaining five specific critical functions for registered names in the TLD – not three years worth of all registry-operations costs. The instrument is only invoked if one of the thresholds for an emergency transition is triggered and ICANN incurs costs in providing continuity for any of these functions.
- The objective of the requirement for a continued operations instrument is registrant protection; it is designed to provide registrants with continued functions or advance notice of sunset.
- An applicant who has secured the continued operations instrument receives extra points in the evaluation; all applicants are required to secure the continued operations instrument prior to execution of the registry agreement. This approach is intended to reward applicants who make early arrangements for the protection of registrants and accept relatively riskier business plans where registrants are protected.
- The letter of credit and cash escrow deposit have been selected as the best options for meeting this requirement because: 1) They can be invoked in a timely and straightforward manner; 2) They provide certainty that the funds will be accessible when needed; 3) They can be objectively assessed in the evaluation; and 4) They are viable options for applicants in various circumstances and/or jurisdictions.
- Thus, suggestions for alternative approaches are most helpful if the above considerations are kept in mind. If there were comments on implementation of the requirements, suggestions for specific language, or changes to Specification 8 would also be helpful.