Registry Services Evaluation Policy (RSEP) Request

July 25, 2022

Registry Operator
VeriSign, Inc.

Request Details
Case Number: 01135846

This Registry Services Evaluation Policy (RSEP) request form should be submitted for review by ICANN org when a registry operator is adding, modifying, or removing a Registry Service for a TLD or group of TLDs.

The RSEP Process webpage provides additional information about the process and lists RSEP requests that have been reviewed and/or approved by ICANN org. If you are proposing a service that was previously approved, we encourage you to respond similarly to the most recently approved request(s) to facilitate ICANN org's review.

Certain known Registry Services are identified in the Naming Services portal (NSp) case type list under "RSEP Fast Track" (example: "RSEP Fast Track – BTAPPA"). If you would like to submit a request for one of these services, please exit this case and select the specific Fast Track case type. Unless the service is identified under RSEP Fast Track, all other RSEP requests should be submitted through this form.

Helpful Tips

- Click the "Save" button to save your work. This will allow you to return to the request at a later time and will not submit the request.
- You may print or save your request as a PDF by clicking the printer icon in the upper right corner. You must click "Save" at least once in order to print the request.
- Click the "Submit" button to submit your completed request to ICANN org.
- Complete the information requested below. All fields marked with an asterisk (*) are required. If not applicable, respond with "N/A."

1. PROPOSED SERVICE DESCRIPTION

1.1. Name of proposed service.

Domain Name Registration Validation Per Applicable Law

1.2. Provide a general description of the proposed service including the impact to external users and how it will be offered.

On May 27, 2016, Verisign submitted a RSEP entitled "Verification Code Extension for Extensible Provisioning Protocol" (the "Verification Code RSEP") which was authorized by ICANN on February 27, 2017, with a subsequent modification authorized by ICANN on February 14, 2022. As described in the approved Verification Code RSEP, the "governments of certain jurisdictions are or could in the future be in the process of promulgating regulations to require certain registrars subject to such regulations to perform verifications for domain name registrations." By way of example, Verisign cited the People's Republic of China as one jurisdiction that has promulgated such regulations.

Registrar compliance with applicable law is mandated by the .com and .net Registry-Registrar Agreements, and Verisign's implementation of the Verification Code Extension for EPP was an optional extension designed to enable registrars to demonstrate compliance with such verification regulations through the submission of XML codes (the "Codes"). As indicated in the Verification Code RSEP, Verisign's implementation does not require a registrar to submit the Codes in order to register a domain name, instead, if the registrar fails to submit the Codes, Verisign places the domain name in "serverHold" status.

As local laws regarding domain name registration validation continue to evolve, the validation processes and criteria must evolve in order to remain compliant with applicable local laws. Accordingly, Verisign is seeking authorization to implement the "Domain Name Registration Validation Per Applicable Law" service to provide the necessary flexibility for registrars to continue to demonstrate compliance with applicable local law verification requirements. The registration validation process, by which Verisign subjects new domain name registration requests and/or existing domain name registrations to validation, will be subject to the criteria required by the applicable local law in the jurisdiction.

The proposed service will enable Verisign to perform an additional verification check on each new domain name registration request from a registrar (subject to such applicable law) to determine if the registrar has provided the required verification codes in accordance with the existing Verification Code Extension for EPP service, which will remain unchanged. If the

verification check fails, Verisign's SRS will respond with an existing EPP error result code and the domain name registration will not be created. The registrar may then resubmit the registration request providing the required verification code to successfully register the domain name.

With regard existing domain names without the required verification codes, which currently comprise a very small percentage of domain name registrations from registrars licensed to operate in the People's Republic of China, Verisign intends to address compliance issues with these domain names directly with registrars. Verisign reserves the right to deny, cancel, redirect or transfer any domain name registration or transaction, or place any domain name(s) on registry lock, hold or similar status, in accordance with Sections 2.7(b)(ii) and 2.14 of the .com and .net Registry-Registrar Agreements.

1.3. Provide a technical description of the proposed service.

Verisign will implement the Domain Name Registration Validation Per Applicable Law service to enable registrars to demonstrate compliance with applicable law, as required. Verisign's Domain Name Registration Validation Per Applicable Law service will be implemented without the use of a supplemental registration proxy. If a registrar subject to such local law seeks to register a new domain name via an EPP <create> command without providing the valid verification Codes, the EPP <create> command will fail the registration validation requirement and the domain name will not be created. Verisign's SRS will respond with an EPP 2306 "Parameter value policy error" result code and with an error reason indicating a failure to provide the required Codes. The EPP 2306 result code is an existing EPP result code defined in Section 3 of RFC 5730 that is extensively used when a <create> command is invalid as result of a registry policy issue. Upon receipt of an EPP 2306 response, the registrar may choose to correct the error and submit a new EPP <create> command with the required verification Codes included to successfully register the domain name.

For existing domain name registrations (including requests to renew or transfer existing domain names) that do not comply with the verification requirements set forth in applicable local law, Verisign may take those actions allowable under the .com and .net Registry-Registrar Agreements.

1.4. If this proposed service has already been approved by ICANN org, identify and provide a link to the RSEP request for the same service that was most recently approved.

The implementation of validation processes and criteria required by applicable local law has been approved by ICANN for use in over 300 TLDs, including in the most recent "Registration Validation per Applicable Law with Proxy" RSEP available at: https://www.icann.org/en/system/files/files/rsep-2021024-bond-et-al-request-13sep21-en.pdf.

1.5. Describe the benefits of the proposed service and who would benefit from the proposed service.

The proposed service provides registrars with the mechanism to continue to demonstrate compliance with the verification requirements in applicable local law in support of their registrant's .com and .net domain name registrations.

1.6. Describe the timeline for implementation of the proposed service.

Upon approval of the request, the timeline for implementation will be determined by the timing required for compliance with applicable local law and any applicable registrar notice periods.

1.7. If additional information should be considered with the description of the proposed service, attach one or more file(s) below.

1.8. If the proposed service adds or modifies Internationalized Domain Name (IDN) languages or scripts that have already been approved in another RSEP request or are considered pre-approved by ICANN org, provide (a) a reference to the RSEP request, TLD(s), and IDN table(s) that were already approved or (b) a link to the pre-approved Reference Label Generation Rules (LGR). Otherwise, indicate "not applicable."

Not applicable.

The most current IDN requirements will be used to evaluate a submitted table.

2. SECURITY AND STABILITY

2.1. What effect, if any, will the proposed service have on the life cycle of domain names?

The proposed service will not have an effect the registry's domain name registration lifecycle.

2.2. Does the proposed service alter the storage and input of Registry Data?

The proposed service will not alter the storage and input of Registry Data.

2.3. Explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems.

The proposed service will have no impact on the throughput, response time, consistency or coherence of responses to Internet servers or end systems.

2.4. Have technical concerns been raised about the proposed service? If so, identify the concerns and describe how you intend to address those concerns.

No technical concerns have been raised about the proposed service.

2.5. Describe the quality assurance plan and/or testing of the proposed service prior to deployment.

Verisign has demonstrated the ability to deliver scalable and reliable registry services. The rigorous processes and extensive suite of quality assurance tests and performance testing will be applied to maintain the functionality, data integrity and data accuracy of the proposed service, including, where appropriate, deployment of any necessary changes into an OT&E environment prior to release into Verisign's production systems.

2.6. Identify and list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.

The proposed service will comply with all RFCs specified in the .com and .net RAs.

3. COMPETITION

3.1. Do you believe the proposed service would have any positive or negative effects on competition? If so, please explain.

This proposal will have a positive effect on competition by enabling registrars and the registry operator to continue support domain name registrations within the requirements of applicable local law.

3.2. How would you define the markets in which the proposed service would compete?

Currently, there are a number of jurisdictions that are developing registrant verification regulations. Initially, the service will apply to registrars licensed to operate within the People's Republic of China and will be implemented as necessary to comply other applicable local laws.

3.3. What companies/entities provide services or products that are similar in substance or effect to the proposed service?

More than 300 gTLDs offered by more than a dozen registry operators are currently approved to provide a service that subject new domain name registration requests and/or existing domain name registrations to the validation processes and criteria required by applicable local law.

3.4. In view of your status as a Registry Operator, would the introduction of the proposed service potentially affect the ability of other companies/entities that provide similar products or services to compete?

No.

3.5. Do you propose to work with a vendor or contractor to provide the proposed service? If so, what is the name of the vendor/contractor and describe the nature of the services the vendor/contractor would provide.

No. For clarity, the existing Verification Service Provider functions described in the Verification Code RSEP will remain unchanged.

3.6. Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed service? If so, please describe the communications.

Verisign has and will continue to engage in, discussions with registrars who are currently subject to domain name registration validation requirements in applicable local law.

3.7. If you have any documents that address the possible effects on competition of the proposed service, attach them below. ICANN will keep the documents confidential.

4. CONTRACTUAL PROVISIONS

4.1. List the relevant contractual provisions impacted by the proposed service. This includes, but is not limited to, Consensus Policies, previously approved amendments or services, Reserved Names, and Rights Protection Mechanisms.

Through the implementation of the service, the registry will remain compliant with all current Consensus Policies and the RFCs listed in Appendix 7 of the .com and .net Registry Agreements.

4.2. What effect, if any, will the proposed service have on the reporting of data to ICANN?

The service will have no effect on reporting of data to ICANN.

4.3. What effect, if any, will the proposed service have on Registration Data Directory Service (RDDS)?*

The service will have no effect on RDDS for registered domain names.

4.4. What effect, if any, will the proposed service have on the price of a domain name registration?

The service will have no effect on registry fees for domain name registration.

4.5. Will the proposed service result in a change to a Material Subcontracting Arrangement (MSA) as defined by the Registry Agreement? If so, identify and describe the change. Please note that a change to an MSA requires consent from ICANN org through the MSA change request process. The RSEP request must be approved prior to submitting the MSA change request.

No.

5. AUTHORIZATION LANGUAGE

5.1. A Registry Agreement (RA) amendment is required when the proposed service: (i) contradicts existing provisions in the RA or (ii) is not contemplated in the RA and, therefore, needs to be added to Exhibit A of the RA and/or as an appropriate addendum/appendix. If applicable, provide draft language (or a link to previously approved RA amendment language) describing the service to be used in an RA amendment if the proposed service is approved. If an RA amendment is not applicable, respond with "N/A" and provide a complete response to question 5.2.*

For examples or for IDN services, you may refer to the webpage for standard RA template amendments for commonly requested Registry Services.

Upon approval, and similar to the amendment process for other registries with registration validation requirements, Verisign proposes adding the following to the list of services in Appendix 9 (Approved Services) of the .com and .net Registry Agreements:
"Domain Name Registration Validation Per Applicable Law Service. Registry Operator may perform registration validation to comply with applicable local law in a given jurisdiction. The registration validation process, by which the Registry Operator subjects new and existing domain name registrations to validation, will be subject to the criteria required by the applicable local law in the jurisdiction. New and existing domain names that are subject to the registration validation process in the subject jurisdiction that do not pass registration validation in that jurisdiction may be denied, canceled, suspended, deleted or otherwise updated by the Registry Operator, consistent with the Registry-Registrar Agreement and as required by applicable local law."

5.2. If the proposed service is permissible under an existing provision in the Registry Agreement, identify the provision and provide rationale. If not applicable, respond with "N/A" and provide a complete response to question 5.1.

Implementation of the proposed service is consistent with Verisign's authority to address non-compliance with applicable local law as set forth in Sections 2.7(b)(ii) and 2.14 of the .com and .net Registry-Registrar Agreements.

6. CONSULTATION

6.1. ICANN org encourages you to set up a consultation call through your Engagement Manager prior to submitting this RSEP request. This is to help ensure that necessary information is assembled ahead of time.

Identify if and when you had a consultation call with ICANN org. If you did not request a consultation call, provide rationale.

Pat Kane discussed the jurisdictional verification requirements with Russ Weinstein on December 9, 15, & 21, 2021 and the specific solution detailed in this RSEP request with Russ Weinstein on June 21, 2022.

6.2. Describe your consultations with the community, experts, and/or others. This can include, but is not limited to, the relevant community for a sponsored or community TLD, registrars or the registrar constituency, end users and/or registrants, or other constituency groups. What were the quantity, nature, and results of the consultations? How will the proposed service impact these groups? Which groups support or oppose this proposed service?

N/A

7. OTHER

7.1. Would there be any intellectual property impact or considerations raised by the proposed service?

No.

7.2. Does the proposed service contain intellectual property exclusive to your gTLD registry?

No.

7.3. Provide any other relevant information to include with the request. If none, respond with "N/A."

N/A

7.4. If additional information should be considered, attach one or more file(s) below.

Affected TLDs

Current Registry Operator	Top Level Domain	Registry Agreement Date
VeriSign, Inc.	com	2020-03-27
VeriSign, Inc.	net	2017-07-01