

**1. Why are registries receiving ONBIR auto-generated messages from ICANN Contractual Compliance that are incorrect?**

The ONBIR system administrators have been notified of the Registry's concern regarding the incorrect ONBIR auto-generated messages and are investigating.

**2. Can registries have a “materiality” threshold for notices? Why is ICANN Contractual Compliance spending time on minor issues? We do not believe a single technical issue should result in a compliance notice.**

Contracted parties are expected to comply with all provisions of their agreement(s) and consensus policies. If the RySG has a specific proposal to submit for consideration, please do so. ICANN will then circulate the proposal for consideration to the ICANN stakeholders to ensure alignment by all on the expectations.

**3. Why are registries receiving messages from ICANN Contractual Compliance regarding the Frequently-Asked-Questions on a registry's website? Why is ICANN Compliance relying on marketing materials when there are better sources at your disposal?**

The ICANN team reviewing the registry's Frequently-Asked-Questions on the website has been notified of this question and will address it directly with the Registry Operators.

**4. Why is ICANN Contractual Compliance publishing data on complaints that should not have been brought in the first place? Can we have metrics on “erroneous” complaints, i.e., complaints in which ICANN was wrong to send? Can ICANN Compliance include a percentage of registries that have had a similar complaint? If it is affecting everyone, can you send a note to everyone?**

ICANN reviews and validates a complaint to ensure it is within the scope of the applicable agreement before sending to a contracted party. The contracted party, upon review of the message by ICANN's Contractual Compliance team, either remediates the non-compliance, or provides ICANN with sufficient evidence to demonstrate compliance.

As for the request to measure “erroneous” also referred to as “wrong to send”, ICANN will monitor the complaint closures and requests that Registry Operators also inform ICANN of such complaints.

ICANN will take into consideration the request to provide a metric on the percentage of registries with similar complaints. Please note the Contractual Compliance metrics on ICANN's website are shown as aggregate data; therefore, no particular contracted party is singled out.

**5. Can ICANN split up complaints received from public and those that are private?**

ICANN systems do not track complaints in that manner.

**6. Can ICANN Compliance send acknowledgements to responses? Do you track staff turnaround time?**

ICANN sends acknowledgements to responses and tracks turnaround time. Please refer to the monthly dashboard found at this link <https://features.icann.org/compliance/dashboard/080914/report> for a view of staff TAT.

**7. What are the difference between inquiry and an audit?**

An inquiry is sent when information gathering is required to either 1) clarify a complaint if there is no known compliance violation; and/or 2) for a proactive compliance monitoring effort.

Non-response to inquiry may result in a notice.

ICANN notes the feedback received regarding the PIC monitoring effort and has already modified the approach and reporting to bring more clarity and alignment with the contractual obligations.

An audit is an official review of a contracted party's past performance and is time-bound. ICANN gives an advance notice of an audit similar to the Three-Year Audit Program and New Registry Agreement Audit. Please visit the Audit Program page found at this link: <https://www.icann.org/resources/pages/audits-2012-02-25-en>.

Please refer to slide 4 of the Registry Stakeholder Group presentation found at this link <https://www.icann.org/resources/pages/outreach-2012-02-25-en>

**8. What can Registries do to avoid violating trade secrets law based on information being requested by ICANN?**

The Registry Agreement allows the Registry to designate information provided to ICANN as confidential information to be maintained in confidence. Registries need to inform ICANN if delivering the information being requested violates any law and need to indicate the applicable country, name of the law, number (as applicable), with an explanation of why delivery of the information to ICANN under an obligation of confidentiality would violate the local law.

**9. Can Registries not get compliance notices on the weekend?**

Deadlines for ICANN notices and inquiries are based on UTC business days regardless of when it is received by the contracted party.