

Workshop on Member States' experiences with ccTLD

Geneva, 3-4 March 2003

DOCUMENT FOR ccTLD WORKSHOP

Source: Ministry of Public Management, Home Affairs, Posts and Telecommunications (MPHPT)

Japan Registry Service Co., Ltd. (JPRS)

Title: ccTLD Redelelegation Case Study - Japan

Background

On 5 August 1986, the .jp top-level domain was delegated to Jun Murai by the Information Sciences Institute, University of Southern California, which then performed the functions of the Internet Assigned Numbers Authority (the IANA). After an initial period of more informal management, in December 1991 the Japan Network Information Center (JNIC) was founded to provide a framework for operation of the .jp top-level domain. In April 1993, with Jun Murai's consent, JNIC reorganized itself as JaPan Network Information Center (JPNIC), with ISPs, research networks, and academic networks located in Japan as its members. On 31 March 1997, JPNIC obtained approval from the Science and Technology Agency, the Ministry of Education, Science, Sports and Culture (these two organisations are now merged into the Ministry of Education, Culture, Sports, Science and Technology), the Ministry of International Trade and Industry (currently the Ministry of Economy, Trade and Industry), and the Ministry of Posts and Telecommunications (currently the Ministry of Public Management, Home Affairs, Posts and Telecommunications) to operate as a corporate body.

Who has been and is now in charge of the ccTLD

Please consult:

<http://www.iana.org/root-whois/jp.htm>

Sponsoring organization, which formerly was JPNIC, is currently Japan Registry Service Co., Ltd. (JPRS) as from 1 April 2002. Likewise, administrative contact was Jun Murai and is now Koki Higashida, President and CEO of JPRS.

What the transfer process was like

As is also the case in many countries or economies, regulations directly stipulating the designation procedure of ccTLD delegee do not exist in Japan. So, instead of "designating" a delegee, the

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Japanese Government (MPHPT) endorsed the delegee by replying to the inquiry letter from ICANN (IANA).

What made this process more complicated was that not only was the management and administration "re-delegated" to the current delegee, but also was the status as the .jp sponsoring organization transferred from JPNIC to a commercial company JPRS for various reasons. In order not to duplicate the procedure, the parties involved in this process worked out a procedural package solving both (transfer and delegation) at one time, namely:

- JPNIC and JPRS agreed on the Memorandum for the transfer from JPNIC to JPRS,
- Both parties reported the Memorandum to the Japanese Government,
- JPRS requested ICANN redelegation and Sponsorship Agreement
- ICANN inquired the Government (and JPNIC) about the appropriateness of JPRS, and
- The Government (and JPNIC) endorsed by replying to ICANN.

The chronological picture of this procedural flow is attached (redelegation process.pdf).

Who drove the transfer.

In the case of Japan, JPNIC chose to establish a commercial company JPRS and transfer the management and administration thereto, in order to streamline decision making. The Government approved of it.

Modification needed for Japan

Apart from the procedure, in the case of Japan the model proposed as the *GAC Principles for Delegation and Administration of Country Code Top Level Domains* (GAC Principles) needed modification.

JPNIC, after ceasing to be .jp sponsoring organization, remains responsible for assuring the local Internet community's interest along with the Government, thus assuming cooperatively the role of the "government or public authority" as stated in the GAC Principles. In order to accommodate to this quadrilateral situation instead of "normal" trilateral one, clauses in the Sponsorship Agreement interpret the interventions by the government or public authority into those by the Governmental Authority and JPNIC.

As examined in the Endorsement letter by the Government, the Memorandum between JPNIC and JPRS (and also the ccTLD Sponsorship Agreement) paid attention to interpret and include the clauses of the GAC Principles ("Principles Concerning the Communication Between the Relevant Government or Public Authority and the Delegee").

In most clauses meant to refer to the "government or public authority", the Memorandum and the ccTLD Sponsorship Agreement used the words of the "Governmental Authority and JPNIC".

How JPRS runs jp ccTLD registry in line with the interest of the LIC

- 1) About the jp domain name service policy

JPRS established the JP Domain Name Advisory Committee to carry out jp domain name registration in a fair and neutral manner. It consists of several people from the Japanese local Internet community (LIC). The initial members are the representatives from the following 6 sectors.

- JPNIC (Japan Network Information Center)
- jp domain name registrars

- ISPs
- user companies
- academic people
- individual Internet users

The Advisory Committee discusses the policy of the jp domain name services from various points of view. The process of its discussion and the advisory report is open to the public. After getting the report from the Advisory Committee, JPRS informs JPNIC of its action as a response to the advisory report. And then, JPNIC reports it further to the Government.

2) About the organizational stability as a registry

JPRS reports its financial report to JPNIC at least once a year. And then, JPNIC reports it further to the Government.

Some outstanding .jp features

1) JP-DRP

jp domain name service established a JP-DRP on October 19, 2000 after 1 year discussion in JPNIC with several occasions of consultation with the LIC. The players of the JP-DRP are :

- JPNIC : maintains JP-DRP and accredits JP-DRP provider
- Japan Intellectual Property Arbitration Center : JP-DRP provider
- JPRS : .jp registry

Until now, just 19 cases have been filed and resolved in 28 months. This number is relatively small considering that .jp is a domain name space sized 500,000. The reasons are considered to be :

- registration at the third level, such as example.co.jp, has the following restrictions :
 - i) registrant must reside in Japan
 - ii) registrant can register only one domain nameThese restrictions might have discouraged cybersquatters.
- registration at the second level, such as example.jp, was introduced in February 22, 2001, with three steps in a controlled way.
 - i) Priority registration (sunrise period)
Trademarks, registered names, university names, personal names in full, and domain labels already registered at the third level are applied to be registered. In case of competition, registrants were determined by lottery system.
 - ii) Concurrent registration
All applications which arrived in this period were regarded as arrived at the same time, not in the order received. In case of competition, registrants were determined by lottery system.
 - iii) First-come-first-served registration
Applications are processed on First-come-first-served basis.

These steps might have discouraged cybersquatters.

2) IDNs

As one of the features of the registration at the second level, registration service of Japanese domain names launched in February 2001. The registration was commenced with three steps along with ASCII domain names as shown in the previous section.

In priority registration period, 22,600 were Japanese among 29,100 domain names registered in total. In concurrent registration period, 28,600 were Japanese among 55,800 domain names registered in total. 65,200 applications were received in getting 28,600 domain names in the concurrent registration period.

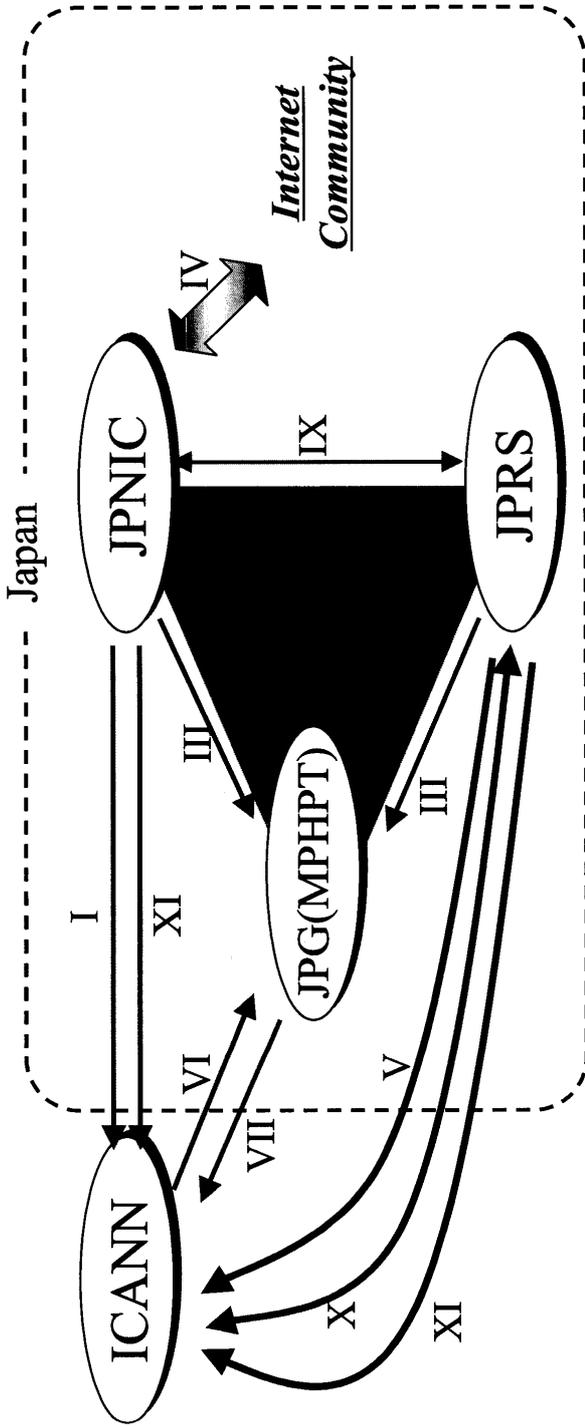
These facts show that Japanese market is very positive in registering and using Japanese domain names.

Documents to refer to

- Letter from JPNIC on its intent of .jp transfer (LOI)
<http://www.icann.org/cctlds/jp/murai-to-roberts-01feb01.htm>
- Memorandum on the transfer (MoU)
<http://www.iana.org/cctld/jp/jprs-jpnic-memorandum-09nov01.htm>
- Report of the execution of the MoU
<http://www.iana.org/cctld/jp/report-to-sakamoto-12nov01.htm>
- Request for redelegation and Sponsorship Agreement
<http://www.iana.org/cctld/jp/redelegation-request-03dec01.htm>
- Inquiry about the redelegation
(attached: The IANA inquiry letter.doc)
- Endorsement by the Government
<http://www.iana.org/cctld/jp/sakamoto-to-lynn-30jan02.htm>
- Sponsorship Agreement
<http://www.icann.org/cctlds/jp/proposed-sponsorship-agmt-09feb02.htm>

ANNEX 1

ICANN - JPRS ccTLD Sponsorship Agreement “Chronicle”



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| I Letter from JPNIC on its intent of .jp transfer (LOI) | VII Endorsement |
| 01/02/2001 JPNIC → ICANN | 30/01/2002 JPG(MPHPT) → ICANN |
| II Memorandum on the transfer (MoU) | VIII Notification of the Endorsement |
| 09/11/2001 JPNIC ↔ JPRS | 30/01/2002 JPG(MPHPT) → JPNIC&JPRS |
| III Report of the execution of the MoU | IX Agreement on the transfer |
| 12/11/2001 JPNIC&JPRS → JPG(MPHPT) | 31/01/2002 JPNIC ↔ JPRS |
| IV Public comment forum on the transfer and Sponsorship Agreement | X Execution of ccTLD Sponsorship Agreement |
| 16-30/11/2001 JPNIC | 27/02/2002 ICANN ↔ JPRS |
| V Request for Redlegation and Sponsorship Agreement | XI Report of the execution of the Agreement on the transfer |
| 03/12/2001 JPRS → ICANN | 01/04/2002 JPNIC&JPRS → ICANN |
| VI Inquiry about the redlegation | |
| 25/12/2001 ICANN → JPG(MPHPT) | |