



ICANN Blog

Internet Corporation for Assigned Names and Numbers

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RegisterFly update: March 5, 2007

This is a further update for those affected by RegisterFly. The first occurred Friday [on our main website](#).

If you are a RegisterFly customer you will know from the extremely poor customer service you are getting, that RegisterFly is experiencing internal problems prohibiting them from acting on transaction requests from customers.

ICANN is doing everything within its power to ensure that harm to registrants is minimized during these failures by Registerfly, including collecting registrant data from RegisterFly's backend service providers, arranging for the registry operators to prevent names from being deleted ("dropped") by Registerfly, and taking legal action against Registerfly in federal court for copies of their databases containing customer data. In addition, we have notified RegisterFly (as we are required to do under the Registrar Accreditation Agreement) that they are in breach of their accreditation agreement and have demanded that they cure the breaches of the Agreement within 15 working days (also required under the agreement).

You can find more detailed information [on our website](#).

ICANN's role

ICANN is not a regulator. We rely mainly on contract law. We do not condone in any way whatsoever RegisterFly's business practice and behaviour.

The options for customers to transfer their names to another registrar at this stage are limited. We will advise if we have more information on this point. Last Friday, ICANN convened a telephone conference among those needed to

implement a plan that will help cease unintended deletions. This will prevent names from being deleted from the registry and becoming available for re-registration by others. RegisterFly has assured us (for what that is worth) that they will process such requests as soon as they are again technically operational. We will keep a close eye on this.

We do hope this information is helpful and provides some small level of comfort in what is clearly a stressful time for registrants and others affected by these events. Check in at both here and at our website www.icann.org where these issues (amongst others) are being discussed.

This entry was posted on Monday, March 5th, 2007 at 12:19 pm and is filed under [ICANN](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

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32 Comments »

 *Comment by Larry*

2007-03-05 15:13:39

Thank you for the update. Please continue to give us as much information as frequently as possible as those of us stuck in the middle of this Registerfly meltdown have so very little hope to hang on to.

[Reply to this comment](#)

 *Comment by Paul Levins*

2007-03-05 18:08:26

Yes Larry the updates will continue. We hope to have more news tommorrow.

[Reply to this comment](#)

 *Comment by Kamil*

2007-03-05 15:25:48

Just wondering if anybody has seen any changes to the whois info of their domains stuck at RegisterFly that would correspond to the above words of ICANN?

Whois for my .name domain still indicates that it will expire in 4 days... 😞

[Reply to this comment](#)

☰ *Comment by M.V. Percival*

2007-03-05 15:38:41

I also appreciate the regular updates we have recently been receiving from ICANN. If ICANN is not a regulator, then what is the point of assigning accreditation to registrars? When domain name consumers see that a registrar is accredited by ICANN, does this not imply that the registrar has to meet and uphold a certain level of service competency stipulated by regulations?

[Reply to this comment](#)

☰ *Comment by Paul Levins*

2007-03-06 05:19:20

ICANN has written to RegisterFly advising of breaches of the Agreement and they have 15 working days from the receipt of that letter to cure those breaches. If they don't we then have the option to terminate the Agreement.

[Reply to this comment](#)

☰ *Comment by Captain Proton*

2007-03-05 18:35:53

Thanks for the updates, they are much appreciated. If there is anything worse than the hassle some of us are going through it would be being kept in the dark.

It would help if you could get a registrar to be able to accept transfers from registerfly with the 'RRP' or missing authcode. Maybe verio could suspend the requirements for a specific registrar for domains leaving registerfly.

From the sound of it, as much as can be done with RF is being done. But this little bit may help many.

[Reply to this comment](#)

 *Comment by Bjørn*

2007-03-05 19:40:46

Thank you for prioritizing this case, Paul! Looking forward to more updates from you in the coming days.

[Reply to this comment](#)

 *Comment by Bjørn*

2007-03-05 19:41:14

Thank you for prioritizing this case, Paul! Looking forward to more updates from you the coming days.

[Reply to this comment](#)

 *Comment by Sander J. Rabinowitz*

2007-03-05 22:12:16

Once the 15-day warning period expires, and Registerfly fails to cure its breaches (–and at this stage, it doesn't sound like they will–): Will one of the available remedies include compelling Registerfly to drop the “ICANN Approved” logo on its website? In fact, should the website even be allowed to take new orders at all? As of Tuesday at 0600 ET, the website seems to still accept new orders, and there is no indication to an unsuspecting customer that anything is seriously amiss. I imagine also that each new order constitutes another ICANN violation since it doesn't appear that Registerfly has any intent of honoring it.

Thanks much, –SJR (a former R'fly customer)

[Reply to this comment](#)

 *Comment by Paul Levins*

2007-03-06 05:23:10

If they fail to cure the breaches and ICANN terminates the agreement they no longer have the right to display ICANN's logo.

I think we (and others including yourself through this forum!) have made it very clear to potential future customers of RegisterFly that there are serious difficulties.


[Reply to this comment](#)

 *Comment by Ariel*

2007-03-06 04:53:15

I have noticed that registerfly.com seems to have fallen off the web. What happens to the domains in Registerfly's care if they suddenly stop operating? I have a few domains with the transfer still pending, a couple that have been in protectfly limbo with Registerfly not allowing me to change the whois info, and still other domains that were purchased through Registerfly's Reseller Agreement with Tucows. With Tucows being extremely unresponsive concerning those domains, what options do we have to try to regain control of our businesses?

[Reply to this comment](#)

 *Comment by Paul Levins*

2007-03-06 05:30:15

Ariel

ICANN has taken the following actions in relation to protecting registrant data:

- * On 21 February, ICANN sent a Notice of Audit that required RegisterFly to allow ICANN to inspect and copy records as well as a notice to submit data to ICANN or a reputable escrow agent regarding registration applications and Registered name holders.

- * On 27 February 2007, ICANN sent two employees to RegisterFly offices in New Jersey to audit them and obtain the registrant information.

- * RegisterFly has not complied. On 1 March 2007 RegisterFly's lawyers forwarded a letter to ICANN advising that refusal to comply with ICANN's request "should not be construed as my client's unwillingness to cooperate with ICANN but as evidence of their continuing efforts to service their customers."

- * In response ICANN has issued a second letter dated 2 March 2007 setting

out additional breaches of the Registrar Agreement. In that letter ICANN describes RegisterFly's statement that refusal to comply is evidence of customer service as "preposterous."

We have taken legal action to seek compel RegisterFly to comply.

We will update as we can on any new information we have in this regard.

[Reply to this comment](#)

 *Comment by Samuel*

2007-03-06 08:05:38

Luckily enough I only have one domain (a .info domain) left under Registerfly's registrar name (I transferred all the others away as soon as I read the pages at registerflies.com after waiting 3 days for my support tickets at Registerfly to be answered when my .it domain was unable to be registered with no explanation whatsoever). For those of you needing AuthInfo codes, it is on the "update contact details" page on a domain in question and you have to click the domain and then click "edit contact details" not just simply click the "edit contact details" link next to the domain's text in the domain list page since that takes you to a smaller edit page with no AuthInfo codes on the bottom (useless information right now since Registerfly.com is down while it is transferred). I wish everyone luck, and I expect that Registerfly's actions will probably change the way registrars are dealt with on the long term when breaches occur. Registerfly has had a massive affect on the Internet for businesses and individuals, but luckily enough for me I always used Paypal so they could never overcharge me (probably why Paypal at some point stopped accepting payments for Registerfly for ages- they probably got a load of complaints too). I think a demand should be made by ICANN to force Registerfly into explaining on their very website that their "registrar accreditation" status is indeed in jeopardy and should stop taking new customer orders (to stop more people unaware of the troubles falling into a trap and paying for services they won't and cannot get given) and give immediate instructions for easy transfers away for their customer's best interests for goodness sake.

[Reply to this comment](#)

 *Comment by Max*

2007-03-06 09:42:48

I had a domain that expired in January because Registerfly would not/could not renew it. After many calls and tech support messages, the domain finished expiring 2 days ago. Now it has been registered by another service. This domain is my legal name, and I want it back! What is the process to file a complaint or a request to get the domain back?

[Reply to this comment](#)

 *Comment by Richard Farkas*

2007-03-06 10:15:28

You know Paul, I don't care about whether or not Registerfly can use the ICANN logo. And I don't care about whether or not they have responded to your requests. I don't care about 15 day waiting periods. I just want to get a real working release code so I can get away from these people and move my domain to another registrar before it is too late. All of your efforts should be focused on getting us our release codes; either issued by Registerfly or by ICANN. The thought that Registerfly might be allowed to operate again if they start to follow the rules is completely uninteresting to me and perhaps to every disgusted and abused Registerfly customer. Yes, we relied on that ICANN accreditation. We thought it had some meaning. But evidently, it was pretty meaningless. If you have no authority over a failed registrar, and you have no methodology to take control, why do we need an ICANN at all?


I think every domain registrar should be required to submit detailed records at least once a month to you and if a registrar starts to break the rules and abuse customers then you should have the ability to just take over. Unhappy customers should have the ability to go to ICANN to get release codes if the registrar is illegally holding that customer as a hostage and causing them harm.

You seem to be quite worried about not getting paid by Registerfly, but not very concerned with supporting customers that are in deep trouble.

Just get us an exit ramp.

Rich

[Reply to this comment](#)

 *Comment by [Paul Levins](#)*

2007-03-06 10:51:51

Richard

Accreditation is not meaningless. There are many (around 865 now) registrars who are reputable and who provide good service. It was competition introduced by ICANN that led to that choice. We are doing as much within the terms of the agreement as we can.

Everyone wants an exit ramp out of this. We are not more worried about our own money than registrants. We are as I said in an earlier reply a Corporation that relies on contract law. So we have to identify as many breaches as we can and one of those is that they have monies owing to us too.

I think we have demonstrated we are making some progress. For example, registrars have agreed to work to prevent the deletion of names in the Grace period. It's not enough and we are working on more.

Our efforts are all about helping registrants. It is obviously an incredibly stressful and frustrating time for all affected. We will continue passing on just as much as we can and providing as much advice as we are physically able.

[Reply to this comment](#)

 *Comment by David*

2007-03-06 13:04:59

Too Late! Too Late! Too Late!

Sorry Paul, but you have demonstrated nothing except your company's failure to respond in a timely manner. This Registerfly drama has been going on for almost an entire year. ICANN's actions are 11 months too late. ICANN, according to their own documents, has known about this situation since April 2006 and failed to act when it would have done some good. If it wasn't for the loss of funds to ICANN, the company would not have done anything in regards to this matter. Obviously, ICANN is not up to the job and should be replaced. ICANN has shown that they are obsolete and have absolutely no real purpose nor authority. It is time for the US Government (or better yet, an International Governing Body) to step in and take over the job of creating Internet stability and harmony.

PS

ICANN accreditation is absolutely meaningless. It might have meant something once, but ICANN's total failure to protect one million domain names has destroyed any trust the symbol used to represent. You

dropped the ball, guys and gals. You failed to act when the Internet community needed you.

[Reply to this comment](#)

☐ *Comment by [Paul Levins](#)*

2007-03-06 16:07:00

We can debate forever about how things could have been done differently. The important thing now is to provide solutions for those affected and ICANN is working to do that. I'm sure a discussion about Internet Governance and ICANN's role might be interesting for some but not now. We want to keep working on the problem and finding solutions. I think focusing on what has and is being done to help is the approach we will take rather than apportioning blame and finger pointing.

(Comments wont nest below this level)

[Reply here](#)

☐ *Comment by [Stephen](#)*

2007-03-06 13:07:11

You know... I'm truly baffled. I'm one of the many who seem to have been swindled (and quite recently, I might add) out of their hard-earned dollar. It wasn't until today that I became so fed up with the lack of ANYTHING from them over the course of the past month that I decided to go to google news and see if anything came up when searching for RegisterFly. You can imagine how I feel about now. After not being able to change my name servers, after calling and calling and calling, I finally got ahold of someone a couple of weeks ago and I was told "try again in 24 hours, it should be back up then." Mind you, the person who said this had a strong Indian accent and sounded like they were right in the middle of cooking breakfast or something.

The next thing I did was submit another (yes, I submitted one previously) ticket, only this time, I threatened legal action. Guess what! I checked back today and that one ticket is GONE out of their system, apparently! My other one is still there in all of its loneliness without its legal action-threatening friend...
aww, how sad. =(

Anyway, I can't believe these people and the fact that they're still taking orders and duping people. I'm about \$150 into this venture... I'm extremely upset that there's not a freaking thing that can be done right now... especially with domain transfers not being able to happen. Is it legalities or formalities? I'm sure it's the former but for all of the lawbreaking that the greedy and shady people are able to do and get away with, I can't stand it that the good guys always seem to lose (for awhile, at least) due to the very same reasons that are supposed to help them: Laws.

Thanks for making this case a priority, ICANN. I hope you guys can make good on this for everyone.

Hey, I've got an idea... why not throw an idea out there to more reputable registrars - such as godaddy.com - and see if they'd be willing to help all of the Registerfly victims by offering a REALLY cheap discount on domain transfers? If you guys can work it out with whoever is controlling the actual domain names to bend the rules due to the given circumstances, maybe we could end up good on this whole thing. It would most certainly bring REALLY GOOD publicity (see: profit) to all those involved in such a movement. I know the minor details would be extremely involved but hey... it's an idea.

Thanks for reading.

[Reply to this comment](#)

 *Comment by Debbie Gregory*

2007-03-06 15:05:03

I am wondering if RegisterFly has violated any federal or state laws in this matter?

[Reply to this comment](#)

 *Comment by people*

2007-03-07 02:56:13

We hope ICANN will help us.

[Reply to this comment](#)

 *Comment by A and A*

2007-03-07 04:30:17

Can someone (driven by ICANN support) just divvy up all the expired domains that are at RegisterFly to other registrars with the option of renewing them at the normal renewal fee if RegisterFly cannot come to terms???

I will not have the fees that RegisterFly took for my domain renewals be compounded by \$160 fees to get those domains out of expiry hawk. If RegisterFly had renewed them as they were supposed to, they would not be expired. If ICANN had done more sooner, this would not have happened either.

If I lose the domains to domain poachers or am forced to pay those \$160/domain extortion fees, I will be extremely pissed and I would hope a class action against RegisterFly and ICANN would soon follow.

I feel for those of you who have totally lost your business(es)!!!

A and A

Here is a thought...

ICANN, SAVE FACE BY:

-FREEZING REGISTERFLY FROM ACCEPTING ANY NEW DOMAIN REGISTRATIONS OR TRANSFERS INTO THEIR SYSTEM IMMEDIATELY.

-AUTO RENEWING ALL THE DOMAINS THAT ARE EXPIRED OR ABOUT TO EXPIRE AT REGISTERFLY (UNTIL THIS SITUATION IS CLEANED UP) WITH NO CHARGE TO THE DOMAIN OWNERS.

WHO WOULD REALLY BE MISSING OUT ON ANY OF THAT MONEY WHEN YOU GET DOWN TO IT...THE SYSTEMS ARE MOSTLY IN PLACE TO ALLOW SOMETHING LIKE THAT. MAYBE A LITTLE PROGRAMMER AND/OR DATABASE ADMINISTRATOR TO SCRAPE THE DATA FROM REGISTERFLY. SURELY THAT DATA IS CENTRALLY STORED BY THOSE IN THE FOOD CHAIN *ABOVE* THE REGISTRARS WITH REGISTRAR API ACCESS INTO SUCH DATA.

THAT APPROACH WOULD BE MUCH CHEAPER THAN CLASS ACTION LAWSUITS HERE AND THERE.

(sorry for the all caps)

[Reply to this comment](#)

 *Comment by gert rathbun*

2007-03-07 06:28:32

I know I was "sleeping at the switch" because I sensed some thing was wrong and didn't do a thing about it. When I tried, about a month ago, to move my domains the process just died and I couldn't revive it. I've got 23 domains with them and if I can save any of them I will consider it a big stoke of luck. So much for this brave new internet world.

[Reply to this comment](#)

 *Comment by Carlos*

2007-03-07 06:35:14

hi Paul,

today (march 07) I've managed to get most of my AuthCodes from registerfly site, EXCEPT for my main domain who's also my company name! my info on this site appears all blank and when I try to change it I keep getting error messages like "bad user name" and so on and this domain info page has just the words "Auth Code" where the code should be...

what if this info is really deleted? does ICANN have it backed up or the registrar is the one with full superpowers over that? enom.com hasn't it listed for push, although their whois service keeps listing it with my name but a strange e-mail for contact from RegisterFly (but on another address).

any tips?

Carlos

PS - I think that, if you can stop this technical nightmare, you can prevent a much worst legal nightmare...

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 *Comment by Toothless ICANN*

2007-03-07 12:27:49

I find ICANN's aggressive position in this case to be almost as offensive as its passive role with VeriSign (when it REALLY counted) on the .net and .com renewals.

RegisterFly is having a difficult internal fight from all of the legal filings. And then ICANN goes after the new guys, slamming them for failing to accept an audit required by Kurt Pritz. For an organization that "relies on contracts" (your words, Paul - because VeriSign slapped down the organization's delusions of regulatory grandeur) - it seems there is no legal requirement for any registrar to accept an "audit" of this type.


Per the RAA, the ONLY notice of audit is in the context of Registrar fees. First of all, that audit SPECIFICALLY calls for third party auditors - the RegisterFly audit noticed ICANN employees. Additionally, there is NO way a financial audit (to confirm fees owed to ICANN) would encompass the sort of details ICANN is calling for.

RegisterFly is screwed up, there is no question about that. The registrants are being abused, by Kevin Medina, Glenn Stansbury, eNom (who prompted all of this because they were unhappy they were losing the right to auction off registrant domains and park domains), and ICANN.

ICANN is worthless. You picked on the retard of the class just so you can pretend to have the best interest at heart for all registrants.

I will bet money that less than 10 registrars OVERALL have data escrowed. Don't pick on RegisterFly - try to ""audit" Network Solutions and see if Champ doesn't send you and Jones Day home with a notice to have marital relations with yourself.

[Reply to this comment](#)

 *Comment by [Paul Levins](#)*

2007-03-07 12:59:39

Dear Toothless ICANN (I wonder why you have not stood behind your words with your name but...)

I don't think you'll find too many Registrants with RegisterFly who will agree with you. The Registrants affected are really hurting. Just look at the posts on this blog. You might have the luxury of studying agreements, doing a study of ICANN's approach in this case versus bigger registrars and speculating on ICANN's performance and role. You even admit that RegisterFly is 'screwed up' and that Registrants are being abused by them, yet you still say we are being too aggressive towards RegisterFly.

Registrants just want 'an exit ramp' (to use a phrase from one of the posts above) from a Registrar who is in breach of their Accreditation Agreement. We are committed to helping them with that and that's where our attention

will stay.

[Reply to this comment](#)

Comment by Toothless ICANN

2007-03-07 13:55:03

Paul

My bigger concern with ICANN is that you are hypocritical. On the one hand, you cite your contracts as the only mechanism from which to rule - while selectively ignoring the powers of the contracts when it suits you (see: rebid of the .net contract, for one). Then, you try to create powers for ICANN and define powers that you don't have (see: demanding RegisterFly's database).

ICANN has stood by and allowed massive abuses of registrants in the past. You have allowed systematic abuse of WHOIS (and maybe you'll have a WHOIS policy before the issue turns 10). You have allowed DROA to systematically abuse registrants. You have stood by and allowed the registrar resale of expired domains.

I believe that registrants have gotten the short end of the stick (with RegisterFly). But ICANN has been so inconsistent that it has lost the moral authority to claim the high ground. Based on what I have heard, Kevin Medina was responsible for these problems and was being forced out when ICANN piled on and began asserting authority that no registrar who wasn't already staggered would have put up with. That's my reference to the "picking on the retarded kid."

I defy you to identify your contractual right to demand RegisterFly's database.

I dare you to require other registrars identify their data escrow agent.

And, as you know, every person who has to deal with ICANN is leery of criticizing you in public. We all know that you are a bureaucracy that has no checks or balances, and no accountability. And Paul Twomey has a long memory. You are an organization that has overruled a UNANIMOUS recommendation from all constituencies. You intentionally eliminated the registrar's "power of the purse" because it challenged you.

You are going after RegisterFly because they are screwed up so badly, that they don't have a moral leg to stand on. But you are trying to set precedent to abuse other registrars with.

When you ask to “audit” my database, I will tell you I will see you in court.

[Reply to this comment](#)

 *Comment by [Kieren McCarthy](#)*

2007-03-07 18:17:04

Much as I love the novel effort to pay lip-service to real-world issues in order to make unsubstantiated and wildly inaccurate assertions about what ICANN does and what its (apparently not so secret) motives are, I’m not really sure it serves any useful purpose.

We don’t want to remove the advantages that anonymity brings, nor force more honest commenters to go through an authentication system, so I’d request that “Toothless ICANN” restrict him or herself to more practical observations and reflections in future.

Kieren McCarthy

(Comments wont nest below this level)

 *Comment by [Toothless ICANN](#)*

2007-03-08 03:55:30

Kieren or Paul

please address these substantive points:

What legal ground do you have for a database extract from RegisterFly?

Will you substantiate the data escrow requirement for other registrars?

[Reply here](#)

 *Comment by [Mark Dixon](#)*

2007-03-08 05:01:06

Paul,

What is ICANN going to do about the domain names that were stolen in the last 6 months by Registerfly and Enom. I have a name still showing in everyones WHOIS except Enom that I am the legal registered owner but Enom said they were not paid and now they own it now. I can pay \$210.00 extortion dollars to get it back. Enom just sold one of my domains at auction with the same problems. Stop Enom from Extorting and Selling these "Expired Names" They are not expired.

[Reply to this comment](#)

 *Comment by Gosia Kung*

2007-03-14 12:36:45

Ditto to Mark's comment above.

My office email has been down for three days now. I need it back to resume normal operations. At this point I have no choice but to pay \$180 of extortion fees for my "expired domain". I just hope than once it's all said and done and the court have ruled in our favor I will get my money back (plus the cost of lost bussiness over the last three days).

[Reply to this comment](#)

 *Comment by ED*

2007-03-15 19:27:46

I have to say the Comment by David 2007-03-06 13:04:59 is the impression a lot of people are getting and most views were well said or emphasised. I don't really think it's finger pointing but maybe considerations people need to look at to fix the problem so it won't happen again in the future. I am away from registerfly and made it, but if I had to thank anyone it would be registerflies.com, business week and godaddy.com for the information on a failed customer service company Registerfly.com that is currently disfunctional, should not have accreditation, and has a failed record on the BBB before ICANN even stepped in. This is almost unreal on how slow it's been. Who Do I Trust? Who Can Help Me? What Can I do? That is the question many have had through this. Solving this is how we can move further. Imagine, If You can't trust, you don't have any help, or you don't know what to do in this situation? Many are still there. How can accreditation still be?

[Reply to this comment](#)

Name

E-mail

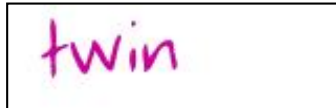
URI

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