



NEW ORLEANS | 2-5 APRIL 2017

2016-9

Streamline Merger & Acquisition Transfers

John Springer

Staff and Legal Review

- Prior to moving to Recommended Draft Policy, a Staff and Legal Review of the Draft Policy was performed. No legal concerns were expressed. Several staff concerns were expressed, all of which have been incorporated into this text.

Problem Statement Paraphrased

- During current 8.2 M&As, incorrect records are being left in Whois because of the hassle of the justification burden on the acquiring org
- There used to be good reasons for this
- There do not appear to be any such good reasons remaining

Supporting Points

- Resources have been justified once by both parties
- Other than in this instance, ARIN does not require justification unless an org is asking for more space
- An 8.2 M&A is not requesting more space, but is failing to reflect reality anyway
- Requiring return or transfer of space IN THIS CONTEXT is of limited effect and murky enforceability
- Chain of custody more important than auditing?

Policy text effect 1

- Delete the 5th bullet point in NRPM 8.2 that essentially says: show that you have acquired the assets that use the resources to be transferred and ARIN will maintain a list

Policy effect 2

- Baldly state that one effect of Policy effect 4 is that no additional needs-based assessment will take place during the scope of the 8.2 process
- Stated this way so as not to preclude additional needs-based assessment later, say in an 8.3 or waiting list transfer

Policy effect 3

- Add back in the bullet point we deleted in Policy Effect 1 that essentially says: 'show that you have acquired the assets that use the resources to be transferred' AND add an OR to the effect of 'show that you acquired the whole org' to the list of NRPM 8.2 conditionals

Policy effect 4

- Remove the cited final paragraph from existing NRPM 8.2

Paragraph to be deleted, for convenience

- “ARIN will proceed with processing transfer requests even if the number resources of the combined organizations exceed what can be justified under current ARIN transfer policy as defined in section 8.5. In that event, ARIN will work with the resource holder(s) to transfer the extra number resources to other organization(s) or accept a voluntary return of the extra number resources to ARIN.”

Discussion

?