



ARIN 44

31 October - 1 November 2019 • Austin, Texas

Recommended Draft Policy ARIN-2019-10: Inter-RIR M&A

Staff Introduction

History



- Advisory Council Shepherds:
 - Kerrie Richards, Rob Seastrom
- History:
 - Proposal - ARIN-prop-270
 - Draft Policy – 21 May 2019
 - Recommended for adoption - 24 September 2019
- First time at an ARIN meeting
- Latest Version:
 - 21 May 2019

Staff and Legal Review

Summary (Staff Understanding)

- Staff understands the intent of the draft policy is to clarify handling of mergers and acquisition transfer processing between RIRs who have compatible transfer policies. The proposed change would not be a change from present practice but the policy change would make our implementation of the current policy clearer. It is understood that IPv6 would be excluded since this refers to Inter-RIR transfers in which IPv6 is not permitted to be part of the transfer.

Staff and Legal Review continued



• ARIN Staff Comments

- ARIN staff would like to suggest that this change be made in section 8.4 due to the fact that it is an inter-RIR transfer and would better align with present processing. Section 8.4 should be generalized to read “8.4. Inter-RIR Transfers” and adding “Merger and acquisition and reorganization recipients must meet the transfer requirements as defined in section 8.2.” as a condition on the recipient of the transfer.

Staff and Legal Review continued



• ARIN Staff Comments

- There are two other suggested edits as below:
 - Change to the third bullet in section 8.4 for Conditions on source of the transfer to read:
 - Source entities within the ARIN region must not have received a transfer, allocation, or assignment of IPv4 number resources from ARIN for the 12 months prior to the approval of a transfer request, unless either the source or recipient entity owns or controls the other, or both are under common ownership or control. This restriction does not include transfers completed under section 8.2 Mergers, Acquisitions and Reorganizations.

Staff and Legal Review continued



• ARIN Staff Comments

- And add Specified as the first word in the second bullet in section 8.4 Conditions on recipient of the transfer so it reads:
 - Specified Recipients within the ARIN region must meet the transfer requirements as defined in section 8.5
- Another very important reason to keep this in section 8.4 Inter-RIR transfers is the “Inter-regional transfers of IPv4 number resources and ASNs may take place only via RIRs who agree to the transfer and share reciprocal, compatible needs-based policies” clause in 8.4. This makes it very clear that IPv6 is not included in this policy.

Staff and Legal Review continued



• **ARIN General Counsel – Legal Assessment**

- While ARIN staff has been handling these situations successfully, the proposed policy change would not materially increase ARIN's legal risk and should be considered if consistent with the community's intent for ARIN's handling of these requests.

Staff and Legal Review continued



Resource Impact

- Implementation of this policy would have minimum resource impact. It is estimated that implementation would occur within 3 months after ratification by the ARIN Board of Trustees.
- The following would be needed in order to implement:
 - Updated guidelines and internal procedures
 - Updated documentation on website

Note that this is current practice under existing policy



AC Presentation