

● Afnic Mediation Service Report

First year: July 2023–July 2024

September 2024

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1. Origin of the Project

18 March 2022:

Afnic signs an [Agreement](#) with the French State in which it is once again designated as the registry responsible for allocating and managing .fr domain names. Afnic's proposed creation of a free, fast mediation service ahead of the opening of an ADR (Alternative Dispute Resolution) procedure forms part of this new Agreement.

18 October
2022

Mediation project presented to the Afnic Consultative Committees

8 February - 23
March 2023

[Public consultation on mediation](#)

3 July 2023

Afnic launches the mediation service and receives the first request for mediation on the same day.



In its first year¹, the Afnic Mediation Service received a total of **108** requests for mediation.

Number of requests filed per month (July 2023 to June 2024 inclusive)

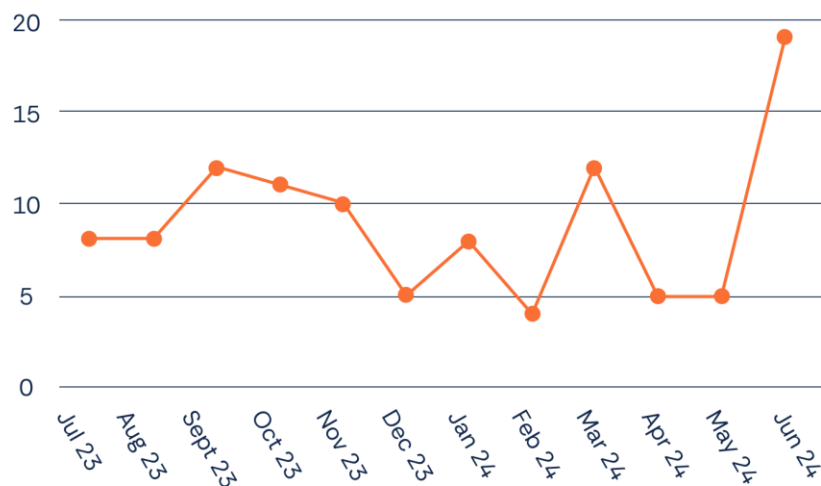


Figure 1: Number of requests filed per month (July 2023 - June 2024)

[\(Key figures table for Figure 1\)](#)

¹ The period covered for the purposes of calculating the statistics in the Report is from 3 July 2023 to 3 July 2024.

PRESENTATION OF THE NEW MEDIATION SERVICE

Mediation is a new way of amicably settling disputes between private individuals or legal entities and holders of domain names registered under the .fr, .re, .pm, .yt, .tf or .wf TLDs. Entirely free of charge, this procedure is made available on a voluntary basis ahead of an ADR (Alternative Dispute Resolution) or a legal procedure.

The Parties are accompanied by Afnic in-house mediators who are both professionals of the domain names sector and trained in mediation.

ADVANTAGES OF MEDIATION:

- **Time-saving:** within seven days, the Parties either have or do not have an agreement and have clear knowledge of the negotiated solution.
- **Free of charge:** the procedure is entirely free of charge. The Parties are not charged anything for bringing a case to an Afnic mediator.
- **Confidentiality of discussions and of agreements reached:** the exchanges between the Parties and the mediator are confidential and rulings are not published; however the Report that they sign may be used to enforce the agreement negotiated between the Parties.
- **Control of the solution:** the solution is not imposed on the Parties, it is the Parties themselves that create their own solutions.
- **Re-establishment of ties between the Parties, which are often unable to break an impasse in communication before seeking recourse to mediation:** in some cases, the opening of a mediation procedure allowed dialogue to resume,

to the point where Parties continued to talk and eventually came to an agreement outside the mediation procedure.

- **Flexibility of the procedure:** in no case does taking part in a mediation procedure commit a Party to accepting a solution they do not approve, and the mediation procedure can be halted at any time.

CALLING ON THE MEDIATOR

As soon as the request is received, the designated mediator contacts the holder to propose his or her participation in the mediation procedure.

If, after seven business days, the holder has not replied or has explicitly refused to take part in the mediation procedure, the mediator closes the procedure.

If the holder agrees to take part, the Parties have seven business days in which to reach an agreement, accompanied by the mediator.



To call on a mediator using the form designed for the purpose, click here :

<https://www.afnic.fr/en/domain-names-and-support/resolve-a-dispute/mediation-procedure/>

2. Key figures for the first year

2.1. Cases of unsuitable requests

A quarter of the requests received were not suitable for the mediation service.

The case of unsuitable requests

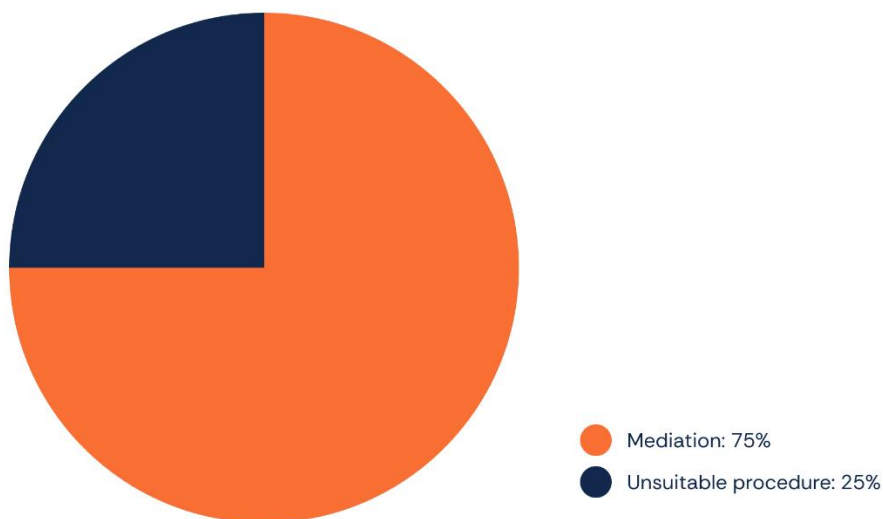


Figure 2: Breakdown of requests: suitable vs unsuitable

[\(Key figures table for figure 2\)](#)



Of the requests received, just one related to a .pm domain name; all the rest concerned the .fr TLD.

When Afnic receives a request that it considers not suitable, a mediator points the claimant to the most appropriate procedure(s) for their case.

Dispute with the registrar concerning management of the domain name for which it is responsible	→	The claimant is advised to approach the registrar or the Afnic customer service representatives
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Domain name registered under a TLD not managed by Afnic	→	The claimant is advised to approach the managers of the TLD concerned
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Holder's data reported as fictitious	→	The claimant is referred to Afnic's verification procedure
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Dispute linked to online purchases (dispute between consumer and professional vendor)	→	The claimant is referred to consumer protection provisions.
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The following statistics do not take account of these unsuitable requests.

2.2. Opening rate of mediation procedures

42% of requests led to the opening of a mediation procedure².

Opening rate of mediation procedures

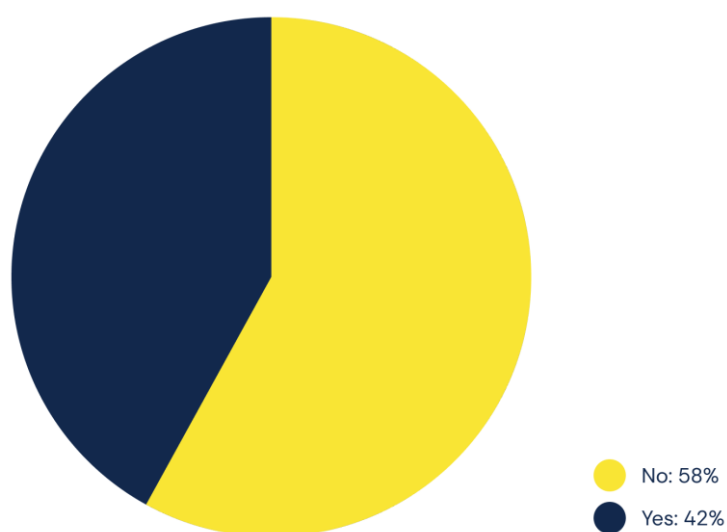


Figure 3: Proportion of requests leading to the opening of a mediation procedure

[\(Key figures table for Figure 3\)](#)



The average time taken for holders to agree to take part in the mediation procedure was **two business days**.

² Cases where the holder agreed to take part in the mediation procedure.

2.3. Parties' profiles

2.3.1. Claimants

Breakdown of types of applicants

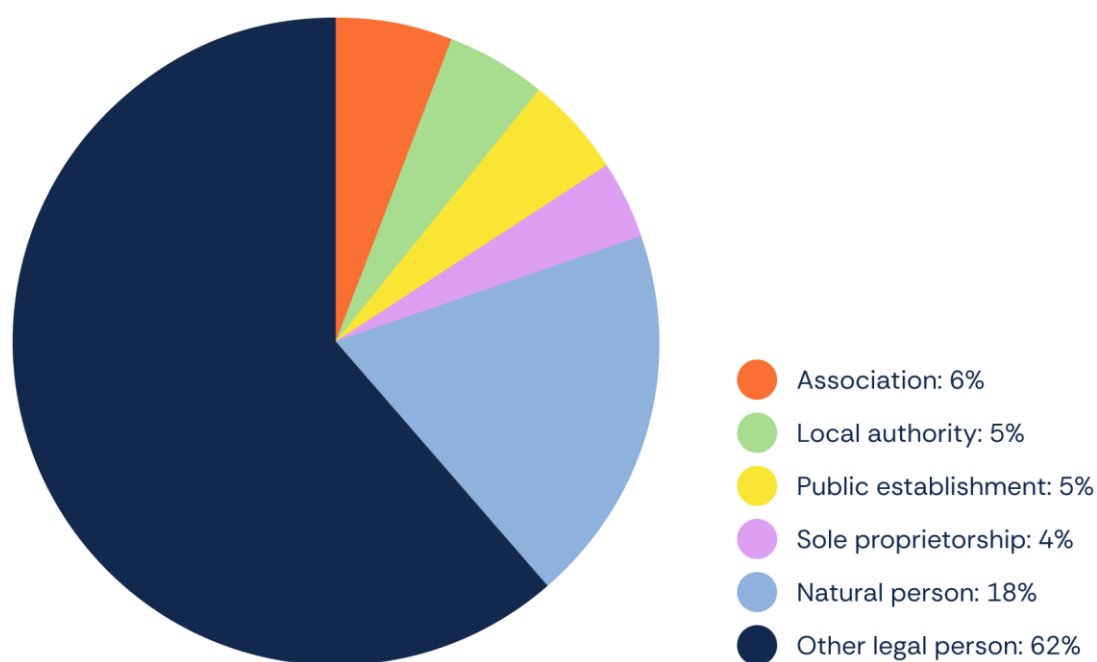


Figure 4: Breakdown of types of claimants

(Key figures table for Figure 4)

2.3.2. Holders

Breakdown of types of holders

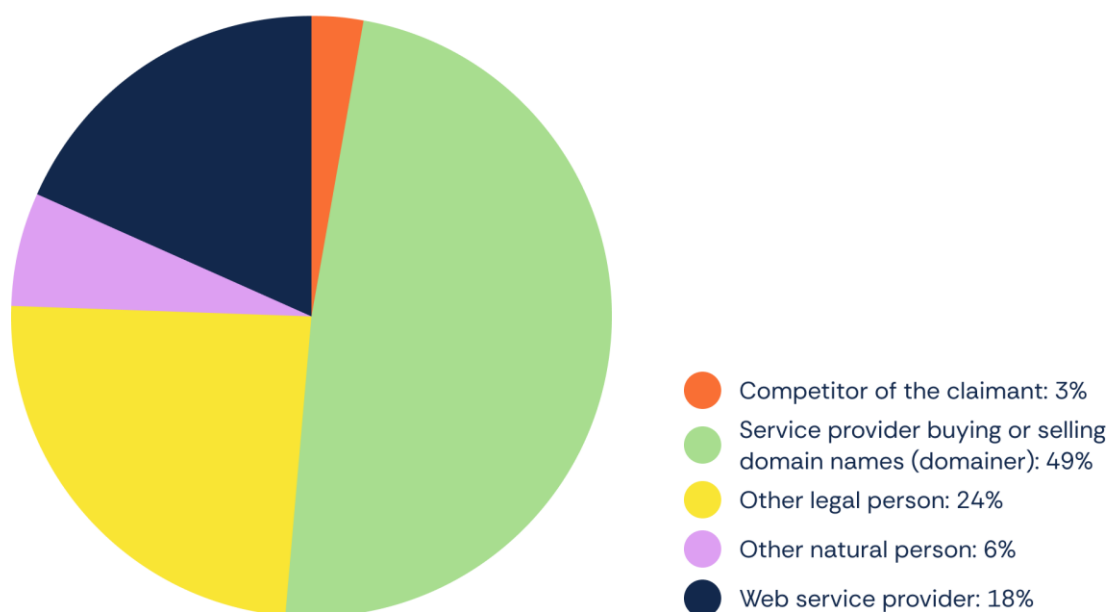


Figure 5: Breakdown of types of holders

(Key figures table for Figure 5)

Focus #1 on cases of mediation involving a “domainer”

Three quarters of the mediation procedures carried out in which the domain name holders were “domainers” ended in agreement between the Parties.

Proportion of agreements with “domainer” holders

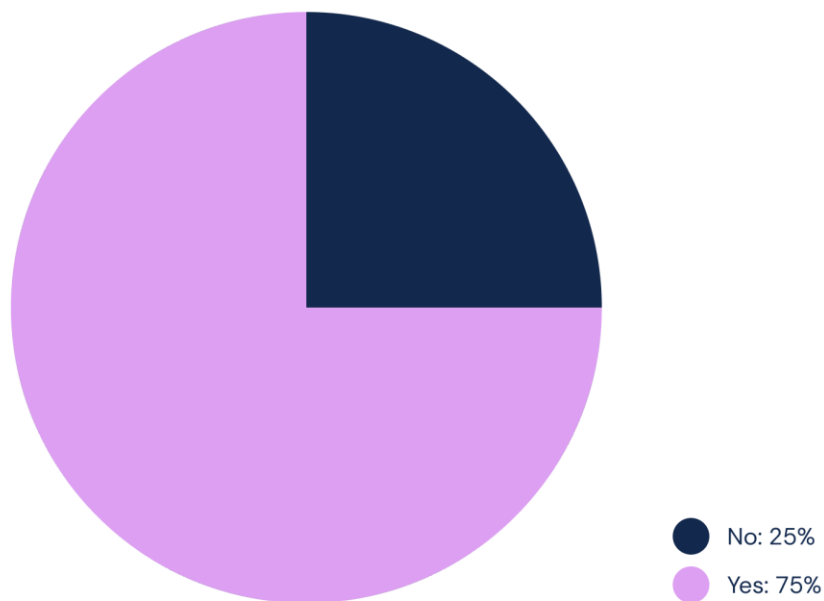


Figure 6: Proportion of agreements with “domainer” holders

[\(Key figures table for Figure 6\)](#)

All these agreements concerned the transfer of domain names.

Focus #2 on cases of mediation involving a “domainer”

92% of transfer agreements were negotiated with financial compensation.

Nature of the negotiations: transfer with or without valuable consideration

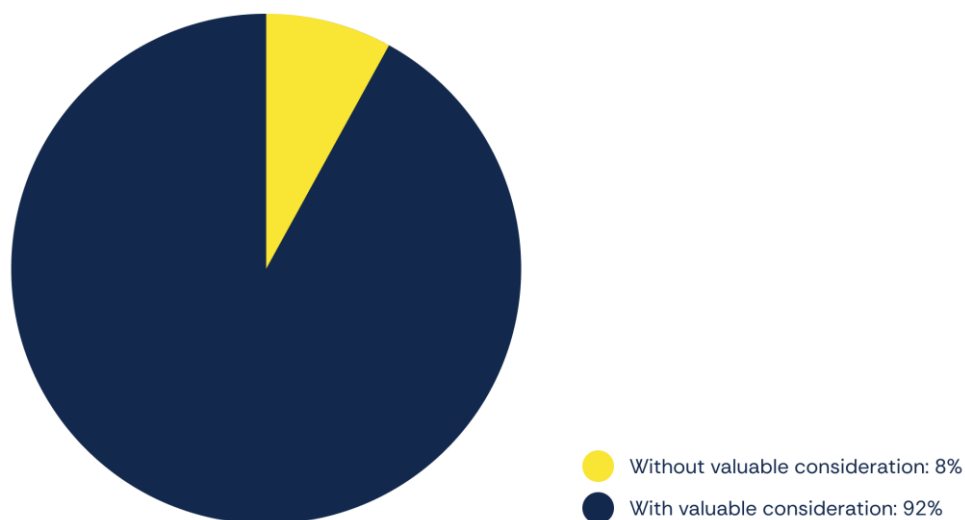


Figure 7: Nature of the negotiations: transfer with or without valuable consideration

(Key figures table for Figure 7)

2.4. Outcome of the mediation procedures

The mediator and the Parties have **seven business days** in which to conduct discussions and come to an agreement.

In theory, the mediation proposed by Afnic can lead to three types of agreement: the current holder retains the domain name, the domain name is transferred to the claimant; or the domain name is deleted.

Of the total number of mediation procedures opened, **58%** ended in agreement between the Parties.

Outcome of the mediation procedures:

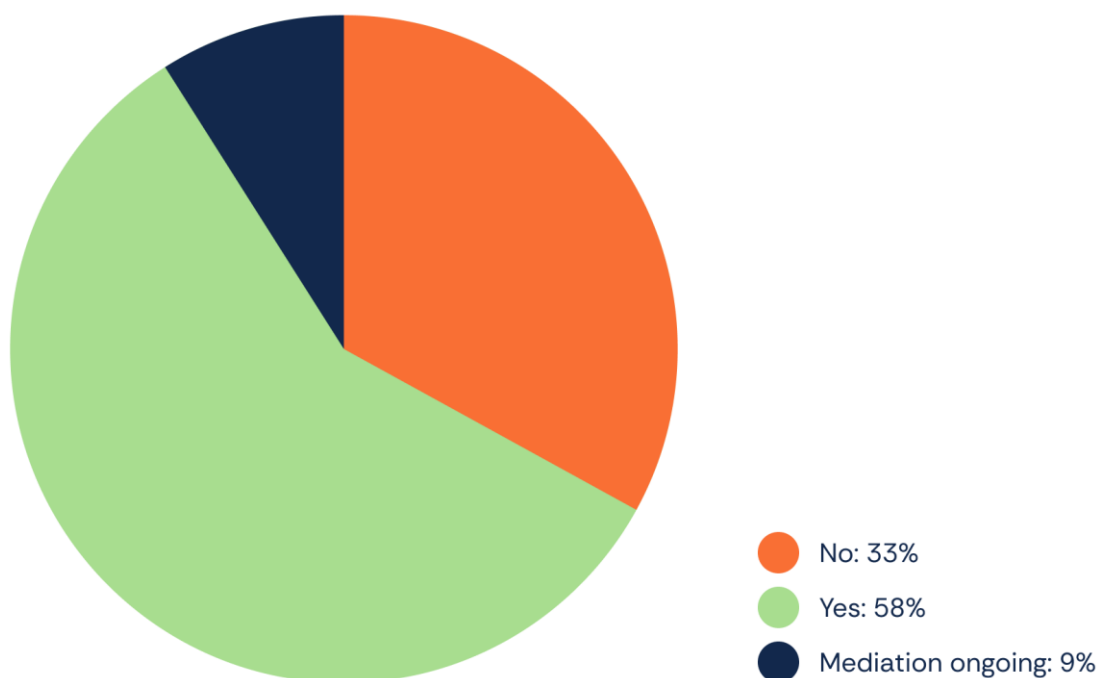


Figure 8: Success rate of mediation procedures opened

(Key figures table for Figure 8)



The average time taken for the Parties to come to an agreement was **4 business days**.

Of the domain names concerned by mediation procedures that did not lead to an agreement between the Parties, **18%** were dealt with by Syreli (Afnic ADR) procedures.

Of the total number of agreements reached between Parties, **95%** concerned domain name transfers and **5%** domain name deletions.

Breakdown of types of agreement reached

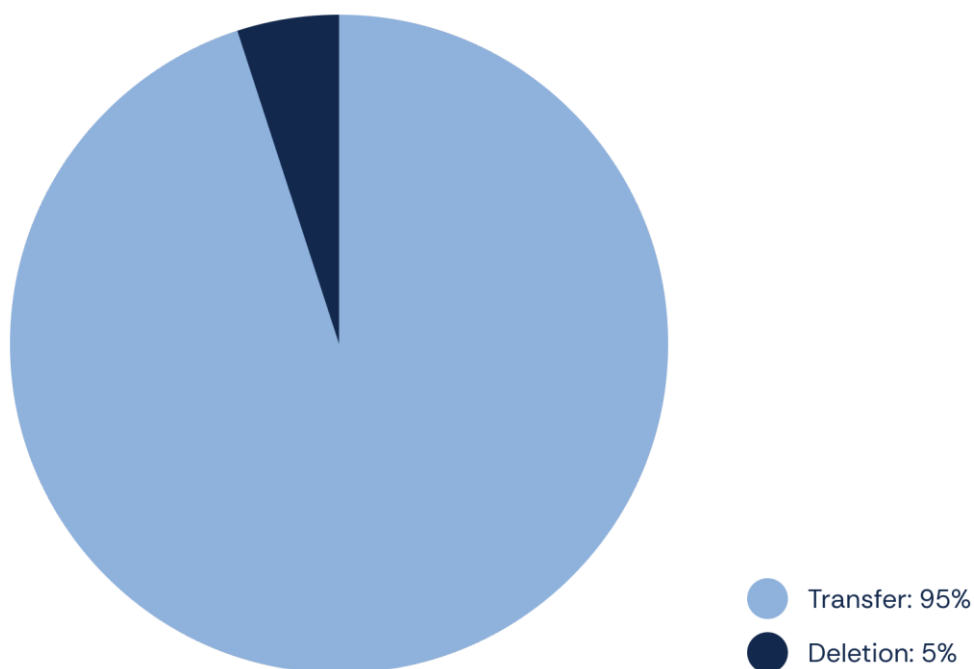


Figure 9: Breakdown of types of agreement

[\(Key figures table for Figure 9\)](#)

2.5. Negotiations between the Parties

37% of agreements (considering all types of agreement) were reached without financial compensation.

Negotiations between the Parties:

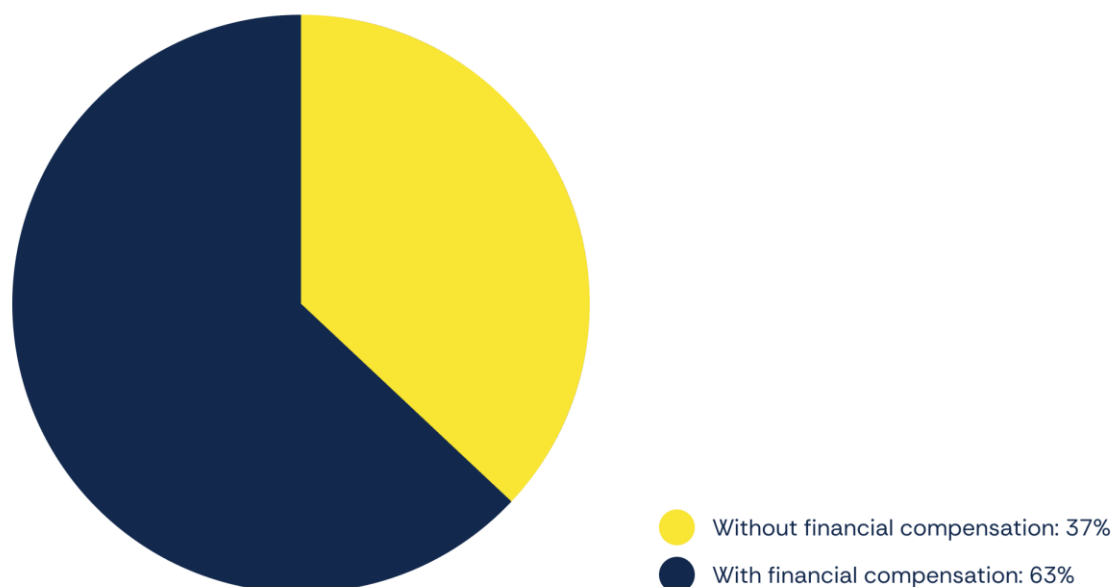


Figure 10: Breakdown of agreements: with or without financial compensation

(Key figures table for Figure 10)

In the case of transfer agreements for financial compensation:

- the lowest amount negotiated between Parties was **€114**;
- and the highest **€1,000**.

3. Claimants' opinions

With a view to continuously improving its mediation service, Afnic launched a satisfaction survey in February 2024 to gather feedback from claimants and any suggestions for improvement that they might have.



100% of respondents recommend the mediation service, irrespective of the outcome of their mediation (60% of respondents obtained a negotiated agreement)³.

The following is a summary of the main reasons given for a favourable opinion:

- **Simplicity** of the mediation procedure
- **Effectiveness** of the service
- **Clarity** of the information provided by the mediator
- **Availability** of the mediator

³ The response rate to the satisfaction survey was 55%.

4. Feedback from the mediators

The six mediators involved in this first year were most particularly impressed by the wide range of problems they had to deal with and by the easy, fluid communication with the Parties.

For all types of dispute, mediation opens the way to dialogue in which several solutions may be envisaged. The objective is to find an agreement between the Parties that is acceptable to both.



In order for a mediation procedure to be conducted properly and to be effective, **the mediators recommend that each Party ensures it is:**

- **Reachable and available** to converse with the mediator as soon as the request is sent;
- **Proactive during the talks phase** since the success of the procedure does not depend on the mediator alone;
- **Prepared to compromise** and open to negotiation and the exchange of views.

Glossary

Registrar

A registrar is an organisation (ISP, website host, Internet service provider, etc.) which registers and hosts domain names as a fee-paying service for the managers (known as registries) by which the registrar has been accredited.

ADR – Alternative Dispute Resolution procedures

Alternative Dispute Resolution procedures are extra-judicial systems made available to any party that believes that a third party has violated its rights by registering and/or using a domain name in a way that harms it. They are governed by [Regulations](#).

Afnic offers two ADR procedures: [Syreli](#) and [PARL EXPERT](#).

Holder

The entity (association, company, etc.) or private individual requesting registration of a domain name and its inclusion in the WHOIS database.

Contact



Afnic Mediation Department



mediation@afnic.fr



7 Avenue du 8 Mai 1945, 78280 Guyancourt, France



mediation.afnic.fr

5. Annexes: Raw data – Source for graphs

Figure 1: Number of requests filed per month (July 2023 - June 2024)

Month	Number of requests filed
Jul-23	8
Aug-23	8
Sept-23	12
Oct-23	11
Nov-23	10
Dec-23	5
Jan-24	8
Feb-24	4
Mar-24	12
Apr-24	5
May-24	5
Jun-24	19
Jul-24	1
Total	108

[\(Back to figure 1\)](#)

Figure 2: Breakdown of requests: suitable vs unsuitable

TYPE OF REQUEST	Results
Mediation	80
Unsuitable procedure	27

[\(Back to figure 2\)](#)

Figure 3: Success rate of mediation procedures opened

Month	With consent	Agreement between the Parties	Question 3
Jul-23	1	1	
Aug-23	3	1	
Sept-23	3	1	
Oct-23	4	2	
Nov-23	3	1	
Dec-23	2	1	
Jan-24	2	2	
Feb-24	1	1	
Mar-24	3	3	
Apr-24	2	1	
May-24	4	0	
Jun-24	3	5	
Jul-24	2	0	
Total	33	19	58%

[\(Back to figure 3\)](#)

Figure 4: Breakdown of types of claimants

Type of claimant	Numbers of Types of claimants
Association	5
Local authority	4
Public establishment	4
Sole proprietorship	3
Natural person	15
Legal person	50

[\(Back to figure 4\)](#)

Figure 5: Breakdown of types of holders

Type of holder	Numbers of Types of holders
Competitor of the claimant	1
Domainer	16
Legal person	8
Natural person	2
Internet Service Provider	6
Grand total	33

[\(Back to figure 5\)](#)

Figure 6: Proportion of agreements with “domainer” holders

AGREEMENT?	Type of holder
YES	Domainer
YES	Domainer
YES	Domainer
YES	Domainer
YES	Domainer
NO	Domainer
YES	Domainer
YES	Domainer
NO	Domainer
YES	Domainer
YES	Domainer
NO	Domainer
NO	Domainer
YES	Domainer
YES	Domainer
YES	Domainer
Total	16

[\(Back to figure 6\)](#)

Figure 7: Nature of the negotiations: transfer with or without valuable consideration

Transfer without valuable consideration	Number of transaction(s)
NO	1
YES	11
Grand total	12

[\(Back to figure 7\)](#)

Figure 8: Success rate of mediation procedures opened

Outcome of mediations with agreement	Number
NO	11
YES	19
Mediation under way	3
Grand total	33

[\(Back to figure 8\)](#)

Figure 9: Breakdown of types of agreement

Negotiated solution	Results
Transfer	18
Deletion	1

[\(Back to figure 9\)](#)

Figure 10: Breakdown of agreements: with or without financial compensation

Financial compensation	Number of transactions
NO	7
YES	12
Grand total	19

[\(Back to figure 10\)](#)