

Arbitration case no. 10

Date: December 2015

Summary

The case concerns a dispute between the RIPE NCC and one of its Members (hereafter called "Member") regarding the transfer of an IP address block to a third party by the Member's former system administrator. The Member disputes the validity of the transfer and requests that the RIPE NCC is ordered to revert the transfer or to assign an IPv4 PA allocation of equal size to the Member, claiming that the RIPE NCC did not act in compliance with the RIPE NCC procedures.

Details of the case

In the summer of 2014, the Member's system administrator resigned from the company but remained as the only registered contact person in the LIR Portal. On behalf of the Member, he subsequently entered into an agreement for the transfer of an IP address block to a third party and submitted the request for the transfer of this IP address block to the RIPE NCC. The RIPE NCC performed its due diligence checks, had no reasons to suspect that the Member's system administrator was acting beyond his authority as he was still the registered contact person of this Member, and as such processed the transfer in accordance with the relevant RIPE NCC procedures. After the Member discovered the transfer of the IP address block, and following subsequent communications with RIPE NCC, the Member's former system administrator's access rights were withdrawn and the Member was provided new access rights in January 2015. There is no indication that the third party obtaining the IP address block from the Member's system administrator acted in bad faith or in awareness of the fact that the Member's system administrator was not authorised to do so.

Arbitration ruling

After reviewing information provided by both parties, the arbiter rejected the Member's request to either revert the transfer or to assign another IPv4 PA allocation of equal size. To this end, the arbiter held that, given that the Member's former system administrator was still listed as a registered contact person upon submitting the transfer request, and that he provided the correct documentation, the RIPE NCC had no reasons to doubt the validity of the submitted information. On this basis, the Member failed to take sufficient precautions to prevent the fraudulent transfer by not withdrawing its system administrator's access rights upon his termination and the RIPE NCC acted in accordance with the publicly available RIPE NCC procedural documents.

Clerical and legal support was provided by a third party.