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45



VIRTUAL MEETING

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

History



- Advisory Council Shepherds:
 - Kerrie Richards, Rob Seastrom
- Proposal - ARIN-prop-270 – 9 April 2019
- Draft Policy – 21 May 2019
- Recommended – 24 September 2019
- Presented at:
 - ARIN 44
- Latest Version:
 - 21 April 2020

Staff and Legal Review



- Summary (Staff Understanding)
 - Staff understands the intent of the Recommended 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.

Staff and Legal Review



- Staff Comments

- The updated text in Section 8.4 more accurately clarifies staff interpretation of how M&A transfers are processed in these situations.
- Staff suggests changing the second bullet under “Conditions on recipient of the transfer” to read “Specified Recipients within the ARIN region must meet the transfer requirements as defined in section 8.5,” to clarify that M&A recipients are outside the scope of 8.5 policies.
- The text is clear and understandable, and can be implemented as written.

Staff and Legal Review



- 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.
- Resource Impact
 - Minimal - could be implemented within three months.
 - The following would be needed in order to implement:
 - Staff training
 - Updated guidelines and internal procedures
 - Standard documentation updates

AC Shepherd Presentation...

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Problem Statement



Merger, acquisition, or reorganization activity sometimes results in a restructuring where company resources, the management of number resources, or the use of number resources are concentrated outside the ARIN service region. In this case it may be desirable for the current legal entity or a legal entity that is a parent, child or sister to move the servicing of the number resources to a different RIR.

Examples



A global company has decided to *discontinue* service in the ARIN service region

- ARIN region offices closed
- Employees let go
- ARIN region customers severed

Equipment and number resources redeployed elsewhere in its global footprint

Examples



A global company has decided to *divest its assets* in the ARIN service region

- ARIN region offices and network assets sold
- Network and number resources sold off
- ARIN region customers transferred

but some ARIN-issued resources are still in use outside of the ARIN region

Policy Statement



In section 8.4, under "Conditions on source of the transfer", replace the third bullet point:

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 8.2 transfers.

With:

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. Number resources received as the result of an 8.2 transfer are out of scope for the purposes of this restriction.

Staff & Legal

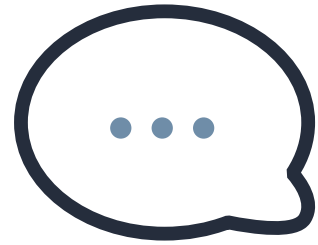


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- The text is clear and understandable, and can be implemented as written.
- The revised policy does not create material legal risks for ARIN.

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Thank you.

Any Questions?



Discussion

