



2011-8 Combined M&A and Specified Transfers

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Problem Statement

- If a party initiates an 8.2 transfer, and ARIN determines the resources are not fully justified, those resources must be returned, aggregated, or reclaimed, but may not be transferred.
- ARIN's opinion as to what is "no longer justified under ARIN policy" is best known by ARIN and may not be completely knowable by the transferring entity.

Draft Policy Text

Revise last sentence of 8.2 to read:

"...ARIN will work with the resource holder(s) to return, aggregate, **transfer**, or reclaim resources *as needed to restore compliance* via the processes outlined in current ARIN policy."

Benefits

- Allows a combined transfer in which unneeded resources are transferred via 8.3 and the rest are transferred via 8.2.
- Doing this in the wrong order would not penalize the transferring entity.
- Gives ARIN and transferring orgs better ability to “do the right thing” and get addresses to someone who can use them.

Drawbacks/Notes

- Could be considered unnecessary, if everyone knows in advance how to properly structure their requests.
- NPRM 8.3 only permits IPv4 transfers, so this policy would not affect IPv6 resources at this time.
- New text removes references to other NRPM sections by number.

Staff Assessment

- “This proposal would fill a gap in the existing policy and would likely benefit the community.”
- Minimal resource impact from an implementation aspect; implementation would occur within 3 months after ratification.

Discussion?

Appendix – NRPM 8.2

8.2. Mergers and Acquisitions

ARIN will consider requests for the transfer of number resources in the case of mergers and acquisitions upon receipt of evidence that the new entity has acquired assets that used the transferred resources from the current registrant. ARIN will maintain an up-to-date list of acceptable types of documentation.

In the event that number resources of the combined organizations are no longer justified under ARIN policy at the time ARIN becomes aware of the transaction, through a transfer request or otherwise, ARIN will work with the resource holder(s) to return, aggregate, or reclaim resources as appropriate via the processes outlined in current ARIN policy (for example, sections 4.6, 4.7, or 12 of the NRPM).

Appendix – NRPM 8.3

8.3. Transfers to Specified Recipients

In addition to transfers under section 8.2, IPv4 number resources within the ARIN region may be released to ARIN by the authorized resource holder, in whole or in part, for transfer to another specified organizational recipient. Such transferred number resources may only be received under RSA by organizations that are within the ARIN region and can demonstrate the need for such resources, as a single aggregate, in the exact amount which they can justify under current ARIN policies.