

**WHOIS Policy Review Team – Interaction with the Community**  
**Monday, 12 March – 16:30-18:00**  
**Costa Rica - La Paz A, C**

Alice Jansen:Welcome to the WHOIS Policy Review Team Session. The session will begin shortly. Your comments and questions will be read in the room if asked.

Rob Golding (othello):? 6. measure reduction in "unreachable domain names" - why does a \*domain\* have to be reachable - or do you mean something else ?

Olof Nordling:@Rob - will read out your question in the Q&A, if you so wish.

Rob Golding (othello):@olof - please - just to clarify the slide - i \*think\* she meant where the registrant isn't (obviously) contactable, but that's not how it was worded

Olof Nordling:@Rob - I am confident you are correct in that assumption - rather an edit of the slide to be suggested, thus.

gpmgroup:Why doesn't ICANN offer an incentive to have open & accurate WHOIS data?

gpmgroup:Why

Olof Nordling:@gpmgroup - happy to read that one out in the Q&A, OK?

gpmgroup:thanks perhaps I should word it a little less ambiguously

Olof Nordling:listening;-)

Olof Nordling:listening;-)

Omar Kaminski:Feedback from Twitter: "@miltonmueller: Whois Review team concludes that most consumers have never heard of Whois. So much for the argument that it promotes consumer trust"

Benny Samuelson - Nordreg AB:@gpmgroup there are lots of reasons for why people don't want all their data public

Benny Samuelson - Nordreg AB:data

Benny Samuelson - Nordreg AB:Still the whois service for .com and .net and others like them are a shame and not trustworthy

Rob Golding (othello):? are there recommendations on criminalising misuses of WHOIS data - it took less than 3 days from a new registration before spam started arriving at the unique email address I used on the domain registration - having such information freely available and public is not just a privacy concern but a real issue to normal users who don't need a supplier of dodgy pharmaceuticals

gpmgroup:I agree Benny but if there were more incentives then it would be an easy (distributed) way of cleaning up a large data set

Rob Golding (othello):@Benny - each registrar implements their own whois system for com/net as it's their whois - there are many pros and cons to that - pros being keeping your client data away from Verisign, cons being no single layout/implementation of the data

Benny Samuelson - Nordreg AB:@rob one of many reasons

gpmgroup:@ Olof Why doesn't ICANN offer incentives to have open & accurate WHOIS?

gpmgroup:lost sound

Amy Mushahwar:Yes, I've lost audio, too.

Rob Golding (othello):its gone silent :(

Olof Nordling:we have notified the tech services

Benny Samuelsen - Nordreg AB:@Rob, clearly god reasons you state but whats the alternative ?

Alice Jansen:Apologies - our Staff is looking into the issue. Please refer to the live scribing in the meantime. Thanks for your patience.

Benny Samuelsen - Nordreg AB:I mean for a lot of CC tlds its working fine

Lutz Donnerhacke:@Benny: No Whois at all?

Benny Samuelsen - Nordreg AB: anyway there are a lot of them not working too

gpmgroup:<http://stream.icann.org/sjo43-lapaza-64-en.m3u>

gpmgroup:external sound

Rob Golding (othello):@Benny - personally I think WHOIS is largely pointless and has been for 10 years - in t'old days, when t'interweb was run by people who met down the pub on a friday, it was suseful to knwo who should be contacted about nameserver changes (the tech contact) - now the only person any 3rd party needs realy to contact is the registrar

Rob Golding (othello):is Law-Enforcement have a valid reason to request the "real" data behind a registration, subject to approrait paperwork they can ask

Lutz Donnerhacke:Rob: You are seeking for contractual realtionships in Whois? Like a thin whois delegation structure?

Benny Samuelsen - Nordreg AB:So if for any reason as a hosting company wants to check an owner for a competing domain or infrigements on trademark it shall be hidden ?

Lutz Donnerhacke:Please send in your questions to the public comment list. Otherwise the comments will likly be overseen.

Rob Golding (othello):@Lutz - whois as a way of determining availibility of a domain is flawed - it's not the right method, and as a way for anyone-and-evreyone to ocntact the domain owner - the question really is why shoudl a 3rd party have any "right" to contact anyone - i \*choose\* if my phone number is published in a directory, and commercial calls (as it's not public) to the number are an \*offence\* in uk law- why shouldnt whois data be the same - fines for people using it incorrectly - if that was possible people might bemoire inclined to give accurate details

Lutz Donnerhacke:Please add thsi valueable comment to the list. Let it point to proxyy an privacy services

Rob Golding (othello):@Lutz - my \*personal\* opinion is that it's long past its "sell by date" and needs to be taken off the protocol list

Benny Samuelsen - Nordreg AB:@Rob there is a huge difference in someone registering microosoft.com and and someone who is given a phonenumber...

Benny Samuelsen - Nordreg AB:the one registrering a domain is doing somethin active for abuse someone elses rights

Alice Jansen:Participants, please let us know whether you would like us to read your comments in the room. Thanks

Rob Golding (othello):@Benny - and there should be methods to determine who that

person is - and the ONLY people who would know are the registrar, as it'll be their client

Rob Golding (othello):@Benny - but the number of *domain* infringements is tiny - much more goes on at the hosting level, which whois doesn't help with

Lutz Donnerhacker:Hosting is easily determined: By looking up the AS Number from the BGP Routing entry

Benny Samuelsen - Nordreg AB:So you would like to hand out data for every registrar requesting data?

Rob Golding (othello):@Lutz Host != Network :)

gpmgroup:anyone offering commercial services should have to use open and accurate WHOIS

Lutz Donnerhacker:Benny: The AoC is clear: "easy, accurate and complete access ..."

gpmgroup:Product launches and mergers is a poor excuse

Lutz Donnerhacker:gpmgroup: Law Enforcement itself needs "privacy" for protecting their people in the witness protection programs

Benny Samuelsen - Nordreg AB:@gpmgroup spammers harvesting is a very good reason for not giving good data to whois

Lutz Donnerhacker:But again: Bring it to the public comment forum. Otherwise the discussion is lost.

Rob Golding (othello):@gpmgroup - and across the EU (and other regions) that's the requirement for valid details on the website - but the domain doesn't need to be owned by the organisation using it, and in-and-of-itself doesn't need *public* contact information

gpmgroup:@Benny I know and some companies in the domain industry who should know better are scraping the whois

Rob Golding (othello):@gpmgroup - you have to "scrape" the whois to get the contacts on a transfer !

Rob Golding (othello):olof - my question ... ? are there recommendations on Criminalising misuses of WHOIS data - it took less than 3 days from a new registration before spam started arriving at the unique email address I used on the domain registration - having such information freely available and public is not just a privacy concern but a real issue to normal users who don't need a supplier of dodgy pharmaceuticals

Olof Nordling:@Rob - I'll get to the end of the queue here and deliver that one

JorgeAmodio:good one Milton

gpmgroup:@Rob there's a whole difference between using the WHOIS to facilitate a domain transfer and scraping the WHOIS to send out spam emails to thousands of third party registrants

JorgeAmodio:sure the users will do a Whois before clicking

JorgeAmodio:consumer DONT KNOW what Whois is

Rob Golding (othello):@gpmgroup - i know, but you have to get these things in the open before some fool creates a policy to "ban" scraping of whois data ;)

Lutz Donnerhacker:Jorge: Most users do not know how to even ask a whois question (hint: that's the protocol using TCP/43) ... But most do not even know about whois at

all

JorgeAmodio:0%

Rob Golding (othello):@Jorge - users donteven understand what ssl is - thats why phishing scams are so effectn hen they just have a padock on teh page noin the browser bar !

Lutz Donnerhackle:That's why the recommendation to provide an "all whois web interface" by ICANN exists

Lutz Donnerhackle:JUst listen to bill

JorgeAmodio:ha wait need to LOL about that

Lutz Donnerhackle:Jorge: WHY?

Benny Samuelsen - Nordreg AB:So why is it so difficult to create a standard on this, with RFCs for anything else and standards for a lot of other things, wy is this so difficult for whois ?

Lutz Donnerhackle:Benny: Because almost all service uses a different set of options, results and languages

Benny Samuelsen - Nordreg AB:I should be rather simple imo

Lutz Donnerhackle:Most ccTLDs ar enot allowed to provide the data by local law.

Alice Jansen:Kind reminder: Participants, please let us know if you would like your comments to be read in the room. Thanks.

Lutz Donnerhackle:Then the ODN problem. Can you parse an japanese response?

Lutz Donnerhackle:Sorry, Alice

Benny Samuelsen - Nordreg AB:well its just data... so if you have a standard it shouldnt be a problem

JorgeAmodio:mike please

Alice Jansen:No need to be sorry, Lutz. You are perfectly free to chat with other participants :-). Just wanted to let you know that Olof and I are ready to voice your comments/questions if you wish

Benny Samuelsen - Nordreg AB:the problem is the standard which are non existing

JorgeAmodio:nope it is not

JorgeAmodio:no it is not even an imperfect solution

Benny Samuelsen - Nordreg AB:let me rephrase that.. the problem is the standard which are implemented in so many different ways and shall cover so many different demands from different lawmakers and registries

JorgeAmodio:its conception had nothing to do for what you are trying to use it

JorgeAmodio:useless

Benny Samuelsen - Nordreg AB:looking at the statistics for wdrp responses and updates it's less than 2 % who cares to look at the whois data

Benny Samuelsen - Nordreg AB:most registrants don't care.. thats the reality here

Benny Samuelsen - Nordreg AB:And I am quite sure that most registrars are happy as long as the got paid

JorgeAmodio:the ones who care are law enforcement entities

Benny Samuelsen - Nordreg AB:from the registrants

gpmgroup:@ Beeny its easy givem a refund so they do care

JorgeAmodio:and IP attorneys trying to find contact info about who to sue

Benny Samuelson - Nordreg AB:@gpmgroup what kind of refund have you in mind?  
gpmgroup:Make it more expensive to use privacy if you don't want privacy to be widely used , give money back to registrants who verify their data  
JorgeAmodio:they will pay for privacy that's a fact  
Benny Samuelson - Nordreg AB:so lets see selling domains for 9 usd paying 8 usd what to give back ?  
JorgeAmodio:centralized ? great concept for a distributed and open Internet  
Lutz Donnerhacke:centralized "Interface" to access decentralised data  
JorgeAmodio:nopet  
gpmgroup:I doubt most new gTLDs will retail for \$8 or \$9 but to answer the question an amount significant enough to encourage the change people want  
JorgeAmodio:they want to AGREGATE the data and control access to it  
Benny Samuelson - Nordreg AB:the new tld is the least problem... the existing data is the big problem to be solved  
gpmgroup:@Jorge .info has a centralized whois and that is much easier to use than the distributed .com model  
Benny Samuelson - Nordreg AB:as .xxx explained its costly but they do it  
JorgeAmodio:that is part of the distributed nature of the Whois protocol  
Lutz Donnerhacke:centralized "databases" fail to comply with varying local laws  
Lutz Donnerhacke:Please distinguish between "centralized access" and "storage"  
JorgeAmodio:sure, forget who is funding ICANN?  
Lutz Donnerhacke:Jorge: Everbody ;-)  
JorgeAmodio:follow the money  
Rob Golding (othello):@Jorge - registrars fund it (over 95%) just for the ability to let anyone-at-all to have a say in how we run our business :p  
Alice Jansen:The Review Team is about to wrap up. Please submit your comments/questions to be read now.  
Rudi Vansnick:Lutz : not really everybody ... some ccTLDs are just paying a very small amount to ICANN compared to the GTLDs  
Benny Samuelson - Nordreg AB:Taking the night here... have a nice day evening night where ever you are located  
Lutz Donnerhacke:/me smiles.  
JorgeAmodio:problem is that the weeds keep growing  
gpmgroup:Thnak you for asking my question and thanks for a very smooth remote session  
Alice Jansen:This session is now closed. Thank you for your participation. Rest assured that the content of this chat box will be emailed to the Review Team Members.  
Amy Mushahwar:thank you