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4   # Initial Report on the

5   # Thick Whois

6   # Policy Development Process

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9   ## STATUS OF THIS DOCUMENT

10   This is the Initial Report on thick Whois, prepared by ICANN staff for submission to the GNSO Council on

11   [Date]. ICANN staff will prepare a Final Report following review of the public comments received on this Initial

12   Report.

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19   ## SUMMARY

20   This report is submitted to the GNSO Council and posted for public comment as a required step in this GNSO

21   Policy Development Process on thick Whois.

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23

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TABLE OF CONTENTS

41

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Marika Konings 3/6/13 09:19
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Marika Konings 3/6/13 09:19
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1.   Executive Summary

<mark>**TO BE COMPLETED**</mark>

1.1 Background

1.2   Deliberations of the Working Group

- The thick Whois Working Group started its deliberations on [date] where it was decided to continue the work primarily through weekly conference calls, in addition to e-mail exchanges.
- Section 5 provides an overview of the deliberations of the Working Group conducted both by conference call as well as e-mail threads.

1.3   WG Preliminary Recommendations

- <mark>NOTE TO WG MEMBERS: Sections 5 and 7 will be summarized here, once editing is complete. For now, look to those sections for current draft of recommendations</mark>

1.4   Stakeholder Group / Constituency Statements & Initial Public Comment Period

-

1.5   Conclusions and Next Steps

- The Working Group aims to complete this section of the report in the second phase of the PDP, following a second public comment period.

2.   Objective and Next Steps

This Initial Report on thick Whois is prepared as required by the GNSO Policy Development Process

as stated in the ICANN Bylaws, Annex A (see http://www.icann.org/general/bylaws.htm#AnnexA).

The Initial Report will be posted for public comment for at least 30 days, plus a 21-day reply period.

The comments received will be analyzed and used for redrafting of the Initial Report into a Final

Report to be considered by the GNSO Council for further action.

3.   Background

3.1 Process background

- The IRTP B Working Group recommended requesting an Issue Report on the requirement of thick Whois for all incumbent gTLDs in its 30 May 2011 Final Report. That recommendation went on to state:

    The benefit would be that in a thick registry one could develop a secure method for a gaining
    registrar to gain access to the registrant contact information. Currently there is no standard
    means for the secure exchange of registrant details in a thin registry. In this scenario,
    disputes between the registrant and admin contact could be reduced, as the registrant
    would become the ultimate approver of a transfer.

- Following that recommendation, the GNSO Council requested an Issue Report on thick Whois at its meeting on 22 September 2011. The Issue Report was expected to '*not only consider a possible requirement of thick Whois for all incumbent gTLDs in the context of IRTP, but should also consider any other positive and/or negative effects that are likely to occur outside of IRTP that would need to be taken into account when deciding whether a requirement of thick Whois for all incumbent gTLDs would be desirable or not'.*
- In accordance with the proposed revised GNSO Policy Development Process, a Preliminary Issue Report was published for public comment on 21 November 2011. Following review of the public comments received, the Staff Manager updated the Issue Report accordingly and included a summary of the comments received, which was submitted as the Final Issue Report to the GNSO Council on 2 February 2012.
- The GNSO Council initiated a Policy Development Process at its meeting of 14 March 2012 (see http://gnso.icann.org/resolutions/#20120314-1), but decided subsequently to delay next steps due to workload concerns. In the end, a drafting team to develop a charter for the PDP WG was formed in August 2012 and presented the proposed charter to the GNSO Council for

114 consideration in October 2012. The GNSO Council adopted the charter on 17 October 2012 (see

115 http://gnso.icann.org/en/council/resolutions#20121017-3) following which a call for volunteers

116 was launched and the PDP Working Group formed.

117

118 **3.2 Issue background**

119 ▪ Difference between thick vs. thin Whois[1]:

120

121 For the generic top-level domain (gTLD) registries, ICANN specifies Whois service requirements

122 through the registry agreements and the Registrar Accreditation Agreement (RAA). Registries

123 satisfy their Whois obligations using different services. The two common models are often

124 characterized as "thin" and "thick" Whois registries. This distinction is based on how two distinct

125 sets of data are managed. One set of data is associated with the domain name, and a second set

126 of data is associated with the registrant of the domain name. A thin registry only stores and

127 manages the information associated with the domain name. This set includes data sufficient to

128 identify the sponsoring registrar, status of the registration, creation and expiration dates for

129 each registration, name server data, the last time the record was updated in its Whois data

130 store, and the URL for the registrar's Whois service. With thin registries, registrars manage the

131 second set of data associated with the registrant of the domain and provide it via their own

132 Whois services, as required by Section 3.3 of the RAA 3.3 for those domains they sponsor. COM

133 and NET are examples of thin registries.

134

135 Thick registries maintain and provide both sets of data (domain name and registrant) via Whois.

136 INFO and BIZ are examples of thick registries.

137

138 To illustrate thick and thin Whois, consider the Whois response for two domains, cnn.com and

139 cnn.org. Both domains are registered by Turner Broadcasting System and have the same

140 technical and administrative contact information, but one of the registrations is managed in a

> Marika Konings 29/5/13 15:22
> **Deleted:** (ICANN 2009 Registry Agreements)

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[1] From the Whois Service Requirements Report (July 2010)
[2] To get the registrant's information, the user or client application must make a referral query to the registrar's Whois service, which in this case is whois.corporatedomains.com

142   thin registry (COM) manner and the other is in managed as a thick registry (ORG).

143

144   If we query COM's Whois server for cnn.com, we get the following results:

145

146   `Domain Name: CNN.COM`

147   `Registrar: CSC CORPORATE DOMAINS, INC.`

148   `WHOIS Server: whois.corporatedomains.com`

149   `Referral URL: http://www.cscglobal.com`

150   `Name Server: NS1.TIMEWARNER.NET`

151   `Name Server: NS3.TIMEWARNER.NET`

152   `Name Server: NS5.TIMEWARNER.NET`

153   `Status: clientTransferProhibited`

154   `Updated Date: 04-feb-2010`

155   `Creation Date: 22-sep-1993`

156   `Expiration Date: 21-sep-2018`[2]

157

158   However, if we query the .org's Whois server, we get both the domain and registrant Whois

159   information:

160

161   `Domain ID:D5353343-LROR`

162   `Domain Name:CNN.ORG`

163   `Created On:16-Apr-1999 04:00:00 UTC`

164   `Last Updated On:04-Feb-2010 22:48:15 UTC`

165   `Expiration Date:16-Apr-2011 04:00:00 UTC`

166   `Sponsoring Registrar:CSC Corporate Domains, Inc. (R24-LROR)`

167   `Status:CLIENT TRANSFER PROHIBITED`

168   `Registrant ID:1451705371f82308`

169   `Registrant Name:Domain Name Manager`

170   `Registrant Organization:Turner Broadcasting System, Inc.`

171   `Registrant Street1:One CNN Center`

---

[2] To get the registrant's information, the user or client application must make a referral query to the registrar's Whois service, which in this case is whois.corporatedomains.com

```
172     Registrant Street2:13N
173     Registrant Street3:
174     Registrant City:Atlanta
175     Registrant State/Province:GA
176     Registrant Postal Code:30303
177     Registrant Country:US
178     Registrant Phone:+1.4048273470
179     Registrant Phone Ext.:
180     Registrant FAX:+1.4048271995
181     Registrant FAX Ext.:
182     Registrant Email:tmgroup@turner.com
```

183   …[3]

184

185   The content of registration data provided via Whois may differ across gTLD registries. Some

186   gTLD registry agreements, such as .tel, have provisions in place that in certain circumstances

187   exclude personal information from the public Whois. For example, .tel Whois output for

188   individuals may only mention registrant's name with no other contact information.

189

190   It is noted that there has been considerable debate on the merits of thin Whois versus thick

191   Whois[4]. From a technical perspective, a thick Whois model provides a central repository for a

192   given registry whereas a thin Whois model is a decentralized repository[5]. Historically, the

193   centralized databases of thick Whois registries are operated under a single administrator that

194   sets conventions and standards for submission and display, archival/restoration and security

195   have proven easier to manage. By contrast, registrars set their own conventions and standards

196   for submission and display, archival/restoration and security registrant information under a thin

---

[3] In addition, contact information of administrative and technical contact are also provided, but have been truncated here.

[4] See for example discussions outlined in this thread: http://gnso.icann.org/mailing-lists/archives/registrars/thrd35.html

[5] To be more precise, the data model for a thin registry has two "chunks". The registry still centrally manages all the domain name **related** data (it's in one place, under one administrator, etc.). Each registrar, in turn, manages its set of sponsored names – but these are **separate** databases, each is a unique database and not part of a decentralized one. The more accurate term might therefore be a hierarchical vs flat (monolithic) database model.

197   Whois model. Today, for example, Whois data submission and display conventions vary among

198   registrars. The thin model is thus criticized for introducing variability among Whois services,

199   which can be problematic for legitimate forms of automation. It is this problem that prompted

200   the IRTP B Working Group to recommend requiring thick Whois across incumbent registries – in

201   order to improve security, stability and reliability of the domain transfer process.

202

203   A thick Whois model also offers attractive archival and restoration properties. If a registrar were

204   to go out of business or experience long-term technical failures rendering them unable to

205   provide service, registries maintaining thick Whois have all the registrant information at hand

206   and could transfer the registrations to a different (or temporary) registrar so that registrants

207   could continue to manage their domain names. A thick Whois model also reduces the degree of

208   variability in display formats. Furthermore, a thick registry is better positioned to take measures

209   to analyze and improve data quality since it has all the data at hand.

210

211   ▪ **Situation of incumbent gTLDs**: The following table was developed by the IRTP Part A Working

212   Group and has been updated with the recent addition of .xxx as a gTLD:

213

gTLD	Thin	Thick
.AERO		✓
.ASIA		✓
.BIZ		✓
.CAT		✓ [6]
.COM	✓	
.COOP		✓
.INFO		✓
.JOBS	✓	
.MOBI		✓

---

[6] .CAT has requested changes to its agreement to allow for tiered access to Whois data in a similar way that
.TEL currently provides (see http://www.icann.org/en/registries/rsep/index.html#2011007).

.MUSEUM		✓
.NAME		✓[7]
.NET	✓	
.ORG		✓
.PRO		✓
.TEL		✓[8]
.TRAVEL		✓
.XXX		✓

214   ▪ **Thick Whois in new gTLDs**: Within the context of the new gTLD programme, new gTLD registries

215   will be required to operate a thick Whois model[9]. As outlined in the new gTLD Program

216   Explanatory Memorandum thick vs. thin Whois for new gTLDs:

217

218   *While current registry agreements have differing provisions with regards to the Whois*

219   *output specification, ICANN's intent with the next round of new gTLDs has been to have the*

220   *agreements as standard as possible, with minimal or no individual negotiation and variation*

221   *of provisions such as a registry's Whois output specification. In an attempt to standardize on*

222   *a one-size fits-all approach for new gTLDs, the first draft of the proposed new registry*

223   *agreement suggested a least-common denominator approach under which all registries*

224   *would have been required to be at least thin, but registries could opt on their own to collect*

225   *and display more information at their discretion. This was consistent with the approach used*

226   *by ICANN for at least the past five years in which registry operators have been free to*

227   *suggest their own preferred Whois data output and whatever specification each registry*

228   *proposed was incorporated into the that registry operator's agreement.*

---

[7] Thick Whois information is available at the registry, but public access to the data is organized in four tiers. Full set of data is available to requesters if the requester enters into an agreement with the registry under the Extensive Whois Data tier. See http://www.icann.org/en/tlds/agreements/name/appendix-05-15aug07.htm for further details.

[8] Thick Whois information is available, but tiered access is provided consistent with a registry request approved by ICANN in order for the registry to harmonize with UK data protection requirements.

[9] To clarify, as was pointed out in the public comments, the requirement for 'thick' Whois for new gTLDs was not the result of a policy development process.

229

230   *Registrars would continue to display detailed contact information associated with*

231   *registrations, so there is no question about the total set of data elements that will be*

232   *published concerning each registration, the only question is whether all of the data will be*

233   *maintained/published by both the registry and the registrar, or whether the full data will be*

234   *displayed by the registrar* only *and the registry could, if it so elected, maintain just a subset*

235   *of data as in the example above.*

236

237   *Many commenters on the proposed registry agreement have requested a change to the*

238   *agreement to mandate thick Whois for all new registries. The commenters have suggested*

239   *that such a requirement would be in line with the status quo since most gTLD agreements*

240   *require thick Whois output (all except com, net and jobs, as noted above). Comments have*

241   *suggested substantial benefits from mandating thick instead of thin Whois, including*

242   *enhanced accessibility and enhanced stability.*

243

244   *Critics of the proposed thick Whois mandate have raised potential privacy concerns as a*

245   *reason to require thin Whois only, but proponents of thick Whois point to ICANN's*

246   *community-developed "Procedure For Handling Whois Conflicts with Privacy Law"*

247   *http://www.icann.org/en/processes/icann-procedure-17jan08.htm as a means for resolving*

248   *any potential situations where a registry operator's Whois obligations are alleged to be*

249   *inconsistent with local legal requirements concerning data privacy. Also it could be argued*

250   *that, as indicated above, all of the data that might be published by a thick registry is already*

251   *public data since it would already be published by the registrar. ICANN's Registrar*

252   *Accreditation Agreement obligates registrars to ensure that each registrant is notified and*

253   *consents to the purposes and recipients of any personal data collected from the registrant in*

254   *association with every domain registration http://www.icann.org/en/registrars/ra-*

255   *agreement-17may01.htm#3.7.7.4.*

256

257   *Proponents of requiring thick Whois argue that being able to access the thick data at both*

258   *the registry and the registrar level will ensure greater accessibility of the data. The draft*

259 *report of the Implementation Recommendations Team put together by ICANN's Intellectual*
260 *Property Constituency stated "the IRT believes that the provision of Whois information at the*
261 *registry level under the Thick Whois model is essential to the cost-effective protection of*
262 *consumers and intellectual property owners." http://icann.org/en/topics/new-gtlds/irt-draft-*
263 *report-trademark-protection-24apr09-en.pdf. There are at least two scenarios in which the*
264 *additional option of retrieving the data at the registry would be valuable:*
265 *1. Where the registrar Whois service might be experiencing a short- or long-term outage (in*
266 *violation of the registrar's accreditation agreement), and*
267 *2. Where the registrar has implemented strong (or sometimes overly-defensive) measures*
268 *to prevent large-scale automated harvesting of registrar data.*
269
270 *Also, in the event of a registrar business or technical failure, it could be beneficial to ICANN*
271 *and registrants to have the full set of domain registration contact data stored by four*
272 *organizations (the registry, the registry's escrow agent, the registrar, and the registrar's*
273 *escrow agent) instead of just two organizations (the registrar and the registrar's escrow*
274 *agent).*
275
276
277
278
279
280
281

282 # 4.   Approach taken by the Working Group

283

284 The thick Whois PDP WG started its deliberations on 13 November 2012 where it was decided to

285 continue the work primarily through weekly conference calls, in addition to e-mail exchanges.

286 Furthermore, the WG decided to create a number of sub-teams to conduct some of the preparatory

287 work on the different topics identified in its charter (see https://community.icann.org/x/v4BZAg).

288

289 The Working Group also prepared a work plan, which was reviewed on a regular basis. In order to

290 facilitate the work of the constituencies and stakeholder groups, a template was developed that

291 could be used to provide input in response for the request for constituency and stakeholder group

292 statements (see Annex B). This template was also used to solicit input from other ICANN Supporting

293 Organizations and Advisory Committees early on in the process.

294

295 **4.1   Members of the Working Group**

296

297 The members of the Working group are:

Name	Affiliation*	Meetings Attended (Total # of Meetings:)
Wilson Abigaba	NCUC	
Marc Anderson	RySG	
Titi Akinsanmi	At Large	
Roy Balleste	NCUC	
Iliya Bazlyankov	RrSG	
Don Blumenthal	RySG	
Bob Bruen	At Large	
Avri Doria	NCSG	
Amr Elsadr	NCSG	
Ray Fassett	RySG	
Christopher George	IPC	
Alan Greenberg	ALAC	
Volker Greimann (Council Liaison)	RrSG	
Frederic Guillemaut	RrSG	

Carolyn Hoover	RySG	
Susan Kawaguchi	CBUC	
Evan Leibovitch	ALAC	
Marie-Laure Lemineur	NPOC	
Steve Metalitz	IPC	
Jeff Neuman	RySG	
Ope Odusan	At Large	
Mikey O'Connor (Chair)	ISPCP	
Susan Prosser	RrSG	
Norm Ritchie	RySG	
Tim Ruiz	RrSG	
Carlton Samuels	ALAC	
Michael Shohat	RrSG	
Salanieta T. Tamanikaiwaimaro	At Large	
Christa Taylor	Individual	
Jill Titzer	RrSG	
Joe Waldron	RySG	
Rick Wesson	Individual	
Jennifer Wolfe	NomCom	
Jonathan Zuck	IPC	

298

299   The statements of interest of the Working Group members can be found at

300   https://community.icann.org/x/v4g3Ag.

301

302   The attendance records can be found at https://community.icann.org/x/_oVwAg.

303

304   The email archives can be found at http://forum.icann.org/lists/gnso-thickwhoispdp-wg/.

305   *

306   RrSG – Registrar Stakeholder Group

307   RySG – Registry Stakeholder Group

308   CBUC – Commercial and Business Users Constituency

309   NCUC – Non Commercial Users Constituency

310   IPC – Intellectual Property Constituency

311   ISPCP – Internet Service and Connection Providers Constituency

312

5.   Deliberations of the Working Group

This chapter provides an overview of the deliberations of the Working Group conducted both by conference call as well as e-mail threads. The points below are just considerations to be seen as background information and do not necessarily constitute any suggestions or recommendations by the Working Group. It should be noted that the Working Group will not make a final decision on which solution(s), if any, to recommend to the GNSO Council before a thorough review of the comments received during the public comment period on the Initial Report.

5.1   Initial Fact-Finding and Research

Per its Charter, the WG was tasked to review the following topics as part of its deliberations to consider the use of thick Whois by all gTLD registries:

- Response consistency
- Stability
- Access to Whois data
- Impact on privacy and data protection
- Cost implications
- Synchronization / migration
- Authoritativeness
- Competition in registry services
- Existing Whois applications
- Data escrow
- Registrar Port 43 Whois requirements

In order to obtain as much information as possible at the outset of the process and identify whether WG members had specific expertise and/or interest to support the deliberations on these topics, a survey was conducted amongst the WG membership (see results in Annex D). In addition, the WG requested input from GNSO Stakeholder Groups and Constituencies, as well as other ICANN Supporting Organizations and Advisory Groups (see Annex C and section 6 for further details).

342   Furthermore, the WG formed an ad-hoc expert group[10] consisting of a number of individuals that

343   had been involved in the transition of .org from thin to thick that took place in 2004 and reviewed

344   the PIR Post Transition Report.

345

346   Substantial preparatory work was carried out through the work of a number of sub-teams (see

347   https://community.icann.org/x/v4BZAg) that have contributed to the following sections of this

348   report.

349

350   **5.2   Response Consistency**

351

352   **Issue Description**

353   A thick registry can dictate the labelling and display of Whois information to be sure the information

354   is easy to parse, and all registrars / clients would have to display it accordingly. This could be

355   considered a benefit (response consistency) but also a potential cost (registrars / clients would be

356   required to display it as dictated by the registry). This might also be a benefit in the context of

357   internationalized registration data as even with the use of different scripts, uniform data collection

358   and display standards could be applied.

359

360   **Response Consistency in the current environment**

361   Currently there are no labelling or display requirements for thin or thick gTLD registries. As a result,

362   registrars, even for the same gTLD, may currently display data in inconsistent ways, which affects

363   efficiency in accessing and using the information. These problems may be exacerbated with

364   internationalized data items that do not employ Latin characters.

365

366   However the proposed 2013 RAA contains language that would require registrars to provide uniform

367   Whois output (see http://www.icann.org/en/resources/registrars/raa/proposed-whois-22apr13-

368   en.pdf for further details).

369

---

[10] For the list of experts and mailing list archives, please see http://forum.icann.org/lists/gnso-thickwhoispdp-experts/msg00000.html.

370   **Response Consistency in a thick Whois environment**

371   A thick gTLD registry could dictate labelling and display requirements for Whois information for all of

372   its gTLDs and that would result in consistency across its gTLDs, but that would not create consistency

373   across other gTLDs offered by different registry operators. In order to achieve consistency across

374   gTLDs, registry operators would need to be required to use the same labelling and display

375   requirements. The WG is considering recommending that all thick gTLD registries follow the same

376   labelling and display requirements, following the model outlined in specification 4 of the proposed

377   new gTLD Registration Agreement, but would welcome community input on this proposal before

378   taking a final decision.

379

380   **Improvements to response consistency under a thick Whois model**

381   Establishing requirements such as collecting uniform sets of data, and display standards, would

382   improve consistency across all gTLDs at all levels and result in better access to Whois data for all

383   users of Whois databases.

384

385   Collecting and displaying registration data presents difficult challenges when that data is being

386   provided by registrants whose primary language uses a script that does not employ Latin characters.

387   Those challenges are currently under study within ICANN; but however they are resolved, the

388   implementation of those recommendations will almost certainly be less complex if Whois data is

389   centralized at the registry level, rather than being held by hundreds or thousands of registrars, who

390   may apply data collection or display standards inconsistently.

391

392   **Possible downsides to response consistency under a thick Whois model**

393   The WG received comments suggesting that the opportunity for innovation and ingenuity may be

394   lost in the pursuit of response consistency. For example registrar innovation in the handling and

395   processing of different scripts might overcome barriers and challenges that centralized systems

396   organizations may not see or know. The working group concluded that on balance the opportunities

397   for improved response consistency dramatically outweighed these opportunities missed. In the

398   context of the 2013 RAA discussions, some have also suggested that consistently formatted Whois

399   may also make it easier for spammers to harvest registrant data.

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406

Conclusion

408 The working group finds that requiring thick Whois would improve response consistency.

409

410 **5.3   Stability**

411

Issue Description

413 The Working Group used the following definition in its deliberations about the issue of stability:

414 "Availability of Whois data in the case of a business or technical failure".

415

Stability in a thin Whois environment

417 In a thin Whois model, there are two sources of copies of Whois information in case of a business or

418 technical failure; the registrar and the escrow service used by the registrar. In case of the failure of

419 the registrar, the escrowed Whois data is available for recovery efforts, provided the registrar did

420 not also fail to deposit current data into escrow.

421

Stability in a thick Whois environment

423 Under the current policies, under a thick Whois model, the two sources identified in the 'Stability in

424 a thin Whois environment' section are available as well as two additional sources, namely the

425 registry and the escrow service used by the registry. This results in a total of up to four separate

426 locations where the data is stored, depending on whether the same escrow provider is used by the

427 registry and registrar. In the cases of a failure there are at least two remaining sources of data

428 available for recovery, although it may be worth noting that in the case of a registrar failure, ICANN

429 does not necessarily have a legal right to retrieve data from the registry's escrow account.

430

Possible advantages for stability in a thick Whois environment

432 The WG noted that a thick Whois model provides at least two fallback sources in the case of a

433 failure, compared to one in the thin model. Since most catastrophic failures are often the result of

434 multiple failures, having multiple geographically dispersed backups is preferred.

435

> **Marika Konings 29/5/13 15:27**
> **Deleted:** one of these two sources, there is one fallback copy of Whois data available for recovery efforts.

439 **Possible downsides for stability in a thick Whois environment**

440 Some WG participants noted that having personal data at multiple sites makes that data more

441 susceptible to attack or misuse. This issue is addressed in the section on privacy and data protection.

442

443 Some WG participants asked if there might be an increased risk of inconsistencies by having up to

444 four copies of the same data. The working group concluded that there are well-established

445 mechanisms to mitigate this risk through the use of various techniques. One example of such a

446 mitigation approach would be the use of multi-master replication[11] across the data, although it was

447 pointed out that currently registrars escrow their data on a particular schedule that is inconsistent

448 with the schedule at which registries escrow data. Similarly, registrars are not required to post new

449 data to registries instantaneously so a registry and registrar could reasonable be out of sync

450 frequently. At least four sets of contracts would have to be amended in order to change the current

451 model by which data is backed up through escrow.

452

453 **Conclusion**

454 The working group finds that requiring thick Whois would improve stability.

455

456 **5.4   Access to Whois Data**

457

458 **Issue Description**

459 Per its charter the WG addressed the issue of whether the ability to access Whois information at the

460 registry level under the thick Whois model is more efficient and cost-effective than a thin model in

461 protecting consumers and users of Whois data and intellectual property owners.

462

463 **Access to Whois data in the current Whois environment**

464 In thin gTLD registries, data associated with the registrant of the domain is only available via the

465 registrar's Whois services, while the data associated with the domain name is published both by the

466 registrar as well as the registry. In thick registries both sets of data (that associated with the domain

467 name as well as with the registrant) are published by the registrar and the registry. It was noted that

---

[11] See http://en.wikipedia.org/wiki/Multi-master_replication

468 the NORC Draft Report for the Study of the Accuracy of Whois Registrant Contact Information[12]

469 (commissioned by ICANN in 2010) found that the Whois data for the domain names selected was

470 accessible 100% of the time for the thick Whois registries sampled (.org, .biz and .info), while Whois

471 data availability was only 97.5% for .com and 98.5% for .net. The WG received comments pointing

472 out difficulties that have been experienced in accessing registrar-based Whois services.

473 Commenters also noted restrictions on access to data due to Registrar-imposed limits to queries

474 under thin registries as certain information is only available at the registrar. Others pointed out that

475 the Whois Audit Access Report[13] (2012) produced by ICANN Compliance found that only 94% of

476 registrars provided consistent access to Whois data compliant with Section 3.3 of the RAA. The

477 report did point out that 'Registrar compliance rate with the RAA to provide Whois access service

478 has declined from last year's results from 99% to 94%. This decline is likely due to proactive

479 monitoring, tool enhancements and enforcement of this RAA obligation'.

480

481 **Access to Whois data in a thick Whois environment**

482 If all registries were to operate under a thick Whois model, all Whois information associated with

483 the domain name as well as the registrant would be accessible via both the registrar and registry

484 Whois services[14].

485

486 **Possible advantages for access to Whois data under a thick Whois model**

487 Proponents of requiring thick Whois argue that being able to access the thick data at both the

488 registry and the registrar level will improve accessibility of the data. The draft report[15] of the

489 Implementation Recommendations Team put together by ICANN's Intellectual Property

490 Constituency stated, "*the IRT believes that the provision of Whois information at the registry level*

491 *under the Thick Whois model is essential to the cost-effective protection of consumers and*

492 *intellectual property owners."* There are at least two scenarios in which the additional option of

493 retrieving the data at the registry would be valuable:

---

[12] See http://www.icann.org/en/compliance/reports/whois-accuracy-study-17jan10-en.pdf
[13] See https://www.icann.org/en/resources/compliance/update/update-whois-access-audit-report-port43-30apr12-en.pdf
[14] Note: under the proposed 2013 RAA the requirement for registrars to provide Whois in thick registries at port 43 would be eliminated, but leaving the web-based Whois service in place.
[15] See http://icann.org/en/topics/new-gtlds/irt-draft-report-trademark-protection-24apr09-en.pdf.

494

495 • The registrar Whois service is experiencing a short- or long-term outage (in violation of the

496   registrar's accreditation agreement), and

497 • The registrar has implemented strong (or sometimes overly-defensive) measures to prevent

498   large-scale automated harvesting of registrar data.

499

500 It would also be beneficial to ICANN and registrants to have the full set of domain registration

501 contact data stored by four organizations (the registry, the registry's escrow agent, the registrar, and

502 the registrar's escrow agent) instead of just two organizations (the registrar and the registrar's

503 escrow agent) in the event of a registrar business or technical failure.

504

505 The IRTP-B Working Group and comments received by this working group have also pointed out that

506 the use of a common format and location to find information for a given gTLD is an advantage for

507 Whois users.

508

509 **Possible downsides for access to Whois data under a thick Whois model**

510 The WG received comments suggesting that it may be difficult to suppress data that has already

511 been published should there be any changes in the future to the Whois model, e.g. if certain

512 information is no longer required to be published. The WG concluded that this would be a broader

513 issue as all the Whois registrant information is currently already publicly available both in the thin

514 model (published by the registrar) as well as the thick model (published by both the registrar and

515 registry).

516

517 As discussed in the section on data escrow, there is some question as to whether four sets of the

518 same data are really necessary and whether maintaining them result in additional costs for

519 contracted parties as well as registrants. The WG concluded that this is at most an incremental cost

520 increase and further concluded that this is a topic better pursued in broader discussions of data

521 escrow for all thick registries (such as the RAA negotiation).

522

523   The WG received comments pointing out that centralizing the accessibility of Whois information at

524   the registry is a natural efficiency for users of Whois data when considering one gTLD at a time in

525   the current environment. However, with the introduction of new gTLDs the number of registries

526   may exceed the number of registrars; therefore, a Whois user may need to access dozens or

527   hundreds of registries to obtain responses for a common second level string that is registered across

528   multiple registries. Thus there may be an advantage to the thin Whois model in that information

529   from multiple gTLDs could be obtained through a single registrar, although identifying the

530   appropriate registrar is not certain from the domain name itself. The WG concluded that this

531   advantage is incremental at best, especially considering that ICANN is implementing the Whois

532   Review Team recommendation #11 *("Overhaul of the Internic to provide enhanced usability for*

533   *consumers, including the display of full registrant data for all gTLD domain names; operational*

534   *improvements to include enhanced user awareness")*. The WG also notes that 3rd party services are

535   available that provide aggregation of Whois from multiple sources, which can be used when efficient

536   and cost-effective accessibility across multiple gTLDs is needed.

537

538   **Conclusion**

539   The working group finds that requiring thick Whois would improve access to Whois data.

540

541   **5.5   Impact on privacy and data protection**

542

543   **Issue Description**

544   Whois records contain domain registrants' names, addresses, email addresses, and phone numbers.

545   These details would be considered personal information in colloquial use and are provided legal

546   protection in regimes that provide data protection to personal information. The fundamental

547   question before the thick Whois PDP WG is whether thin and thick registry models present different

548   risks with respect to data protection and privacy. These risks might arise with respect to data at rest,

549   information held in registry databases, and data in motion, records being transferred from registrars

550   to registries in a thick model.

551

552 "Risks" include unauthorized disclosure in a security sense and issues related to information

553 disclosure in violation of local law and regulations. They also include the possibility that information

554 could be deleted or altered inadvertently or deliberately, possibly a more significant consideration

555 for those individuals who believe that Whois information is public and therefore cannot be

556 "disclosed" in an unauthorized manner.

557

558 The WG notes that its discussions of information security were simplified for purposes of clarity.

559 Detailed risk analyses were beyond the capacity and scope of the WG given the complexity of issues

560 and variety of possible system configurations. As an example, we will focus on the necessity for data

561 to be transferred in a thick Whois model. We will not discuss whether data may in fact move when a

562 registrar in a thin environment has redundant systems.

563

564 As an explanation in advance, "data at rest" is stored information. For our simplified purposes, it

565 includes data in use, a common term that is not useful for our construct. "Data in motion" is

566 information that is being transferred between computer systems.

567

568 **Data Protection and Privacy in a thin Whois environment**

569 Data at rest: Information will be protected to the extent that registrars' security safeguards are in

570 place. Such safeguards, both here and in the discussions that follow, include measures to protect

571 against unauthorized duplication, deletion, or alternation of information.

572

573 Data in motion: Information is not transferred to registries in a thin model.

574

575 Data protection laws: Whois records must be made public under ICANN rules. At first glance, any

576 applicable data protection laws will be the rules of the location of a registrar. However, it is possible

577 that a registrant's location might be determinative where a registrant and registrar are not in the

578 same jurisdiction.

579

580   **Data Protection and Privacy in a thick Whois environment**

581

582   Data at rest: Information will be protected to the extent that security safeguards are in place in

583   registrar or registry systems.

584

585   Data in motion: Information transfer between registrar and registry introduces the need for

586   additional information security safeguards beyond measures required for data that remains with a

587   registrar. These additional safeguards have purposes similar to those measures that must be in

588   place for data at rest, but have the added complexity of protections interception and possibly

589   reinsertion of information while it is in transit.

590

591   Data protection laws: Whois records must be made public under ICANN rules. Thick Whois models

592   present additional challenges with respect to possible data protection conflicts. Do rules governing

593   registrars apply because registrant contracts are signed in their countries, or does a registry's regime

594   govern because the registry publishes the data? How relevant is the location of the registrant?

595

596   **Possible advantages for Data Protection and Privacy in a thick Whois environment**

597   Data at rest: Whois databases would be published by the registry and not necessarily multiple

598   registrars. This single point of failure instead of multiple ones would increase data protection. In

599   addition, it may be that a registry, being in most cases larger than registrars, will be able to institute

600   better security safeguards.

601

602   Data in motion: Thick registries provide no advantage in this category.

603

604   Data protection laws: To the extent that controlling data protection laws and regulations are

605   deemed to be those of the registry, a thick Whois environment will provide additional assurances

606   where local rules limit information disclosure more than in the locale of an applicable registrar. We

607   must stress however, that any discussion of laws that might apply is speculation. It is beyond the

608   capacity and scope of the work group to do an exhaustive review of applicable rules and contract

609   provisions.

> Marika Konings 31/5/13 17:11
> **Comment [1]:** The data will still be held by registrars, even if they are not publishing Whois data directly from their databases.
> Marika Konings 31/5/13 17:11
> **Deleted:** held

611

612   **Possible downsides for Data Protection and Privacy in a thick Whois environment**

613   Data at rest: More copies of Whois records will exist. The level of risk will depend on decisions

614   concerning, for example, who must maintain escrow systems, but registrars certainly still will have

615   the Whois information even if it is not contained in defined Whois databases.

616

617   Data in motion: Thick Whois models introduce the necessity for data transfer, which requires

618   additional security measures beyond what are needed for information that remains in a single

619   system.

620

621   Data protection laws: As a counterpoint to possible increased legal protection when laws in a

622   registry's jurisdiction allow less information disclosure than an applicable registrant's, rules

623   governing a registry's may in fact be less restrictive. In addition, questions concerning whether

624   registry or registrar location controls may add a level of complexity for the overall system and of

625   confusion for a registrant. We do note however that we are unaware of any such instances that

626   have arisen in current thick Whois environments.

627

628   **Discussion**

629   Data at rest: The WG cannot identify an advantage between a thin and thick environment. The same

630   information is contained in Whois databases in the two models. While ostensibly all Whois data as

631   such will be in a single system in a thick environment, the data elements still will be kept by

632   registrars. While more official copies of Whois information may exist in a thick environment, the fact

633   is that bulk record access[16] is available to the public and the likely magnitude of those copies in the

634   hands of individual analysts or of aggregators makes the value of a discussion questionable.

635

636   Data in motion: The WG cannot identify an advantage between a thin and thick environment. On

637   the surface, the need for Whois transfers from registrars to registries presents an additional point of

638   data vulnerability and need for additional security measures. However, Whois information regularly

639   moves through downloads and replication, as well as through transfer of data from registrars to

---

[16] The WG does note that changes to bulk access are proposed under the 2013 RAA.

> **Marika Konings 31/5/13 17:15**
> **Comment [2]:** How about the existing Shared Registry System (SRS)? Presumably this is a secure channel regardless of the type of data being transferred?

640   registries in the existing thick registries. The WG finds it hard to conclude that risks of data leakage

641   will increase at an identifiable level when a thin registries move to a thick model.

642

643   Data Protection Laws: This subject is especially complex when it comes to drawing conclusions. It

644   raises a level of complexities, uncertainties, and emotions that are beyond the capacity of the WG to

645   address conclusively given available resources and time constraints, and that also may spill beyond

646   the bounds of the scope of this WG in the case of certain issues.

647

648   Thick registries have existed for many years, and the .org registry transitioned from a thin to a thick

649   environment. The WG has not been able to identify a formal analysis of data protection laws in the

650   context of Whois information with respect to thin or thick models or the transition from one to

651   another. The WG would hope that analyses have been done, and the fact that it can find no public

652   objections from the registry or registrar community indicates that no problems have been identified.

653

654   In addition, the WG is not aware of any formal government actions against registries or registrars for

655   maintaining Whois systems in accordance with ICANN requirements. In particular, no registrar has

656   sought to adjust contract requirements pursuant to ICANN Procedure for Handling Whis Conflicts

657   with Privacy Laws (http://www.icann.org/en/resources/registrars/whois-privacy-conflicts-

658   procedure-17jan08-en.htm), which permits exceptions if a government begins an inquiry under

659   data protection laws and regulations. Further, the comment on thick vs. thin Whois that was

660   submitted by the Registrar Stakeholder Group did not raise privacy or data protection concerns.

661

662   However, the fact that the WG has not seen analyses or objections from the contracted party

663   community does not prove a lack of problems. In addition, data protection and privacy laws and

664   regulations change over time so any analyses from the past might need to be revisited periodically.

665   RSEPs (Registry Services Evaluation Panel) initiated by .cat and .tel suggest that they have identified

666   data protection and privacy legal issues that they considered valid even if no formal government

667   action was initiated. While registrars are required under the Registrar Accreditation Agreement to

668   obtain registrants' consent to uses made of data collected from them, whether registrants are

| Marika Konings 31/5/13 17:18 |
| Deleted: in a |
| Marika Konings 31/5/13 17:18 |
| Deleted: over a thin one |

671 aware of the full ramifications of data publication, legal or real, might be questioned, and local rules

672 concerning coercive contract provisions conceivably could come into play.

673

674 The WG has made every effort to examine thin vs. thick registry models in a broad sense. However,

675 any requirement that all registries use the thick model will require that existing thin registries move

676 to thick environments. This situation will raise concerns that, while limited in the long run, are

677 significant given the numbers of domains and registrants involved. The WG expects that data

678 transfers will be in volumes unprecedented in Whois operations and urges that increased

679 information systems and protections are put in place, which are appropriate to handle the volumes.

680

681 Some registrations may have occurred based on a registrant's consideration of local rules governing

682 a registrar or registry. In that event, registrants' data protection expectations will be affected when

683 publication of Whois data moves to a registry that is in a different jurisdiction from the relevant

684 registrar. Thorough examination must be given to the extent to which data protection guarantees

685 governing a registrar can be binding on a registry. Should data protections in the jurisdiction of a

686 registrant, registrar, or registry control? Should registry or registrar accreditation agreements

687 contain language that specifies whose protection environment applies?

688

689 Again, these questions must be explored in more depth by ICANN staff, starting with the General

690 Counsel's Office, and by the community, with registries and registrars taking the lead. As an added

691 benefit, analyses concerning change of applicable laws with respect to transition from a thin to a

692 thick environment also may prove valuable in the event of changes in a registry's management,

693 presumably an increasing likelihood given the volume of new gTLDs on the horizon.

694

695 **Conclusion**

696

697 Data Protection: The WG finds that requiring thick Whois for all gTLD registries does not raise data

698 protection issues that are specific to thin vs. thick Whois, as those that have been identified already

699 exist in the current environment and should be considered as part of the broader Whois debate.

700

701   Privacy: There are currently issues with respect to privacy related to Whois, and these will only

702   grow in the future. Those issues apply to other gTLDs as well, and thus will need to be addressed by

703   ICANN. Existing registry policy and practice allows flexibility when needed, and the new draft RAA

704   provides similar options for registrars. None of these issues seem to be related to whether a thick or

705   thin Whois model is being used. The support of the Registrar Stakeholder Group related to a thin-to-

706   thick transition implies that they perceive no immediate issue. There are still WG participants who

707   feel uneasy with the vast amounts of data that will need to be transferred across jurisdictional

708   boundaries, but those have not translated into concrete concerns. So although privacy issues may

709   become a substantive issue in the future, and should certainly be part of the investigation of a

710   replacement for Whois, it is not a reason to not proceed with this PDP WG recommending thick

711   Whois for all.

712

713   **5.6   Cost implications**

714

715   **Issue Description**

716   What are the cost implications of a transition to thick Whois for registries, registrars, registrants and

717   other parties for all gTLDs? Conversely, what are the cost implications to registries, registrars,

718   registrants and other parties if no transition is mandated?

719

720   Discussion

721   The WG has chosen to identify broad components of on-going and transition costs, and in some

722   cases base its analysis on projects that are of comparable scope and complexity. The WG did not

723   have the capacity to develop detailed cost comparisons and does not consider them to be required

724   in order to reach valid conclusions regarding the cost impact of requiring thick Whois for all gTLD

725   registries.

726

727 **Cost Implications of requiring thick Whois – On going costs**

728

729 Escrow costs

730

731 <u>Registrars</u>: **No change**

732 <u>Registries</u>: **Incrementally higher** -- increased data-storage and data transfer costs. Estimating

733 guideline: data volume will increase from domain-information-only to domain-and-contact

734 information. The WG offers a SWAG estimate of roughly doubled volume of escrow data-storage

735 and transfer. The cost is paid by the registry.

736 <u>Data consumers</u>**: No change**

737

738 Port 43 Whois server costs

739

740 <u>Registrars</u>: **No change or lower** – depending on whether Port 43 Whois requirements for thick

741 Whois registries are eliminated in the new RAA

742 <u>Registries</u>: **Incrementally higher** – due to increase in the size of the data payload for each Whois

743 query (roughly double). Estimating guideline: Whois server costs are a small fraction of the cost of

744 operating the front-facing server for a registry, and the incremental impact of increased processing

745 and bandwidth by these relatively simple systems is negligible.

746 <u>Data consumers</u>: **Lower** – due to reduced cost of automation resulting from more consistent access

747 methods and format of the data

748

749 Web-based Whois server costs

750

751 <u>Registrars</u>: **No change or incrementally lower** – depending on the extent to which Whois-query

752 demand shifts from registrars to registries

753 <u>Registries</u>: **No change or incrementally higher** – depending on the extent to which Whois-query

754 demand shifts from registrars to registries. Estimating guideline: Whois server costs are a small

755 fraction of the cost of operating the front-facing server for a registry, the incremental impact of

756 increased processing and bandwidth is negligible.

Marika Konings 31/5/13 17:21
Deleted: ICANN

758 Data consumers: **Lower** – due to reduced errors resulting from more consistent access methods and

759 format of the data

760

761 **Cost Implications of requiring thick Whois – Transition costs**

762

763 Registrars: **Less than adding a new gTLD** – the WG anticipates that registrars will only be required to

764 reconfigure systems and processes that they already support rather than having to develop new

765 ones. Those changes will require reconfiguring Whois systems from the exception (process in a thin-

766 Whois manner) to the norm (process in a thick-Whois manner). The WG views the initial transfer of

767 contact data to the registry as similarly straightforward – and could be as simple as using the

768 "restore contact data from the escrow provider" process that presumably already exists. Estimating

769 guideline: a comparable effort might be a project to start up escrow.

770 Registries: **Less than adding a new gTLD** – the WG similarly anticipates that registries will also be

771 reconfiguring systems and processes that they already support, as all of them support thick Whois

772 for other gTLDs already. Again the WG anticipates a highly automated process will be used to

773 transfer and populate contact data, which is likely to require minimal training or manual

774 intervention. Estimating guideline: a comparable effort might be a project to start up escrow.

775 Data consumers: **Less than adding a new gTLD** – data consumers will likewise be required to

776 reconfigure systems and processes to switch from the exception (thin Whois) to the norm (thick

777 Whois), but again they will merely be reconfiguring systems and not developing new ones.

778

779 **Cost Implications of not requiring thick Whois**

780 The WG received comments that noted that the costs associated with not having easy access to

781 Whois data is significant, not only to rights owners, but also victimized Internet users. The WG

782 acknowledges that this may be true, but has concluded that analysing the nature and scale of costs

783 of this type are outside its charter

784

785 **Conclusion**

Marika Konings 31/5/13 17:23
Comment [3]: We are not aware of such a process currently existing.

Marika Konings 31/5/13 17:24
Comment [4]: This may not be completely accurate. What happens to the registrars who do nothing? Some may not undertake any action until they are threatened with termination.

---

786 The working group finds that requiring thick Whois would not have overly burdensome cost impacts

787 on providers of Whois data and could reduce acquisition and processing costs for consumers of that

788 data.

789

790 **5.7   Synchronization / migration**

791

792 **Issue Description**

793 Synchronization refers to updating the Whois information in an immediate and accurate manner so

794 that both data sets, registrar and registry, are exact duplicates. Synchronization of data must occur

795 when either the registrar provides new information to the registry or the registry updates a Whois

796 record directly. The WG was asked to address the impact on synchronization between the registry

797 and registrar Whois and EPP systems for those Registries currently operating a thin registry, both in

798 the migration[17] phase to thick Whois as well as ongoing operations.

799

800 **Synchronization in a thin Whois environment**

801 The registrar collects the Whois data from the registrant but only transmits a limited subset of that

802 data to the registry. This limited subset must be updated in an immediate and accurate manner to

803 insure that both subsets of data are exactly the same.

804

805 **Synchronization in a thick Whois environment**

806 The only difference in a thick Whois environment is that all of the Whois data collected by the

807 registrar is transmitted to the registry. As in the thin Whois environment the information must be

808 updated in an immediate and accurate manner[18].

809

---

[17] Please note that issues related to a possible transition of existing thin gTLD registries to a 'thick' model are covered in a different section of this report.
[18] The RAA gives registrars a matter of days to update registry data (5 business days under the 2009 RAA and 7 calendar days under the proposed 2013 RAA) and up to 24 hours to update their own Whois records.

810   **Possible disadvantages for synchronization in a thick Whois environment**

811

812   The WG received no concrete examples of synchronization issues in converting from a thin Whois

813   environment to a thick Whois environment in the comments received. Most of the comments

814   addressing this topic emphasized the need for being mindful of the following:

815   1.   Cost

816   2.   Stability when transitioning the data

817   3.   Number of records involved

818

819   **Synchronization Inconsistencies**

820   The WG notes that there are risks of inconsistencies between the data output of the registrar and

821   the registry under both the thin and thick models. By having additional data shared between a

822   registry and registrar in a thick Whois model, this risk for inconsistencies may increase.

823

824   For example, inconsistencies may arise when the registry updates Whois records directly, as may be

825   required by a (closed) court order. In circumstances where a domain name is being transferred by

826   the registry without the losing registrar's knowledge, this may lead to the losing registrar publishing

827   outdated Whois data for a domain name no longer under it's control. Effectively, one domain name

828   could have two or more registrars publishing completely different data for the same domain name.

829   While the registry will reference the correct registrar, a third party may obtain differing results

830   depending on where they perform their lookup. In thick registries, inconsistencies between the

831   registrar Whois and the registry Whois contact information may also arise, as again such

832   modifications are not necessarily transmitted to the losing registrar. Effectively, registries and losing

833   registrars could conceivably output completely different Whois data. It was suggested that this

834   could be fixed by removing the port 43 Whois requirement[19] for registrars in thick registries,

835   although some explained that currently some registrars already pass on registrar port 43 queries to

836   the registry in the case of thick Whois, which also eliminates the risk of inconsistencies. The WG

---

[19] Only the port 43 Whois requirement is an issue as it cannot be mirrored to the registry web-based Whois
output and can therefore cause synchronization issues, for web-based Whois registrars would actually be
permitted to mirror the registry web-based Whois output or use the registry port 43 Whois.

837   notes that the proposed 2013 Registrar Accreditation Agreement (RAA) provides for the removal of

838   the port 43 requirement for thick gTLD registries (see section 3.3.1 -

839   https://www.icann.org/en/resources/registrars/raa/proposed-agreement-22apr13-en.pdf).

840

841   **Conclusion**

842   The WG finds that a transition to thick Whois for all gTLD registries will have no detrimental effects

843   on data synchronization.

844

845   **5.8   Authoritativeness**

846

847   **Issue Description**

848   Here is the working definition used by the WG while analysing this issue: "Authoritative, with

849   respect to provision of Whois services, shall be interpreted as to signify the single database within a

850   hierarchical database structure holding the data that is assumed to be the final authority regarding

851   the question of which record shall be considered accurate and reliable in case of conflicting records;

852   administered by a single administrative [agent] and consisting of data provided by the registrants of

853   record through their registrars." A proposed shorter version is "the data set to be relied upon in

854   case of doubt". There is currently no definition of an 'authoritative' Whois record/source, but the

855   RAA requires registrars to update their own Whois services sooner (within 1 day) than they are

856   required to update registries (who could not publish the updated data until they receive it).

857   Therefore, in case of conflict, the registrar's Whois output should generally be considered more

858   accurate (though some exceptions could exist).

859

860   **Authoritativeness in a thin Whois environment**

861   Since the registrar alone holds most Whois data, its data is necessarily authoritative as to those data

862   elements (e.g., name of registrant). For that data held by both registrar and registry (e.g., name of

863   registrar), it appears that registry data is generally treated as authoritative, but the WG is not aware

864   of any official ICANN policy statement on this. The WG observes that in the case of the Uniform

865   Dispute Resolution Policy (UDRP), UDRP Providers treat the registrar Whois information as

Marika Konings 31/5/13 17:29
Deleted: recommends

Marika Konings 31/5/13 18:07
Comment [5]: For review / discussion – based on the WGs feedback, additional changes may need to be made to other parts of this section.

867   authoritative, which may be the result of the UDRP having been adopted prior to the emergence of

868   thick gTLD registries.

869

870   **Authoritativeness in a thick Whois environment**

871   Most comments that addressed this question stated that registry data is considered authoritative in

872   the thick environment. Only one stated that the registrar data was authoritative. Again, the WG is

873   not aware of any official ICANN policy statement on this question. The WG notes that the registrar

874   remains responsible for the accuracy of the data under either the thick or thin model, as the

875   relationship with the registrant remains with the registrar.

876

877   **Possible advantages for authoritativeness in a thick Whois environment**

878   Several comments cited efficiency and trust as advantages of treating the registry Whois data as

879   authoritative. The WG supports the view that the registry will hold the entire data set, and is able to

880   change the data without informing the registrar (due to closed court orders or similar events).

881   Therefore, the only authoritative data source can be the registry as it holds the ultimate sway over

882   the data. A registrar updates the data at customer request and is responsible for its accuracy, but

883   such changes would only become authoritative once the registry Whois reflects the change.

884

885   **Possible downsides for authoritativeness in a thick Whois environment**

886   Several comments noted that registrars remain responsible for collecting the data and (to an extent

887   governed by contract with ICANN) for its accuracy. One contribution felt this was inconsistent with a

888   conclusion that registry Whois would be authoritative in the thick environment. The WG did not

889   agree that this inconsistency was problematic (primarily on the grounds stated above that the WG

890   assumes that any data collected by the registrar becomes authoritative only after it is incorporated

891   in the registry database[20]).

892

893   **Conclusion**

---

[20] It should be noted though that there may be exceptions, for example, the registered name holder is the person with whom the registrar holds a registration agreement, not necessarily the person the registry thinks is the registrant (because the update by the registrar wasn't instantaneous). See also footnote 18.

894   The WG finds that a transition from thin to thick Whois will have no detrimental effect on

895   authoritativeness. The WG reviewed the question as to whether it is necessary for this WG to

896   recommend a policy on this issue. Based on that review, the WG has concluded that this is not

897   necessary, given that thick registries have functioned for many years without requiring a formal

898   position on authoritativeness, and the lack of evidence that this created any problem during

899   previous thin-to-thick transitions such as .org.

900

901   **5.9   Competition in registry services**

902

903   **Issue Description**

904   The WG was tasked to consider what the impact would be on competition in registry services should

905   all registries be required to provide Whois service using the thick Whois model – would there be

906   more, less or no difference with regard to competition in registry services.

907

908   **Competition in registry Services in the current Whois environment**

909   Today, the two largest gTLD registries (.com and .net) are exempt from the requirement to operate

910   under the thick Whois model, as well as .jobs. All other registries, including new gTLDs, are required

911   to operate under a thick Whois model.

912

913   **Competition in registry Services in a thick Whois environment**

914   The WG observes that all registries would be operating on a level playing field as they would all

915   operate under the same model in a thick Whois environment.

916

917   **Possible advantages for competition in registry services under a thick Whois model**

918   The WG concludes that requiring thick Whois would create a level playing field among registries. The

919   WG also observes that diversity in Whois data models is inappropriate as a matter of competitive

920   advantage among registries.

921

922   **Possible downsides for competition in registry services under a thick Whois model**

923 The position was put forward that creating a level playing field and requiring the provision of the

924 same Whois services would reduce competition as there would be no difference in the Whois model

925 offered and registrants could only choose the same standardized Whois services. As noted above,

926 the WG did not find this to be a compelling argument and is of the view that standardized Whois

927 services are much more attractive than any innovations that were restricted to a single registry

928 provider.

929

930 **Conclusion**

931 The working group finds that requiring thick Whois would provide a more level playing field

932 between registry providers. Furthermore, the WG was not able to identify any substantive

933 examples as to why a differentiated approach in provision of Whois services would be better for

934 competition.

935

936 **5.10   Existing Whois applications**

937

938 **Issue Description**

939 What, if anything, are the potential impacts on the providers of third-party Whois-related

940 applications if thick Whois would be required for all gTLDs? Do these applications need to be

941 updated / changed and how would that impact users of those applications?

942

943 **Possible advantages to existing Whois Applications under a thick Whois model**

944 The WG observes that the transition to thick gTLD registries may have a small transitional impact on

945 third-party providers. But in the long term that transition would allow them to use a simpler data-

946 gathering model and they could eliminate the issues associated with registrar-specific Whois data

947 access.   Whois data providers will also benefit from having to implement and parse only one

948 authoritative data source instead of one per registrar.

949

950 **Possible downsides to existing Whois Applications under a thick Whois model**

951 There is the possibility that the transition to thick Whois may disrupt third-party Whois applications

952 due to the change in location and format of the data. Furthermore, the ability and incentive for

953 third-party providers to innovate in providing new services to address the yet unsolved problems of

954 internationalized domain name data may be diminished.

955

956 **Conclusion**

957 The WG finds that a transition from thin to thick Whois will have no substantive detrimental effect

958 on existing 3rd-party Whois service providers and will reduce the variability and cost of data

959 acquisition for those providers.

960

961 **5.11   Data escrow**

962

963 **Issue Description**

964 Data Escrow is the act of storing data with a neutral third party in case of registry or registrar failure,

965 accreditation termination, or accreditation expiration without renewal. ICANN requires all registrars

966 and gTLD registries to contract with a data escrow provider in order to safeguard registrants. Both

967 registrar and registry escrows follow the same system: a weekly full deposit on Sundays, and a

968 partial deposit on all other days containing all new data since the last full deposit[21]. .

969

970 **Data Escrow in a thick Whois environment**

971 Registrars and the registries store Whois data in different, unrelated escrow accounts. In the case of

972 thick registries, personal Whois data is also escrowed by the registry. Thus the Whois data is stored

973 in four logical locations (registry, registrar, escrow accounts). In the case of a failure, the data could

974 be available from up to three other locations. The WG notes that this number may decline if the

975 registry and the registrar use the same data escrow provider and care is not taken to store the data

976 in separate physical locations.

977

978 **Data Escrow in a thin Whois environment**

979 Under the thin Whois model, the registrar stores its Whois data (the contact data) in its escrow

980 location and the registry stores its domain data in its escrow account. Thus, for any single data

981 element there is one location available for backup data in the event of a failure.

---

[21] http://icannwiki.com/index.php/Data_Escrow

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Comment [6]: This is not correct. Registrars don't deposit on the same schedule as each other registrars and registries do not deposit on the same schedule as registrars.

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Deleted: may

990

Conclusion

992 The working group finds that requiring thick Whois would result in more copies of escrowed data in

993 the event of a failure[22].

994

995 **5.12   Registrar Port 43 Whois requirements**

996

997 **Issue Description**

998 Under the current Registrar Accreditation Agreement (RAA), registrars are required to provide

999 access to Whois data to the public via two ways:

1000 1.   An interactive web page provided on the registrar's website, and

1001 2.   Port 43 lookup accessed in several ways (such as through command line utility, Whois lookup

1002   software, and third party websites)

1003

1004 Registrars suggest that with thick registries online, the need for Port 43 access on the registrar level

1005 is becoming irrelevant. In their view it does not make sense to provide this data if it is not referred

1006 to by the registry and the duplication of the services from multiple data sources may lead to

1007 inconsistencies in the results displayed (see also the section on synchronization / migration). If the

1008 registry displays the Whois data, and therefore the registry no longer points to the Whois server of

1009 the registrar, that server becomes redundant.

1010

1011 **Recent developments**

1012 The proposed 2013 RAA includes a provision that the current requirement for registrars to provide

1013 Port 43 Whois service is no longer required for thick gTLD registries. The proposed language reads:

1014 'At its expense, Registrar shall provide an interactive web page and, with respect to any gTLD

1015 operating a "thin" registry, a port 43 Whois service (each accessible via both IPv4 and IPv6)

1016 providing free public query---based access to up---to---date (i.e., updated at least daily) data

---

[22] ICANN staff noted that in the case of registrar failure, the registrar escrow data has often been found to be incomplete or formatted incorrectly, and in some cases not available at all. In those instances, thick registry data has proven invaluable in standing up failed registrars.

1017   concerning all active Registered Names sponsored by Registrar in any gTLD'. As a result, the WG did

1018   not consider this issue in further detail.

1019

1020   **Conclusion**

1021   The WG finds that the RAA negotiation is on track to resolve this question and defers to the

1022   conclusions arrived at through that process.

1023

1024

> **Marika Konings 1/6/13 12:07**
> **Deleted:** [and defers to the conclusions arrived at through those negotiations]

6.   Community Input

6.1   Request for Input

As outlined in its Charter, 'the PDP WG is also expected to consider any information and advice

provided by other ICANN Supporting Organizations and Advisory Committees on this topic. The WG

is strongly encouraged to reach out to these groups for collaboration at an early stage of its

deliberations, to ensure that their concerns and positions are considered in a timely manner'. As a

result, the WG reached out to all ICANN Supporting Organizations and Advisory Committees as well

as GNSO Stakeholder Groups and Constituencies with a request for input (see Annex B and C) at the

start of its deliberations. In response, statements were received from:

- The GNSO Business Constituency (BC)
- The GNSO Intellectual Property Constituency (IPC)
- The GNSO Non-Commercial Users Constituency (NCUC)
- Verisign
- The GNSO Registry Stakeholder Group (RySG)
- The GNSO Registrar Stakeholder Group (RrSG)
- The At-Large Advisory Committee (ALAC)

The full statements can be found here: https://community.icann.org/x/WIRZAg.

6.2   Review of Input Received

The WG developed a matrix (located in Annex E) that it used to assess the input received in relation

to the Charter Topics. This matrix, in addition to the summary of the comments, formed the basis

for sub-team as well as Working Group discussions in relation to the different topics, the results of

which have been outlined in section 5 of this report.

7.   Working Group Preliminary Recommendations and Observations

7.1   Preliminary Recommendation

The WG was tasked to provide the GNSO Council with 'with a policy recommendation regarding the use of thick Whois by all gTLD registries, both existing and future'. Following its analysis of the different elements, as outlined in the WG Charter, which has been detailed in section 5 of this report, on balance the Working Group concludes that there are more benefits than disadvantages to requiring thick Whois for all gTLD registries. As a result, the Working Group recommends that:

> *The provision of thick Whois services should become a requirement for all gTLD registries, both existing and future.*

Preliminary level of consensus for this recommendation: The Working Group has arrived at preliminary consensus on this recommendation. A final consensus call will be conducted once the recommendation is finalized following review of the public comments received on this Initial Report.

Expected impact of the proposed recommendation:

As outlined in section 5, the WG expects numerous benefits as a result of requiring thick Whois for all gTLD registries. Nevertheless, the WG recognizes that a transition of the current thin gTLD registries would affect over 120 million domain name registrations and as such it should be carefully prepared and implemented. In section 7.3 the WG also provides other observations that emerged from this discussion which while not directly related to the question of thin or thick did and should receive due consideration by other bodies.

7.2   Implementation Considerations

Per its Charter and given the recommendation that thick Whois services become a requirement for all gTLD registries, the WG is also charged with considered the following questions:

1082

1083 • **Cost implications for gTLD registries, registrars and registrants of a transition to thick Whois**

1084   The WG notes that some of these considerations have already been covered in section 5.6 - cost

1085   implications. Overall, the WG expects that there will be a one-off cost involved in the actual

1086   transition from thin to thick, but the WG also notes that considering synergies in the

1087   implementation process may minimize such costs. For example, instead of requiring all registrar

1088   data to be transferred to the registry at a certain point in time, this could coincide with the

1089   submission by the registrar of the data to the escrow agent so that it may only involve minor

1090   adjustments to submit that data to the gTLD operator. Also, as virtually all registrars already

1091   deal with thick TLDs and the only registry currently operating thin gTLDs also operates thick

1092   gTLDs, it is the expectation that there is hardly no learning curve or software development

1093   needed. The WG would welcome further input on this question as part of the public comment

1094   forum.

1095

1096 • **Guidelines as to how to conduct such a transition (timeline, requirements, potential changes**

1097   **to Registration Agreements, etc.)**

1098   The WG notes that valuable information may be learned from the PIR Post Transition Report

1099   that describes the transition of .org from thin to thick and is considering whether specification 4

1100   of the proposed new gTLD Registry Agreement could serve as a model for implementation, but

1101   would welcome further community input before making a final decision on its implementation

1102   recommendations, The WG does recommend that as part of the implementation a team is

1103   formed consisting of experts from the parties that will be most affected by this transition,

1104   together with ICANN Staff, to work out such details. It is the expectation that any

1105   implementation plan would be shared with the ICANN Community for input. Any further input

1106   on this question would be welcomed.

1107

1108 • **Are special provisions and/or exemptions needed for gTLD registries which operate a thick**

1109   **Whois but provide tiered access, for example?**

1110   The WG notes that ICANN already has a Procedure for Handling Whois Conflicts with Privacy

1111   Law in place. Furthermore, the WG notes that the proposed 2013 RAA also includes a proposed

> **Marika Konings 1/6/13 12:10**
> **Deleted:** the WG does not have any further guidance to offer at this stage

1114   mechanism for a registrar to request a waiver if the collection and/or retention of any data

1115   element violate applicable local law. The WG does not intend or expect that any of these

1116   exemptions or special provisions granted under these procedures are affected by a requirement

1117   for thick Whois for all gTLD registries.

1118

1119   The WG would like to encourage commenters on this Initial Report to raise any other issues or

1120   questions that the WG should consider as part of possible implementation guidance on this issue as

1121   part of the public comment forum.

1122

1123   **7.3   Additional Observations**

1124   The WG would like to share the following observations that emerged as part of its deliberations on

1125   the different elements as outlined in section 5. These are not within scope of its Charter, but the WG

1126   would nevertheless like to document them so that the GNSO Council / ICANN Staff can take further

1127   action if deemed appropriate and timely.

1128

1129   **Data Escrow**: The WG suggests that ICANN consider exploring the implications of two escrows,

1130   which could conceivably be stored at the same site removing the benefit of the duplication, and the

1131   implications of registrar/registry integration which could result in those "two" sites being co-located.

1132

1133   **Authoritativeness**: The WG observes that UDRP providers consider registrar data to be authoritative

1134   (whether it is thick or thin), while in all other circumstances the registry data is considered

1135   authoritative under the thick Whois model. The WG suggests that the GNSO Council further

1136   consider this issue.

1137

1138   **Privacy & Data Protection**: The WG notes the increasing number of data protection and privacy laws

1139   and regulations around the world, as well as specific Whois-related concerns raised by the public.

1140   While recognizing that this exceeds the scope of our remit, we suggest that, as part of the

1141   development of the registration data directory system model currently in process, ICANN ensure

1142   that the ramifications of data protection and privacy laws and regulations with respect to Whois

1143   requirements be examined thoroughly. We make these points as part of that suggestion:

1144

1145   1) Examinations must include data collection, data disclosure, and data retention laws, as well as

1146   data quality requirements under data protection principles. These examinations must be

1147   ongoing, as new data protection laws take effect and old ones are amended on a continual

1148   basis. The European Union Data Privacy Framework is well known and proposed amendments

1149   have received much attention. Additionally, the Singapore Personal Data Protection Commission

1150   will just begin its work in May, 2013.

1151

1152   2) Government inquiries can be expensive for a registrar or registry even if they do not lead to

1153   formal action. We suggest specifically that the procedures cited above for handling conflicts

1154   with privacy laws be reviewed to ensure that they can be invoked on the basis of documented

1155   and objectively well-founded concrete concerns about conflicts with local rules.

1156   Accommodations for conflicts between Whois requirements and data protection laws have been

1157   made without a requirement of law enforcement inquiry through RSEPs initiated by .cat and .tel;

1158

1159   3) Reviews of the relevant questions already are occurring or have occurred, as evidenced by, for

1160   example, the Data Retention Specification in the Draft RAA currently open for public comment

1161   and Section 7.13, Severability; Conflicts with Laws of the draft RA also in the ICANN comment

1162   phase. However,

1163

1164   4) Given the dynamic nature of laws and contracts that may address what data protections should

1165   be in place, as well as increasing complexities, the examinations must be limited to: provisions

1166   that have the force of law at any given time, authoritative statements from relevant

1167   governments about those provisions, or contract provisions that are final. If a decision is made

1168   to examine broader frameworks, those analyses must focus on what exists, not changes that

1169   may happen. It is not possible to anticipate what will happen or address all possibilities.

1170

1171   5) Some level of real world review of the efficacy of data protection provisions must occur as part

1172   of any reviews. As examples, a) what is the real effect of data retention provisions or b) do safe

1173   harbor laws really provide data protection assurances.

1174

1175
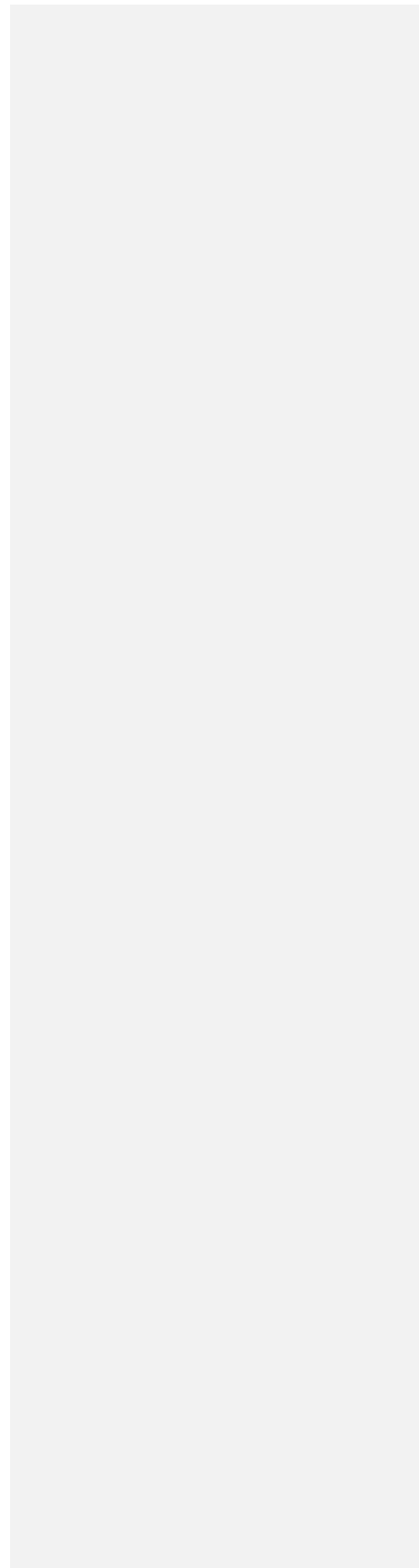
8.   Conclusions and Next Steps

1177   The Working Group aims to complete this section of the report in the second phase of the PDP,

1178   following a public comment period on this Initial Report.

1179

1180

1181 ## Annex A – PDP WG Charter

WG Name:	Thick Whois PDP Working Group	
Section I: Working Group Identification		
Chartering Organization(s):	GNSO Council	
Charter Approval Date:	17 October 2012	
Name of WG Chair:	Mikey O'Connor	
Name(s) of Appointed Liaison(s):	Volker Greimann	
WG Workspace URL:	https://community.icann.org/display/PDP/Home	
WG Mailing List:	http://forum.icann.org/lists/gnso-thickwhois-wg/	
GNSO Council Resolution:	**Title:**	Motion to approve the Charter for the thick Whois PDP Working Group
	Ref # & Link:	http://gnso.icann.org/en/resolutions#20121017-3
Important Document Links:	• Thick Whois Final Issue Report (http://gnso.icann.org/issues/whois/final-report-thick-whois-02feb12-en.pdf) • GNSO Working Group Guidelines (http://gnso.icann.org/council/annex-1-gnso-wg-guidelines-08apr11-en.pdf) • GNSO PDP Manual (http://gnso.icann.org/council/annex-2-pdp-manual-16dec11-en.pdf) • Annex A – GNSO Policy Development Process of the ICANN Bylaws (http://www.icann.org/en/about/governance/bylaws#AnnexA)	
Section II: Mission, Purpose, and Deliverables		
Mission & Scope:		
Background ICANN specifies Whois service requirements through Registry Agreements (RAs) and the Registrar Accreditation Agreement (RAA) for the generic top-level domain (gTLD) registries.		

Registries have historically satisfied their Whois obligations under two different models. The two models are often characterized as "thin" and "thick" Whois registries. This distinction is based on how two distinct sets of data are maintained.

Whois contains two kinds of data about a domain name; one set of data is associated with the domain name (this information includes data sufficient to identify the sponsoring registrar, status of the registration, creation and expiration dates for each registration, name server data, the last time the record was updated in the registry database, and the URL for the registrar's Whois service), and a second set of data that is associated with the registrant of the domain name.

In a thin registration model the registry only collects the information associated with the domain name from the Registrar. The registry in turn publishes that information along with maintaining certain status information at the registry level. Registrars maintain data associated with the registrant of the domain and provide it via their own Whois services, as required by Section 3.3 of the RAA for those domains they sponsor [1] .

In a thick registration model the registry collects both sets of data (domain name and registrant) from the Registrar and in turn publishes that data via Whois.

Mission and Scope

The PDP Working Group is tasked to provide the GNSO Council with a policy recommendation regarding the use of thick Whois by all gTLD registries, both existing and future. As part of its deliberations on this issue, the PDP WG should, at a minimum, consider the following elements as detailed in the Final Issue Report:

- Response consistency: a thick registry can dictate the labeling and display of Whois information to be sure the information is easy to parse, and all registrars/clients would have to display it accordingly. This could be considered a benefit but also a potential cost. This might also be a benefit in the context of internationalized registration data as even with the use of different scripts, uniform data collection and display standards could be applied.

- Stability: in the event of a Registrar business or technical failure, it could be beneficial to ICANN and registrants to have the full set of domain registration contact data stored by four organizations (the registry, the registry's escrow agent, the Registrar, and the Registrar's escrow agent), which would be the case in a thick registry.

- Accessibility: is the provision of Whois information at the registry level under the thick Whois model more effective and cost-effective than a thin model in protecting consumers and users of Whois data and intellectual property owners?

- Impact on privacy and data protection: how would thick Whois affect privacy and data protection, also taking into account the involvement of different jurisdictions with different laws and legislation with regard to data privacy as well as possible cross border transfers of registrant data?

- Cost implications: what are the cost implications of a transition to thick Whois for registries, registrars, registrants and other parties for all gTLDs? Conversely, what are the cost implications to registries, registrars, registrants and other parties if no transition is mandated?

- Synchronization/migration: what would be the impact on the   registry and registrar Whois and EPP systems for those registries currently operating a thin registry, both in the migration phase to thick Whois as well as ongoing operations?

- Authoritativeness: what are the implications of a thin registry possibly becoming authoritative for registrant Whois data following the transition from a thin-registry model to a thick-registry model. The Working Group should consider the term "authoritative" in both the technical (the repository of the authoritative data) and policy (who has authority over the data) meanings of the word when considering this issue.

- Competition in registry services: what would be the impact on competition in registry services should all registries be required to provide Whois service using the thick Whois model – would there be more, less or no difference with regard to competition in registry services?

- Existing Whois Applications: What, if anything, are the potential impacts on the providers of third-party Whois-related applications if thick Whois is required for all gtLDs?

- Data escrow: thick Whois might obviate the need for the registrar escrow program and attendant expenses to ICANN and registrars.

- Registrar Port 43 Whois requirements: thick Whois could make the requirement for registrars to maintain Port 43 Whois access redundant.

Should the PDP WG reach consensus on a recommendation that thick Whois should be required for all gTLDs, the PDP WG is also expected to consider:

- Cost implications for gTLD registries, registrars and registrants of a transition to thick Whois
- Guidelines as to how to conduct such a transition (timeline, requirements, potential changes to Registration Agreements, etc.)
- Are special provisions and/or exemptions needed for gTLD registries which operate a thick Whois but provide tiered access [2] , for example?

In addition, the PDP WG should take into account other ICANN initiatives that may help inform the deliberations limited to this specific topic such as;

- Registry/registrar separation and related developments with regards to access to customer data;
- Output from any/all of the four Whois Studies chartered by the GNSO Council, if completed in time for consideration by the WG;
- The 2004 transition of .ORG from thin to thick;
- The work being done concurrently on the internationalization of Whois and the successor to the Whois protocol and data model;
- Results of the RAA negotiations, and
- Recommendations of the Whois Review Team.

The PDP WG is also expected to consider any information and advice provided by other ICANN Supporting Organizations and Advisory Committees on this topic. The WG is strongly encouraged to reach out to these groups for collaboration at an early stage of its deliberations, to ensure that their concerns and positions are considered in a timely manner.

Objectives & Goals:

To develop, at a minimum, an Initial Report and a Final Report regarding the use of thick Whois by all gTLD registries, both existing and future to be delivered to the GNSO Council, following the processes described in Annex A of the ICANN Bylaws and the GNSO PDP Manual.

Deliverables & Timeframes:

The WG shall respect the timelines and deliverables as outlined in Annex A of the ICANN Bylaws and the PDP

Manual. As per the GNSO Working Group Guidelines, the WG shall develop a work plan that outlines the necessary steps and expected timing in order to achieve the milestones of the PDP as set out in Annex A of the ICANN Bylaws and the PDP Manual and submit this to the GNSO Council.

Section III: Formation, Staffing, and Organization
Membership Criteria:
The Working Group will be open to all interested in participating. New members who join after certain parts of work has been completed are expected to review previous documents and meeting transcripts.
Group Formation, Dependencies, & Dissolution:
This WG shall be a standard GNSO PDP Working Group. The GNSO Secretariat should circulate a 'Call For Volunteers' as widely as possible in order to ensure broad representation and participation in the Working Group, including: -   Publication of announcement on relevant ICANN web sites including but not limited to the GNSO and other Supporting Organizations and Advisory Committee web pages; and -   Distribution of the announcement to GNSO Stakeholder Groups, Constituencies and other ICANN Supporting Organizations and Advisory Committees
Working Group Roles, Functions, & Duties:
The ICANN Staff assigned to the WG will fully support the work of the Working Group as requested by the Chair including meeting support, document drafting, editing and distribution and other substantive contributions when deemed appropriate. Staff assignments to the Working Group: •   GNSO Secretariat •   1 ICANN policy staff member (Marika Konings) The standard WG roles, functions & duties shall be applicable as specified in Section 2.2 of the Working Group Guidelines.
Statements of Interest (SOI) Guidelines:
Each member of the Working Group is required to submit an SOI in accordance with Section 5 of the GNSO Operating Procedures.

Section IV: Rules of Engagement

Decision-Making Methodologies:

{Note: The following material was extracted from the Working Group Guidelines, Section 3.6. If a Chartering Organization wishes to deviate from the standard methodology for making decisions or empower the WG to decide its own decision-making methodology, this section should be amended as appropriate}.

The Chair will be responsible for designating each position as having one of the following designations:

- **Full consensus** - when no one in the group speaks against the recommendation in its last readings. This is also sometimes referred to as **Unanimous Consensus.**

- **Consensus** - a position where only a small minority disagrees, but most agree. *[Note: For those that are unfamiliar with ICANN usage, you may associate the definition of 'Consensus' with other definitions and terms of art such as rough consensus or near consensus. It should be noted, however, that in the case of a GNSO PDP originated Working Group, all reports, especially Final Reports, must restrict themselves to the term 'Consensus' as this may have legal implications.]*

- **Strong support but significant opposition** - a position where, while most of the group supports a recommendation, there are a significant number of those who do not support it.

- **Divergence** (also referred to as **No Consensus**) - a position where there isn't strong support for any particular position, but many different points of view. Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint, but the members of the group agree that it is worth listing the issue in the report nonetheless.

- **Minority View** - refers to a proposal where a small number of people support the recommendation. This can happen in response to a **Consensus** , **Strong support but significant opposition** , and **No Consensus;** or, it can happen in cases where there is neither support nor opposition to a suggestion made by a small number of individuals.

In cases of **Consensus**, **Strong support but significant opposition**, and **No Consensus**, an effort should be made to document that variance in viewpoint and to present any **Minority View** recommendations that may have been made. Documentation of **Minority View** recommendations normally depends on text offered by the proponent(s). In all cases of **Divergence,** the WG Chair should encourage the submission of minority

viewpoint(s).

The recommended method for discovering the consensus level designation on recommendations should work as follows:

> i. After the group has discussed an issue long enough for all issues to have been raised, understood and discussed, the Chair, or Co-Chairs, make an evaluation of the designation and publish it for the group to review.
>
> ii. After the group has discussed the Chair's estimation of designation, the Chair, or Co-Chairs, should reevaluate and publish an updated evaluation.
>
> iii. Steps (i) and (ii) should continue until the Chair/Co-Chairs make an evaluation that is accepted by the group.
>
> iv. In rare case, a Chair may decide that the use of polls is reasonable. Some of the reasons for this might be:
>
>> o   A decision needs to be made within a time frame that does not allow for the natural process of iteration and settling on a designation to occur.
>>
>> o   It becomes obvious after several iterations that it is impossible to arrive at a designation. This will happen most often when trying to discriminate between **Consensus** and **Strong support but Significant Opposition** or between **Strong support but Significant Opposition** and **Divergence.**

Care should be taken in using polls that they do not become votes. A liability with the use of polls is that, in situations where there is **Divergence** or **Strong Opposition**, there are often disagreements about the meanings of the poll questions or of the poll results.

Based upon the WG's needs, the Chair may direct that WG participants do not have to have their name explicitly associated with any Full Consensus or Consensus view/position. However, in all other cases and in those cases where a group member represents the minority viewpoint, their name must be explicitly linked, especially in those cases where polls where taken.

Consensus calls should always involve the entire Working Group and, for this reason, should take place on the

designated mailing list to ensure that all Working Group members have the opportunity to fully participate in the consensus process. It is the role of the Chair to designate which level of consensus is reached and announce this designation to the Working Group. Member(s) of the Working Group should be able to challenge the designation of the Chair as part of the Working Group discussion. However, if disagreement persists, members of the WG may use the process set forth below to challenge the designation.

If several participants (see Note 1 below) in a WG disagree with the designation given to a position by the Chair or any other consensus call, they may follow these steps sequentially:

1. Send email to the Chair, copying the WG explaining why the decision is believed to be in error.

2. If the Chair still disagrees with the complainants, the Chair will forward the appeal to the CO liaison(s). The Chair must explain his or her reasoning in the response to the complainants and in the submission to the liaison. If the liaison(s) supports the Chair's position, the liaison(s) will provide their response to the complainants. The liaison(s) must explain their reasoning in the response. If the CO liaison disagrees with the Chair, the liaison will forward the appeal to the CO. Should the complainants disagree with the liaison support of the Chair's determination, the complainants may appeal to the Chair of the CO or their designated representative. If the CO agrees with the complainants' position, the CO should recommend remedial action to the Chair.

3. In the event of any appeal, the CO will attach a statement of the appeal to the WG and/or Board report. This statement should include all of the documentation from all steps in the appeals process and should include a statement from the CO (see Note 2 below).

Note 1: Any Working Group member may raise an issue for reconsideration; however, a formal appeal will require that that a single member demonstrates a sufficient amount of support before a formal appeal process can be invoked. In those cases where a single Working Group member is seeking reconsideration, the member will advise the Chair and/or Liaison of their issue and the Chair and/or Liaison will work with the dissenting member to investigate the issue and to determine if there is sufficient support for the reconsideration to initial a formal appeal process.

Note 2: It should be noted that ICANN also has other conflict resolution mechanisms available that could be

considered in case any of the parties are dissatisfied with the outcome of this process.
Status Reporting:
As requested by the GNSO Council, taking into account the recommendation of the Council liaison to this group.
Problem/Issue Escalation & Resolution Processes:
{Note: the following material was extracted from Sections 3.4, 3.5, and 3.7 of the Working Group Guidelines and may be modified by the Chartering Organization at its discretion} The WG will adhere to ICANN's Expected Standards of Behavior as documented in Section F of the ICANN Accountability and Transparency Frameworks and Principles, January 2008. If a WG member feels that these standards are being abused, the affected party should appeal first to the Chair and Liaison and, if unsatisfactorily resolved, to the Chair of the Chartering Organization or their designated representative. It is important to emphasize that expressed disagreement is not, by itself, grounds for abusive behavior. It should also be taken into account that as a result of cultural differences and language barriers, statements may appear disrespectful or inappropriate to some but are not necessarily intended as such. However, it is expected that WG members make every effort to respect the principles outlined in ICANN's Expected Standards of Behavior as referenced above. The Chair, in consultation with the Chartering Organization liaison(s), is empowered to restrict the participation of someone who seriously disrupts the Working Group. Any such restriction will be reviewed by the Chartering Organization. Generally, the participant should first be warned privately, and then warned publicly before such a restriction is put into place. In extreme circumstances, this requirement may be bypassed. Any WG member that believes that his/her contributions are being systematically ignored or discounted or wants to appeal a decision of the WG or CO should first discuss the circumstances with the WG Chair. In the event that the matter cannot be resolved satisfactorily, the WG member should request an opportunity to discuss the situation with the Chair of the Chartering Organization or their designated representative. In addition, if any member of the WG is of the opinion that someone is not performing their role according to

the criteria outlined in this Charter, the same appeals process may be invoked.		

Closure & Working Group Self-Assessment:

The WG will close upon the delivery of the Final Report, unless assigned additional tasks or follow-up by the GNSO Council.

Section V: Charter Document History

Version	Date	Description
1.0	8 October 2012	Final version submitted by the DT to the GNSO Council for consideration

Staff Contact:	Marika Konings	**Email:**		Policy-staff@icann.org

1182

1183 _____

1184 [1] 'A Registered Name is "sponsored" by the registrar that placed the record associated with that registration

1185 into the registry. Sponsorship of a registration may be changed at the express direction of the Registered

1186 Name Holder or, in the event a registrar loses accreditation, in accordance with then-current ICANN

1187 specifications and policies' (see http://www.icann.org/en/resources/registrars/raa/ra-agreement-21may09-

1188 en.htm)

1189 [2] For some registries, Thick Whois information is available at the registry, but public access to the data is

1190 organized in tiers. For example, for .name, the full set of data is available to requesters if the requester enters

1191 into an agreement with the registry under the Extensive Whois Data tier. See

1192 http://www.icann.org/en/tlds/agreements/name/appendix-05-15aug07.htm for further details.

1193

1194 Annex B – Template for Constituency & Stakeholder Group

1195 Statement

1196 **Stakeholder Group / Constituency / Input Template**

1197 **thick Whois PDP Working Group**

1198

1199 PLEASE SUBMIT YOUR RESPONSE AT THE LATEST **BY 9 January 2013** TO THE GNSO SECRETARIAT

1200 (gnso.secretariat@gnso.icann.org), which will forward your statement to the Working Group. If

1201 additional time is needed by your SG / C to provide your feedback, please inform the secretariat

1202 accordingly, including the expected delivery date so that this can be factored in by the WG.

1203

1204 The GNSO Council has formed a Working Group of interested stakeholders and Stakeholder Group /

1205 Constituency representatives, to collaborate broadly with knowledgeable individuals and

1206 organizations, in order to consider recommendations in relation to thick Whois.

1207

1208 Part of the working group's effort will be to incorporate ideas and suggestions gathered from

1209 Stakeholder Groups, Constituencies through this template Statement. Please note that the WG is

1210 currently in an information-gathering phase. Inserting your response in this form will make it much

1211 easier for the Working Group to summarize the responses. This information is helpful to the

1212 community in understanding the points of view of various stakeholders. However, you should feel

1213 free to add any information you deem important to inform the working group's deliberations, even

1214 if this does not fit into any of the questions listed below.

1215

1216 For further information, please visit the WG Workspace

1217 (https://community.icann.org/display/PDP/Home).

1218

1219 **Process**

1220 -   Please identify the member(s) of your stakeholder group / constituency who is (are)

1221   participating in this working group

1222   -   Please identify the members of your stakeholder group / constituency who participated in

1223   developing the perspective(s) set forth below

1224   -   Please describe the process by which your stakeholder group / constituency arrived at the

1225   perspective(s) set forth below

1226   -   If not indicated otherwise, the WG will consider your submission a SG / C position / contribution.

1227   Please note that this should not prevent the submission of individual and/or minority views as

1228   part of your submission, as long as these are clearly identified.

1229

1230   **Topics:**

1231

1232   The WG is tasked to provide the GNSO Council with a policy recommendation regarding the use of

1233   thick Whois by all gTLD registries, both existing and future. As part of its deliberations, the WG is

1234   expected to consider the topics listed below in the context of thick Whois. Please provide your

1235   stakeholder group's / constituency's views, including quantitative and/or empirical information

1236   supporting your views, on these topics in relation to whether or not to require thick Whois for all

1237   gTLDs and/or provide any information that you think will help the WG in its deliberations (for

1238   further information on each of these topics, please see the WG Charter

1239   https://community.icann.org/x/vIg3Ag):

1240

1241   •   Response consistency - a thick registry can dictate the labeling and display of Whois information

1242   to be sure the information is easy to parse, and all registrars/clients would have to display it

1243   accordingly. This could be considered a benefit but also a potential cost. This might also be a

1244   benefit in the context of internationalized registration data as even with the use of different

1245   scripts, uniform data collection and display standards could be applied.

1246   **Your view:**

1247

1248   •   Stability - in the event of a Registrar business or technical failure, it could be beneficial to ICANN

1249   and registrants to have the full set of domain registration contact data stored by four

1250   organizations (the registry, the registry's escrow agent, the Registrar, and the Registrar's escrow

1251   agent), which would be the case in a thick registry.

1252   **Your view:**

1253

1254   • Accessibility - is the provision of Whois information at the registry level under the thick Whois

1255   model more effective and cost-effective than a thin model in protecting consumers and users of

1256   Whois data and intellectual property owners?

1257   **Your view:**

1258

1259   • Impact on privacy and data protection - how would thick Whois affect privacy and data

1260   protection, also taking into account the involvement of different jurisdictions with different laws

1261   and legislation with regard to data privacy as well as possible cross border transfers of registrant

1262   data?

1263   **Your view:**

1264

1265   • Cost implications - what are the cost implications of a transition to thick Whois for registries,

1266   registrars, registrants and other parties for all gTLDs? Conversely, what are the cost implications

1267   to registries, registrars, registrants and other parties if no transition is mandated?

1268   **Your view:**

1269

1270   • Synchronization/migration - what would be the impact on the registry and registrar Whois and

1271   EPP systems for those registries currently operating a thin registry, both in the migration phase

1272   to thick Whois as well as ongoing operations?

1273   **Your view:**

1274

1275   • Authoritativeness - what are the implications of a thin registry possibly becoming authoritative

1276   for registrant Whois data following the transition from a thin-registry model to a thick-registry

1277   model. The Working Group should consider the term "authoritative" in both the technical (the

1278   repository of the authoritative data) and policy (who has authority over the data) meanings of

1279   the word when considering this issue.

1280   **Your view:**

1281

1282   •   Competition in registry services - what would be the impact on competition in registry services

1283   should all registries be required to provide Whois service using the thick Whois model – would

1284   there be more, less or no difference with regard to competition in registry services?

1285   **Your view:**

1286

1287   •   Existing Whois Applications - What, if anything, are the potential impacts on the providers of

1288   third-party Whois-related applications if thick Whois is required for all gtLDs?

1289   **Your view:**

1290

1291   •   Data escrow - thick Whois might obviate the need for the registrar escrow program and

1292   attendant expenses to ICANN and registrars.

1293   **Your view:**

1294

1295   •   Registrar Port 43 Whois requirements - thick Whois could make the requirement for registrars

1296   to maintain Port 43 Whois access redundant.

1297   **Your view:**

1298

1299   Based on your assessment of these topics, you are also encouraged to indicate whether you think

1300   there should or there shouldn't be a requirement for thick Whois by all gTLD registries.

1301   **Your view:**

1302

1303   If there is any other information you think should be considered by the WG as part of its

1304   deliberations, please feel free to include that here.

1305   **Other information:**

1306

1307 ## Annex C – Request for input from ICANN SO / ACs

1308
1309 Dear SO/AC Chair,
1310
1311 As you may be aware, the GNSO Council recently initiated a Policy Development Process (PDP) on
1312 thick Whois. As part of its efforts to obtain input from the broader ICANN Community at an early
1313 stage of its deliberations, the Working Group that has been tasked with addressing this issue is
1314 looking for any input or information that may help inform its deliberations. You are strongly
1315 encouraged to provide any input or information you or members of your respective communities
1316 may have to the GNSO Secretariat (gnso.secretariat@gnso.icann.org).
1317
1318 For further background information on the WG's activities to date, please see
1319 https://community.icann.org/display/PDP/Home. Below you'll find an overview of the issues that
1320 the WG's has been tasked to address per its charter.
1321
1322 If possible, the WG would greatly appreciate if it could receive your input by 9 January 2012 at the
1323 latest. If you cannot submit your input by that date, but your group would like to contribute, please
1324 let us know when we can expect to receive your contribution so we can plan accordingly. Your input
1325 will be very much appreciated.
1326
1327 With best regards,
1328
1329 Mikey O'Connor, Chair of the thick Whois PDP Working Group
1330
1331 **From the Charter** (see https://community.icann.org/x/vIg3Ag):
1332
1333 The PDP Working Group is tasked to provide the GNSO Council with a policy recommendation
1334 regarding the use of thick Whois by all gTLD registries, both existing and future. As part of its
1335 deliberations on this issue, the PDP WG should, at a minimum, consider the following elements as
1336 detailed in the Final Issue Report:
1337
1338 - Response consistency: a thick registry can dictate the labeling and display of Whois information
1339   to be sure the information is easy to parse, and all registrars/clients would have to display it
1340   accordingly. This could be considered a benefit but also a potential cost. This might also be a
1341   benefit in the context of internationalized registration data as even with the use of different
1342   scripts, uniform data collection and display standards could be applied.
1343 - Stability: in the event of a Registrar business or technical failure, it could be beneficial to ICANN
1344   and registrants to have the full set of domain registration contact data stored by four
1345   organizations (the registry, the registry's escrow agent, the Registrar, and the Registrar's
1346   escrow agent), which would be the case in a thick registry.
1347 - Accessibility: is the provision of Whois information at the registry level under the thick Whois
1348   model more effective and cost-effective than a thin model in protecting consumers and users
1349   of Whois data and intellectual property owners?

1350   -   Impact on privacy and data protection: how would thick Whois affect privacy and data
1351   protection, also taking into account the involvement of different jurisdictions with different
1352   laws and legislation with regard to data privacy as well as possible cross border transfers of
1353   registrant data?
1354   -   Cost implications: what are the cost implications of a transition to thick Whois for registries,
1355   registrars, registrants and other parties for all gTLDs? Conversely, what are the cost
1356   implications to registries, registrars, registrants and other parties if no transition is mandated?
1357   -   Synchronization/migration: what would be the impact on the registry and registrar Whois and
1358   EPP systems for those registries currently operating a thin registry, both in the migration phase
1359   to thick Whois as well as ongoing operations?
1360   -   Authoritativeness: what are the implications of a thin registry possibly becoming authoritative
1361   for registrant Whois data following the transition from a thin-registry model to a thick-registry
1362   model. The Working Group should consider the term "authoritative" in both the technical (the
1363   repository of the authoritative data) and policy (who has authority over the data) meanings of
1364   the word when considering this issue.
1365   -   Competition in registry services: what would be the impact on competition in registry services
1366   should all registries be required to provide Whois service using the thick Whois model – would
1367   there be more, less or no difference with regard to competition in registry services?
1368   -   Existing Whois Applications: What, if anything, are the potential impacts on the providers of
1369   third-party Whois-related applications if thick Whois is required for all gtLDs?
1370   -   Data escrow: thick Whois might obviate the need for the registrar escrow program and
1371   attendant expenses to ICANN and registrars.
1372   -   Registrar Port 43 Whois requirements: thick Whois could make the requirement for registrars
1373   to maintain Port 43 Whois access redundant.
1374
1375   Should the PDP WG reach consensus on a recommendation that thick Whois should be required for
1376   all gTLDs, the PDP WG is also expected to consider:
1377   -   Cost implications for gTLD registries, registrars and registrants of a transition to thick Whois
1378   -   Guidelines as to how to conduct such a transition (timeline, requirements, potential changes to
1379   Registration Agreements, etc.)
1380   -   Are special provisions and/or exemptions needed for gTLD registries which operate a thick
1381   Whois but provide tiered access, for example?
1382
1383   In addition, the PDP WG should take into account other ICANN initiatives that may help inform the
1384   deliberations limited to this specific topic such as;
1385   •   Registry/registrar separation and related developments with regards to access to customer data;
1386   •   Output from any/all of the four Whois Studies chartered by the GNSO Council, if completed in
1387   time for consideration by the WG;
1388   •   The 2004 transition of .ORG from thin to thick;
1389   •   The work being done concurrently on the internationalization of Whois and the successor to the
1390   Whois protocol and data model;
1391   •   Results of the RAA negotiations, and
1392   •   Recommendations of the Whois Review Team.
1393

1394   ## Annex D – Topics Poll Results

1395

1396   **thick Whois PDP WG - Topics Poll**

1397

1398   **Introduction**

1399

1400   This is a quick survey to collect two kinds of information – your interest in participating in

1401   sub-groups focused on each of our topics, and your suggestions as to sources of information

1402   or experts about those topics.

1403

1404   You are welcome to offer information-source and expert suggestions for all topics, not just

1405   the ones that you are volunteering to focus on.

1406

1407   **Questions**

1408

1409   1. **Authoritativeness**: what are the implications of a thin registry possibly becoming
1410   authoritative for registrant Whois data following the transition from a thin-registry
1411   model to a thick-registry model. The Working Group should consider the term
1412   "authoritative" in both the technical (the repository of the authoritative data) and policy
1413   (who has authority over the data) meanings of the word when considering this issue.
1414

1415   **I would like to participate in the sub-team for this topic**:

1416   •   Jill Titzer (RrSG)
1417   •   Titi Akinsanmi (ALAC)
1418   •   Amr Elsadr (NCSG)
1419   •   Tim Ruiz (RrSG)
1420   •   Jeff Neuman (RySG)
1421   •   Steve Metalitz (IPC)
1422

1423   **Here are my suggested information-sources (or experts who would be good advisors)**

1424   **about this topic**:

1425

1426 2. **Stability:** in the event of a Registrar business or technical failure, it could be beneficial
1427   to ICANN and registrants to have the full set of domain registration contact data stored
1428   by four organizations (the registry, the registry's escrow agent, the Registrar, and the
1429   Registrar's escrow agent), which would be the case in a thick registry.
1430

1431 **I would like to participate in the sub-team for this topic**:

1432 • Alan Greenberg (ALAC)
1433 • Carolyn Hoover (RySG)
1434 • Tim Ruiz (RrSG)
1435 • Jeff Neuman (RySG)
1436 • Christopher E George (IPC)
1437
1438 **Here are my suggested information-sources (or experts who would be good advisors)**

1439 **about this topic**:

1440

1441 3. **Data escrow:** thick Whois might obviate the need for the registrar escrow program and
1442   attendant expenses to ICANN and registrars.
1443

1444 **I would like to participate in the sub-team for this topic**

1445 • Alan Greenberg (ALAC)
1446 • Carolyn Hoover (RySG)
1447 • Frederic Guillemaut (RrSG)
1448 • Tim Ruiz (RrSG)
1449
1450 **Here are my suggested information-sources (or experts who would be good advisors)**

1451 **about this topic**:

1452

1453 4. **Synchronization/migration:** what would be the impact on the registry and registrar
1454   Whois and EPP systems for those registries currently operating a thin registry, both in
1455   the migration phase to thick Whois as well as ongoing operations?
1456

1457 **I would like to participate in the sub-team for this topic:**

1458 • Jill Titzer (RrSG)

1459 • Susan Kawaguchi (BC)
1460

1461 **Here are my suggested information-sources (or experts who would be good advisors)**

1462 **about this topic**:

1463

1464 5. **Response consistency:** a thick registry can dictate the labeling and display of Whois
1465   information to be sure the information is easy to parse, and all registrars/clients would
1466   have to display it accordingly. This could be considered a benefit but also a potential
1467   cost. This might also be a benefit in the context of internationalized registration data as
1468   even with the use of different scripts, uniform data collection and display standards
1469   could be applied.
1470

1471 **I would like to participate in the sub-team for this topic**:

1472 • Jill Titzer (RrSG)
1473 • Carlton Samuels (ALAC)
1474 • Carolyn Hoover (RySG)
1475 • Michael Shohat (RrSG)
1476 • Susan Prosser (RrSG)
1477 • Tim Ruiz (RrSG)
1478 • Marie-laure Lemineur (NPOC)
1479 • Susan Kawaguchi (BC)
1480 • Christopher E George (IPC)
1481

1482 **Here are my suggested information-sources (or experts who would be good advisors)**

1483 **about this topic**:

1484

1485 6. **Accessibility:** is the provision of Whois information at the registry level under the thick
1486   Whois model more effective and cost-effective than a thin model in protecting
1487   consumers and users of Whois data and intellectual property owners?
1488

1489 **I would like to participate in the sub-team for this topic**:

1490 • Jill Titzer (RrSG)
1491 • Carlton Samuels (ALAC)
1492 • Titi Akinsanmi (ALAC)
1493 • Amr Elsadr (NCSG)

1494   • Jennifer Wolfe (NomCom)
1495   • Michael Shohat (RrSG)
1496   • Evan Leibovitch (ALAC)
1497   • Susan Prosser (RrSG)
1498   • Tim Ruiz (RrSG)
1499   • Jeff Neuman (RySG)
1500   • Susan Kawaguchi (BC)
1501   • Christopher E George (IPC)
1502

1503   **Here are my suggested information-sources (or experts who would be good advisors)**

1504   **about this topic**:

1505   • NORC study commissioned by ICANN. See
1506   http://www.icann.org/en/compliance/reports/whois-accuracy-study-17jan10-en.pdf);
1507   Whois Policy Review Team Final Report, http://www.icann.org/en/about/aoc-
1508   review/whois/final-report-11may12-en.pdf , at 15. (suggested by Steve Metalitz)
1509

1510   7. **Impact on privacy and data protection:** how would thick Whois affect privacy and data
1511   protection, also taking into account the involvement of different jurisdictions with
1512   different laws and legislation with regard to data privacy as well as possible cross border
1513   transfers of registrant data?
1514

1515   **I would like to participate in the sub-team for this topic:**

1516   • Alan Greenberg (ALAC)
1517   • Carlton Samuels (ALAC)
1518   • Titi Akinsanmi (ALAC)
1519   • Amr Elsadr (NCSG)
1520   • Roy Balleste (NCUC)
1521   • Jennifer Wolfe (NomCom)
1522   • Michael Shohat (RrSG)
1523   • Susan Prosser (RrSG)
1524   • Marie-laure Lemineur (NPOC)
1525

1526   **Here are my suggested information-sources (or experts who would be good advisors)**

1527   **about this topic:**

1528   • Dr. Joanna Kulesza, Faculty of Law and Administration, University of Lodz (Suggested by
1529   Roy Balleste, NCUC)

1530

1531   8. **Competition in registry services:** what would be the impact on competition in registry
1532   services should all registries be required to provide Whois service using the thick Whois
1533   model – would there be more, less or no difference with regard to competition in
1534   registry services?
1535

1536   **I would like to participate in the sub-team for this topic**:

1537   •   Alan Greenberg (ALAC)
1538   •   Jill Titzer (RrSG)
1539   •   Amr Elsadr (NCSG)
1540   •   Jeff Neuman (RySG)
1541   •   Jonathan Zuck (IPC)
1542   •   Steve Metalitz (IPC)
1543

1544   **Here are my suggested information-sources (or experts who would be good advisors)**

1545   **about this topic**:

1546   •   Need to look at survey and sales data for both kinds of registries (suggested by Jonathan
1547   Zuck)
1548

1549   9. **Existing Whois Applications:** What, if anything, are the potential impacts on the
1550   providers of third-party Whois-related applications if thick Whois is required for all
1551   gtLDs?
1552

1553   **I would like to participate in the sub-team for this topic:**

1554   •   Titi Akinsanmi (ALAC)
1555   •   Susan Prosser (RrSG)
1556   •   Susan Kawaguchi (BC)
1557

1558   **Here are my suggested information-sources (or experts who would be good advisors)**

1559   **about this topic**:

1560

1561   10. **Registrar Port 43 Whois requirements:** thick Whois could make the requirement for
1562   registrars to maintain Port 43 Whois access redundant.
1563

1564   **I would like to participate in the sub-team for this topic**:

1565   •   Alan Greenberg (ALAC)
1566   •   Carlton Samuels (ALAC)
1567   •   Frederic Guillemaut (RrSG)
1568   •   Tim Ruiz (RrSG)
1569   •   Steve Metalitz (IPC)
1570

1571   **Here are my suggested information-sources (or experts who would be good advisors)**

1572   **about this topic**:

1573   •   Registrar Constituency (Suggested by Frederic Guillemaut, RrSG)

1574

1575   11. **Cost implications:** what are the cost implications of a transition to thick Whois for
1576   registries, registrars, registrants and other parties for all gTLDs? Conversely, what are
1577   the cost implications to registries, registrars, registrants and other parties if no
1578   transition is mandated?
1579

1580   **I would like to participate in the sub-team for this topic**

1581   •   Alan Greenberg (ALAC)
1582   •   Jill Titzer (RrSG)
1583   •   Michael Shohat (RrSG)
1584   •   Jeff Neuman (RySG)
1585   •   Christopher E George (IPC)
1586

1587   **Here are my suggested information-sources (or experts who would be good advisors)**

1588   **about this topic**:

1589 ## Annex E – Table Comparison Matrix

Expected Impacted of Requiring thick Whois	IPC	BC	ALAC	NPOC	Verisign	RySG	RrSG	NCUC	Preliminary Conclusion	
Response Consistency	✔	✔	✔	✔	✔	✔	✔	✗	Almost all agree that from the perspective of response consistency, requiring thick Whois could be considered a benefit	✔ = Positive impact ✗ = Negative impact
Stability	✔	✔	✔	✗	✗	✔	✔	✗	Most agree that from the perspective of stability, requiring thick Whois could be considered a benefit	✔ = Positive impact ✗ = Negative impact
Accessibility	✔	✔	✔	✗	✗	✔	✔	✗	Most agree that from the perspective of accessibility, requiring thick Whois could be considered a benefit	✔ = Positive impact ✗ = Negative impact
Cost Implications	✗	✗	✗	?	?	✗	✗	?	More information needed, but in principle most agree that there is no negative impact expected with regard to cost implications from requiring thick Whois	✗ = no negative impact expected with regard to costs ? = More information needed

Synchronization / Migration	?	✔	✔	?	?	?	?	?	More information needed	✔= No significant impact expected ? = More information needed
Competition in registry services	✔	✔	✔	✗	0	/	/	✗	Most agree that there will be more, or no difference in competition if thick Whois would be required.	✔= More competition / = no difference ✗= less competition 0 = no comment
Existing Whois applications	/	✔	✔	0	0	/	✔	✗	Almost all agree that there will a positive, or no impact on existing Whois applications if thick Whois would be required.	✔ = Positive impact / = no difference ✗ = Negative impact 0 = no comment
Registrar Port 43 Whois Requirements	✗	✗	✗	0	0	✗	✔	0	Almost all agree that Port 43 Whois Requirements should be maintained if thick Whois would be required	✔ = Makes Port 43 redundant ✗ = Does not make Port 43 redundant 0 = no comment
Privacy & Data Protection	✔	✔	✔	✗	✗	✔	✔	✗	Most agree that from the perspective of Privacy & Data Protection there are no significant issues if thick Whois would be required	✔ = Not an issue / not specific to thick Whois ✗ = Is a problem

Authoritativeness	?	✔	?	?	?	✔	✔	✘	More information needed	✔ = registry would become authoritative ✗ = Registrar should remain authoritative ? = More information needed
Data Escrow	0	✔	✔	0	✔	0	✘	✔	Almost all agree that there should be no change to the current data escrow requirements if thick Whois is mandated	✔ = Current escrow requirements should be maintained ✗ = No need to maintain current escrow requirements 0 = no comment

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