

Requirement	Current Situation	Situation if Preliminary Conclusions Adopted	WG Comments / Questions
Whois Labeling	No required label/other indication in Whois for domains registered through P/P services	P/P registrations to be clearly labeled as such in Whois	
Validation / Verification of Customer Information	No obligation on P/P providers to validate/verify accuracy of customer contact information	Accredited P/P providers to validate/verify per procedures in the RAA Whois Accuracy Specification (no obligation to revalidate/re-verify if Registrar has done so for the identical information in the same period)	
Customer Data Reminder	No obligation for P/P providers to conduct data reminders	Accredited P/P providers to follow procedures in the Whois Data Reminder Policy	
Customer / Provider Rights, Responsibilities, & Obligations	Covered Providers ¹ required to publish and abide by Terms of Service	Provider / customer rights, responsibilities and obligations to be clearly spelt out in agreement, including termination of P/P	TBD: Should there be a requirement to update customer details (similar to RAA Section 3.2.2)?

¹ In this document, the term “Covered Providers” is used to mean those P/P providers covered by the current interim P/P specification in the 2013 RAA (i.e. P/P services offered by Registrar or its Affiliates, including through Resellers (each as defined in the 2013 RAA)).

		service in event of transfer of domain name	
Commercial / Non-commercial Customers	No distinction required between commercial and non-commercial customers	No distinction required between commercial and non-commercial customers	
Commercial / Non-commercial Uses	No distinction required between commercial and non-commercial uses of a domain name	Majority view - no distinction Minority view – distinction for domain names used for online commercial transactions	TBD: what does “transactional” mean, and should this preliminary conclusion be revised?
Provider Listing	No published list of P/P providers	ICANN to publish list of accredited P/P providers Registrars to provide web link to P/P services run by them or their Affiliates P/P providers to declare Affiliation (if any) with a Registrar as part of accreditation	
General Abuse Point of Contact	Covered Providers to maintain point of contact for reporting abuse or TM/rights infringement Registrar to maintain a general	Accredited P/P providers to have “designated” abuse points of contact	TBD: should point of contact be “capable and authorized” (per TEAC policy); relevance of RAA “reasonable and prompt” standard; should WG also

	<p>abuse point of contact maintained by Registrar, who has duty to be “reasonable and prompt” in investigating and to “respond appropriately” (RAA Section 3.18.1)</p>		<p>consider types of abuse complaints permitted and reporting methods other than email?</p>
<p>Dedicated Abuse Point of Contact for LEAs</p>	<p>None for P/P providers</p> <p>Registrar to maintain dedicated abuse point of contact for 24/7 reporting by LEA, consumer protection and quasi-govt'l authorities in Registrar's jurisdiction; “well founded” reports of Illegal Activity to be investigated within 24 hours by designated person (RAA Section 3.18.2)</p>	<p>Not required</p>	
<p>Handling of Abuse Reports</p>	<p>Covered Providers to publish (and abide by) procedures for reporting abuse and infringement</p> <p>Registrar to publish procedures for tracking, handling and</p>		<p>Not listed as a Charter question</p>

	responding to abuse reports on website (RAA Section 3.18.3)		
Contactability of Provider	Covered Providers to publish business contact information on its (or Registrar's) website	Accredited P/P providers should be fully contactable	TBD: is current specification sufficient?
Malicious Conduct to be Reported	Not defined (interim specification specifies abuse and TM/rights infringement)	Include flexible list of malicious conduct (use PICs and GAC Safeguards as reference point) Standard form for requests and reports (to include space for free form text)	TBD: overlap/distinction with "Illegal Activity"?
Definition of "Illegal Activity"	"Illegal Activity" means conduct involving use of a Registered Name sponsored by Registrar that is prohibited by applicable law and/or exploitation of Registrar's domain name resolution or registration services in furtherance of conduct involving the use of a Registered Name sponsored by Registrar that is prohibited by		See "malicious conduct" (above)

	applicable law (RAA Section 1.13)		
Mandatory Relay	None specified; Covered Providers only required to publish (and abide by) circumstances under which it relays requests	Mandatory for all [electronic] communications required under the RAA or ICANN Consensus Policies Mandatory mechanism to be maintained for requestor follow up or escalation Standard form and other mechanisms (e.g. ability to specify type of abuse and use of drop down menus) for easier identification / action	
Relay of Other Electronic Communications	None specified; see above	Option to either forward all with appropriate [e.g. anti-spam] safeguards, or forward all requests concerning domain name abuse	
Relay of Non-electronic Communications	None specified; see above		TBD (including question of cost)
Definition of "Reveal"	None	Definitions for "Publication" and "Disclosure"	
When Reveal is Triggered	None specified; Covered Providers	Accredited P/P providers to specify	Further requirements TBD

	<p>only required to publish (and abide by) circumstances under which it Reveals (either disclosing or publishing) customer details</p> <p>P/P survey indicates that many providers Publish customer data when a UDRP complaint is filed</p>	<p>grounds for Disclosure and Publication, and also consequences of Publication</p>	<p>(including standards for different types of requestors e.g. LEA, IP owners, others)</p>
<p>When P/P Service is Suspended / Terminated</p>	<p>Covered Providers required to publish circumstances under which service will be suspended or terminated</p> <p>P/P survey indicates that many providers suspend or terminate service when terms of service are breached</p> <p>Not clear what if any protections are offered to customers whose details are Published as a result of termination, although some providers provide notice of termination</p>		

Customer Notification	<p>None, except as specified in published policy for Covered Providers</p> <p>P/P survey indicates no uniform practice across providers</p>	<p>Accredited P/P providers to specify whether and when customers are notified of a Reveal request</p> <p>Accredited P/P providers to specify whether customer may opt to cancel domain name registration in lieu of Publication</p>	
Requestor Notification	<p>None, except as specified in published policy for Covered Providers</p>	<p>Accredited P/P providers to notify requestor if it also notifies customer</p> <p>Accredited P/P providers to notify requestor as to whether it will comply with request</p>	
Other Reveal Issues	<p>None</p>	<p>Accredited P/P providers to use standard form or include list of specific criteria for requests</p> <p>Provider's decision whether to comply with a reveal request not to be conditioned on there having first been a relay request</p>	