

Sub Team 1.3.3 Q1 Summary Comments 40-87

1. Should registrants of domain names associated with commercial activities and which are used for online financial transactions be prohibited from using, or continuing to use, P/P Services? If so, why, and if not, why not?					
Comment	Yes/No	Reason	Name	Company/Individual	Further Comments
40.	No	Small business owners working from home or as a side business so should have the right to privacy.	Michael Ho	Individual	
41.	No	Home businesses and contractors would suffer.	Andrew Merenbach	Individual	
42.	No	Owner of a small business which enables financial transactions and works from home and makes use of privacy service for protective purposes.	Anne Bouchard	Individual	States that in 2011 there were over 14m small businesses in US alone and these businesses would be vulnerable if their home addresses were exposed.
43.	No	No restrictions at all on use of privacy/proxy services.	Aaron Dalton	Individual	
44.	No	There are already existing avenues for protecting financial information, avenues for financial redress and for chargebacks. Cannot justify removal of P/P Services.	Adam Creighton	Individual	
45.	No	Privacy is a universal right and everyone should have that right. Gave examples of dissident journalist or women's shelter and donations on the websites.	Arthur Zonnenberg	Individual	
46.	No	Any registrant should be able to use P/P Services for freedom of speech purposes. This may allow certain interested parties access to private information and may hamper or cause the closure of small businesses.	C.	Individual	
47.	No	The online market grows quickly. A blanket rule to cover all financial transactions will block innovation and growth.	Noah Greenstein	Individual	
48.	No	All registrants have the right to P/P Services.	Anand S.	Individual	

		Extremely important to protect privacy and allow the right of freedom of speech and privacy.			
49.	No	All registrants have the right to P/P Services. Both natural and legal persons engage in financial transactions. Defining who can have privacy and who cannot would be a too broad and vague mandate. Commercial transactions are governed by local law and LEA have ability to pursue abuse cases. No need to forbid privacy to pre-empt illegal or infringing activities.	Jason Burns	Individual	It would also require substantial record keeping
50.	No	All registrants have the right to P/P Services. Gave examples of home based businesses.	Lucas Stadler	Individual	ICANN have no right to decide on who deserves privacy
51.	No	All registrants have the right to P/P Services. Gave examples of home based businesses. Commercial activities is too broadly defined. Are ads on personal blogs classed as commercial activities?	Shane T.	Individual	
52.	Yes	Privacy and proxy registrations should be eliminated in these applications.	Scott Jordan	Individual	
53.	Yes	Corporations should be prohibited from using P/P Services.	Aaron Holmes	Individual	
54.	No	No reason to prohibit this and is very broad. Asks if this restriction includes gaming servers taking donations?	Nick O'Dell	Individual	
55.	No	We have no business in other people's business.	Charles	Individual	
56.	No	Does not understand value of this approach. Websites change all the time and this is added red tape. Gave example of a blog selling products on the website.	Anonymous Turtle	Individual	
57.	No	Commercial activity is vaguely defined and necessary for the functioning of many basic speech activities.	Private	Individual	
58.	No	Not in general or with a clear definition of (2).	Alex Xu	Individual	
59.	No	Definition of commercial activities is too vague. Home business owner who does not want his address	Marty Dill	Individual	

		published.			
60.	No	P/P Services should be allowed for everyone. Gave examples of small and home businesses who deserve privacy protection. In case of abuse, the legal system can cover this. Worth the extra burden on LEA/victim to maintain privacy.	Cort Wee	Individual	
61.	No	No prohibition of privacy for any reason. Website content is irrelevant.	Scott McClung	Individual	
62.	No	P/P Services should be allowed for everyone.	Hugo Jobling	Individual	
63.	No		Christopher Smith	Individual	Free market will deal with the issues, not the unelected.
64.	No		R. Poss	Individual	
65.	No	Everyone should have the same right to use P/P Services – any other proposal would be stupid.	Simon Kissane	Individual	
66.	No	Use of domain should not be a relevant factor and all domains should be able to use P/P Services. Sites that deal with online financial transactions may well need more protection and will be targets for phishing and hacking.	Not your business	Individual	
67.	No	P/P Services should be available to everyone with no Whois disclosure necessary. Consumers have sufficient protection under legislation and payment processor protection.			Consumers are not stupid.
68.	No	Sometimes it's nicer to know what no-one knows where something is than everyone and you know where something is located	Gabriel de Luca	Individual	I hope someone understood that!
69.	No		Sperry Russ	Individual	
70.	No	It is the choice of the person/company to hide behind P/P Services. Gave examples of animal rights activists attacking the bank whose customer is a particular research company. Own choice to use that specific bank.	Name withheld	Individual	

71.	No		Aaron Mason	Individual	
72.	No	Privacy is important for everyone. Only a court of law has the ability to require disclosure, not ICANN or anyone else.	Adrian Valeru Ispas	Individual	
73.	No	No exceptions whether personal or commercial. Everyone has the right to use P/P services. Not based on use/activity.	Dan M.	Individual	
74.	No		Sam	Individual	
75.	No	A registrant may start to receive abuse and spam which P/P services have effectively controlled.	Mike Fewings	Individual	
76.	No with caveats	Concerns that financial transaction will be redefined to suit a specific situation. Only federally or internationally regulated industries like banking should be subject to this.	Marc Schaubert	Individual	Believes these changes are being pushed by organisations who wish to outlaw privacy in the name of those utilising privacy
77.	Yes	Thought it best if sites performing online financial transactions should be barred from using P/P services.	Dr. M. Klinefelter	Individual	
78.	No	All commercial websites who take payment could be considered as taking financial transactions. Anyone with, for example, Paypal, would be associated.			It won't stop spammers and it is innocent domain owners who will suffer for this.
79.	No	This will protect home business owners and questions the definition of commercial. Existing law sufficient to provide for relevant disclosure. Gave example of jurisdictions where businesses are required to publish contact information, Germany, it can be done through WHOIS or via a link on their website. Payment processors will have the information from the business owner to handle fraud cases. Onerous burden on one-time users of e-commerce, for example, donations via Paypal.	Michael Ekstrand	Individual	Not sure he understands P/P services.
80.	No	All registrants with websites with commercial activities	Roxana	Individual	

		should be allowed to use P/P services.			
81.	Yes	Registrants of domains associated with commercial activities and financial transactions should not be allowed to use P/P services. Consumers have a right to know who they are doing business with and any such requirement would allow this. Various examples of abusive sites were given, including gambling and child abuse where P/P services hide the identity of the website operator, who are likely involved in other instances of cybercrime. Legitimate businesses, including those of the bricks and mortar variety, should have no need to hide their identity.	Terri Stumme, LegitScript	Company	
82.	No	P/P services should be available to everyone	Misha Stevens	Individual	
83.	No	Large corporations may be at less risk than small businesses and sole traders, including victims of domestic abuse, preventing those people from trading online and gaining financial independence. Not a good idea to have contact details readily available. Bloggers may also have issues and it may restrict freedom of speech. In James' own position, he has been threatened and would not like his details to be available publicly.	James	Individual	
84.	No	P/P services should not be restricted based on commercial use. This is not an area where ICANN is in a position to make a decision as there are plenty of regulatory bodies already operating in these areas.	Reagan Lynch	Individual	ICANN to leave well alone as the divisions in the working group prove.
85.	No	Commercial definition too static and broad.	Michael Cariaso	Individual	
86.	No	Stated it was not clear on definition of financial transaction – a bank or transfer of money. Does not feel a transaction includes artists or photographers or other sole proprietors. Suggested revealing true name but keeping contact details safe to protect us all from criminals.	John Lawrence	Individual	

87.	No	Everyone deserves the right to privacy regardless.	Liam	Individual	
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Summary

The general feeling was that all registrants are allowed the right to use and to continue to use, privacy and proxy services. Out of the 47 comments above, there were only four comments (and one with caveats, i.e. only heavily regulated industries, e.g. financial) which stated that those using financial transactions or commercial activities should be prohibited from using privacy and proxy services.

Most comments were vehemently opposed to any distinction between the commercial and non-commercial and felt that any change would be seen as an erosion of privacy, a lack of protection for home based/small businesses and to inhibit freedom of speech. Many also felt there was sufficient law and regulation in place to deal with disclosure of names if required by the courts.

Those in favour of prohibiting the use of privacy and proxy services by those with commercial or financial activities based this on the prevention and investigation of crime.

The majority of these comments were made by individuals (as far as the information provided, 46 comments out of 47).