Michelle DeSmyter:Dear All, Welcome to the Next-Gen RDS PDP Working Group call on Tuesday, 09 August 2016 at 16:00 UTC.

Michelle DeSmyter:If you wish to speak during the call, please either dial into the audio bridge and give the operator the password RDS, OR click on the telephone icon at the top of the AC room to activate your AC mics. Please remember to mute your phone and mics when not speaking.

Michelle DeSmyter:Agenda: https://community.icann.org/x/DAOsAw

Michelle DeSmyter:Member page: https://community.icann.org/x/I4xlAw

Maxim Alzoba (FAITID):Hello All

Michelle DeSmyter:Hello, Welcome Maxim!

Maxim Alzoba (FAITID):I called in via phone (poor ip connectivity)

Chuck Gomes:Hi all.

Richard Padilla:Hi all

Susan Kawaguchi:Hello All

Ayden Férdeline:Hi all

Fabricio Vayra:we hear you

marksv:resetting audio

Alex Deacon:...and thanks to Mark for getting to the place we are today problem statement-wise!

Maxim Alzoba (FAITID):last thing was about review of triage

Marina Lewis:hi everyone

Kal Feher:I'm not aware of any obligation on an Escrow Agent to check RDS. they simply need to ensure the deposit is valid. They do not cross reference data as part of their current contract AFAIK

Fabricio Vayra:+1 to Steve M. The UDRP and URS rules rely on complainant needing access to RDS data and thus they are stakeholders too.

Daniel K. Nanghaka:Sorry am late

Daniel K. Nanghaka:Have been in another meeting

Andrew Sullivan:Escrow operators do in fact get data encrypted. They can validate it, though, because it's encrypted to their key

Kal Feher:escrow data is encrypted on receipt by the agent. but they decrypt it.

Maxim Alzoba (FAITID):Escrow Operators have keys with the data :)

Maxim Alzoba (FAITID):encryption is for sending file only

Marika Konings:If I am not mistaken, P/P provider has 2 business days to 'reveal' following requesst of confirmation of registrant. After that, it is up to the panel whether to accept a reveal or not.

Maxim Alzoba (FAITID):this use case could be split into two or

three
   Alan Greenberg:@Marika. asI recall, the P/P provider maynot
reveal, but in that case, they take responsibility for whatever
the domain is being used for. Something the normal providers will
not do.
   Marika Konings:@Alan - yes that is correct. If they still
decide to reveal at a later stage, it is up to the discretion of
the UDRP Panel to accept updating the complaint with the
information of the underlying P/P customer or not.
   Lisa Phifer:@Maxim thank you
   Marika Konings:If I recall well from the discussions in the
PDP, in some cases the UDRP Panel would name both or refuse to
update the complaint and maintain the P/P provider as the
defendant.
   Fabricio Vayra:RAA 3.7.7.3 A Registered Name Holder licensing
use of a Registered Name according to this provision shall accept
liability for harm caused by wrongful use of the Registered Name,
unless it discloses the current contact information provided by
the licensee and the identity of the licensee within seven (7)
days to a party providing the Registered Name Holder reasonable
evidence of actionable harm.
   Fabricio Vayra:which is why P/P unmask when a UDRP etc. is upon
them.
   Lisa Phifer:@Maxim, I think identifying the data required by
each of these actors more specifically and if it comes from WHOIS
today would be helpful
   Maxim Alzoba (FAITID):we might need to ask Michelle when he is
back - abour Registrar caused service use cases
   Kal Feher:@maxim. escrow agents do not need to cross reference
with RDS. they simply validate the contents is correctly formated
   Maxim Alzoba (FAITID):@Kal , it is not clear from the text of
the contract
   Maxim Alzoba (FAITID):I refer to Registry-Escrow Operator
contratc
   Kal Feher:yes. they validate the contents to ensure that it
meets the RA requirements
   Kal Feher:they are not obligated to confirm that any of the
records which appear in the deposit actually exist or that they
match what is in the SRS
   Susan Kawaguchi:What about statuses of the domain name
registration
   Fabricio Vayra:Ayden - Under this model, how do disputes get
resolved, where, against whom, on what basis?
   Andrew Sullivan:The authInfo should most definitely _not_
appear in the RDDS, though as Chuck is saying we shouldn't
discuss that

Susan Kawaguchi:+1 Andreww
Susan Kawaguchi:Andrew
Lisa Phifer:WHOIS misuse study link
http://whois.icann.org/sites/default/files/files/misuse-study-final-13mar14-en.pdf
Maxim Alzoba (FAITID):@Susan , do you refer to URS case? (during the URS process, URS operator issue orders to Registry to set Server statuses)
Maxim Alzoba (FAITID):and then they check it (I assume)
Lisa Phifer:The above link refers to a study that attempted to examine various kinds of WHOIS data misuse and to determine which data elements were misused most often or most impactful on the registrant
Alex Deacon:@andrew +1
Fabricio Vayra:+1 Mark
Richard Padilla:Sorry not hearing the speaker
Benny Samuelsen / Nordreg AB:So we need to kill of services like domainstools and everyone else which run whois history snaps
Benny Samuelsen / Nordreg AB:domaintools.com
Maxim Alzoba (FAITID):@Benny, it is virtually impossible , only publicly available tools are visible
Andrew Sullivan:"misuse of whois data" != "misuse of RDDS data", though, so as long as we keep that in mind I'm ok
Andrew Sullivan:That is, everyone who has the slightest technical clue about this knows that whois is a terrible protocol and ou can't build a reasonable service on top of it
Benny Samuelsen / Nordreg AB:@Maxim exactly, we are discussing how to prevent this by RDS but its not worth anything if those services are still open for everyone
Fabricio Vayra:+1 Alan
Andrew Sullivan:so we need to distinguish "getting data out easily/freely/without authentication" and "whether the data is in there".
Stephanie Perrin:+1 Andrew.
Maxim Alzoba (FAITID):info leaks only once ... then it is replicated .
Fabricio Vayra:+1 Andrew
Susan Prosser:+1 Alan
Andrew Sullivan:Since I've made this point repeatedly, in the future I will abbreviate it "ObDistinctionDataAndAccess" :-)
Alan Greenberg:@Andrew. Definitely. The identifying data does not need to be in the DNS, but does need to be availble in the RDS.
Maxim Alzoba (FAITID):@Alan, it creates superregistry ... like TMCH, but worse :)
Fabricio Vayra:+1 Alan

Kal Feher:it's only useful to filter data in the nextgen RDS if it is the only source of data for whois aggregation. do we imagine that the nextgen RDS will become the only channel for registry data? or will we try to apply the same permissions model to all registry services?

Maxim Alzoba (FAITID):we should not forget about ccTLDs , who, most probably will stick to WHOIS for some time

Fabricio Vayra:I would add to the data elements needs in TM use case

Alan Greenberg:What ccTLDs do is both out of our control and out of scope for the PDP.

Fabricio Vayra:Who, where and for how long is relevant/necessary to consider TM infringement.

Andrew Sullivan:If the content on the site is a problem, there are two positions that people take

Maxim Alzoba (FAITID):@Alan, agree

Andrew Sullivan:(1) you should be able to find the address of the person operating the site and therefore RDS is good for this

Andrew Sullivan:(2) you should find out the address of the person operating the server, in which case domain name registration is not what you want: contact the server operator or ISP

Lisa Phifer:@Mark, are those data elements of the registrant, admin contact, tech contact, or all of those?

steve metalitz:Not clear whether the ultimate "success rate" in variant 2 is relevant -- the requirement to identify/contact the registrant is the same -- isn't it?

Fabricio Vayra:+1 Steve

marksv:hard to hear

Lisa Phifer:@Mark, my question was getting at identifying the party who needs to be identified for legal action - may not be a tech contact but the registrant itself

Alan Greenberg:@Steve, success rate is relevant if the rate is zero though.

Benny Samuelsen / Nordreg AB:I still have trouble seing how we can controll use of data and who gets access

Benny Samuelsen / Nordreg AB:there are no way we can controll leaks

Fabricio Vayra:@Benny - See EWG recommendation re: gating

Benny Samuelsen / Nordreg AB:as far as I can see

Kal Feher:I think it is important to note that there will be lots of organisations with similar motivations or desires, but they will have different competencies and different data protection obligations. so goal will be the same, safety of the data will not

Richard Padilla:Sorry guys got to go another meeting to attend

Andrew Sullivan:I believe that this is an incredibly rare use of the RDS, and I believe that this is what EV certificates are for

Ayden Férdeline:+1 Andrew. I very much doubt a sizeable volume of consumers are using WHOIS for this purpose.

Andrew Sullivan:(But I'm prepared for a counterargument)

Andrew Sullivan:I think it's a legit use case, but in prioritisation if we lose this one it's not the end of the world

steve metalitz:@Andrew, I have done this as well and know others. Those are anecdotes but I recall that ICANN developed some data on this use case in the past.

Andrew Sullivan:I am fully prepared to believe that anyone who knows what an ICANN is might do this ;-)

Holly Raiche:This brings up the debate in the P/P Seervices WG and whether we should have distinguisned between commercial entities and non-commercial entities

marksv:+1, seems like a "nice to have", but not top priority use case

Marina Lewis:@Andrew and Ayden...glad you guys are prepared for the counter-argument. ;-) I use the WHOIS to verify the identity of websites and email addresses ALL THE TIME. It's no different than looking up the agent for process of service for a company with which one wants to do business. You want to know who you're giving your money and info to.

marksv:hmmm

Susan Prosser:+1 Steve, I hear this use case often

Ayden Férdeline:@Steve and Marina - Given, I am told, that WHOIS data is often unreliable, I would hope not many consumers are turning to WHOIS to source this information… ;-)

steve metalitz:Another similar (not identical) use case is parents looking into who is responsible for a web site their child is visiting (or wishes to visit).

Lisa Phifer:@Andrew re: certs, Geoff Noakes is preparing an example use case to describe what cert issuers need - that would be a prerequisite for relying on EV certs instead?

Andrew Sullivan:@Marina: why do you believe the whois in that case instead of your EV cert?

Benny Samuelsen / Nordreg AB:Sorry but RDS cant cure stupidity...

Susan Prosser:@Fab - wouldn't the brand (manufacturer) also be a stakeholder?

Marina Lewis:Hey Ayden...actually it does help because if the WHOIS is totally random, I'll likely stay away from that site.

Elaine Pruis:apologies I have to drop off now

Fabricio Vayra:@Susan - I susppose, if they are different from the registrant

Ayden Férdeline:I have been told that the Whois Review Team did an independent study which found that consumers have no idea that Whois even exists…

Lisa Phifer:@Susan, that's the entity associated with the domain name

Ayden Férdeline:@Marina point taken there ;-)

karnika seth:the voice is not clear cant hear

Lisa Phifer:@Ayden, that was not the WHOIS RT but there is a separate study on consumer confidence and trust that conducted some studies

Benny Samuelsen / Nordreg AB:most people doesnt even know what whois is and how to use it...

Alan Greenberg:Just to be clear, I also am one of the people who do this regularly.

Marika Konings:@Alan - I think those types of web-sites already exist that indicate whether a certain site is 'legit' or not. Presumably they use the WHOIS data as part of their assessment (e.g. when was the domain created)

Marika Konings:and I have to admit, I have done the same thing :-)

Alan Greenberg:The legit sites exist, but the ones I have used to not seem to be contingent on whois but rather website comments.

Benny Samuelsen / Nordreg AB:there are plugins for firefox doing this already showing the basic info but most people dont understand these data

Alan Greenberg:Oops - contents

Alex Deacon:@andrew - not all web sites use EV certs.   In a world of free web server certs based on "domain validation" the in the cert (or which the issuance of the cert was based on" is only good as the rds/dns data.

Benny Samuelsen / Nordreg AB:@alex +1

Marina Lewis:Alex +1

Lisa Phifer:@Ayden, see
https://www.icann.org/news/announcement-2-2016-06-23-en

Kal Feher:its common to have agents register domains for you as well.

Holly Raiche:Tks Andrew

Ayden Férdeline:Thanks @Lisa

steve metalitz:@Andrew, does your disapproval of this use affect whether we should consider it as a use case?

Andrew Sullivan:@Steve: During the call, I convinced myself that I think the particular use case is dangerous, yeah.

Andrew Sullivan:so we shouldn't accommodate it. _However_

Alex Deacon:Its cleary a valid use case, and one I suspect will underly and drive much future conversation/debate.

karnika seth:I think we should consider this use case

Marina Lewis:How can looking up WHOIS be dangerous? If you're savvy enough to know what it is, you probably know its vulnerabilities.

Andrew Sullivan:it is possible that a modification to it, which increased the value of the RDS for reputation services

karnika seth:I think we should consider this use case

Andrew Sullivan:@Marina: right now, not a problem. But right now, it's also such a tiny use case that it's hardly interesting

Alan Greenberg:@Stephanie, it is correct that I may pass over some legit small vendor because of their lack of definitive whois information, but as you point out, consumers oare on there own and there are a lot of nasty people out there, so I used whatever I can.

karnika seth:i think we shouild consider it

Andrew Sullivan:I think that what Rod is saying is more interesting, but I think that a "URL bar marker" of "who owns this domain" opens a whole new kind of consumer fraud that doesn't exist now

Susan Prosser:+1 Rod, very valid use case

Marina Lewis:I believe we should absolutely consider this use case. To me, this is the most fundamental way in which one can use RDS: I am an Internet user. I want to visit a website. I wanna know whose website that is before I send them credit card info. What is unreasonable about this?

karnika seth:there is no voice ??

karnika seth:no audio??

Alex Deacon:audio is fine for me

Lisa Phifer:audio is fine for me too

Andrew Sullivan:@Marina: I would like evidence that any human who is not involved in ICANN or the IETF has ever used the whois this way

Stephanie Perrin:@Alan, governments ought to regulate e-commerce. Sacrilege to talk about regulation here at ICANN , but commerce is regulated in the bricks and mortar world, there is no reason not to insist on vendor data of some kind (not necessarily the home address of Steph's homemade quilts , to be prominently displayed online. Savvy home entrepreuneurs selling goods would be in good standing with their local small business association. This is not an area where ICANN needs to play.

Andrew Sullivan:Well, ok, ever used it that way since, say, 1999

Ayden Férdeline:The study that Lisa linked to, commissioned by ICANN and conducted by Nielsen, found that no consumers even knew what WHOIS was. Around 5% of the most experienced Internet users did.

Fabricio Vayra:Ayden - No knowledge may = missed opportunity

Fabricio Vayra:& 5% of all internet users = a lot

Stephanie Perrin:As I said a minute ago, let me repeat it....massive public education job, Fab. WHo is going to take that job on? Please dont suggest using the auction funds.....

Fabricio Vayra:@Stephanie - you said it for me :)

Maxim Alzoba (FAITID):public companies data is available

Marina Lewis:@Andrew - not sure what kind of evidence you're looking for, but I talk to clients all the time whose marketing and promotions people (granted, who work with websites) know what WHOIS data is.

Kal Feher:this seems like a user story for whois validation

Maxim Alzoba (FAITID):so it could be taken from other sources

karnika seth: we have seen mails requesting to verify who is data , there are many inaccuracies, some deliberate , some not!

Stephanie Perrin:I guess we worked together too long Fab....:-)

Holly Raiche:@ Stephanie - Isn't this part of the discussion conducted in the P/PWG

Ayden Férdeline:@Fabricio – That 5% claim to know what WHOIS is does not mean they actually use the service. I would not be surprised, if we looked at the margin of error, to find that some people will say they've heard of anything…

Stephanie Perrin:Indeed yes Holly, we did get into it quite a bit.

Stephanie Perrin:and welcome back!

Marina Lewis:I'm guessing from all these comments about the "5%" that maybe we should pay more attention to educational outreach. :-)

Stephanie Perrin:Not within the ICANN mandate marina, in my view....

karnika seth:we have seen mails asking registrants to verify registranat data, some information is inaccurate (deliberate and may be not)!

Ayden Férdeline:@Marina - Careful what you wish for. Consumers may be very concerned if they realise that it's not only information of other website owners in there – but their personal data, too!!

karnika seth:my chat window doesnt seem to work fine!

Fabricio Vayra:@Marina - And possibly, going forward, if instance of occurence falls below a certain margin then it's not valid and we not consider use cases accross the board

Alan Greenberg:Probably less than 5% of users follow good practices in setting and changing their many passwords. That does not make it something that we should not advocate.

Fabricio Vayra:stated differently, if someone can't show mass occurence it's not relevant, I guess?

Marina Lewis:@Stephanie - I disagree. Maintaining the safety and security of the DNS is absolutely within ICANN's scope. That includes consumer safety.

Fabricio Vayra:+1 Alan

Stephanie Perrin:It remains to be proven that putting consumer data and the data of small entrepreneurs in an open registry is useful to the safety and security of the DNS.

Alan Greenberg:Loud typing!

Marina Lewis:To me, it seems we all care about the same thing: not letting bad people do bad things to good people. We seem to diverge on our opinions of where that threat comes from.

karnika seth:are you able to hear anything??

Ayden Férdeline:+1 Stephanie

Ayden Férdeline:@Fabricio – We need to differentiate between use and misuse cases here. Whether it is frequent or not, even one instance of the RDS being misused is too many in my mind.

Fabricio Vayra:@Stephanie - Under that logic, we could say "it remains to be seen whether removing data from public access via RDS helps with privacy"

Maxim Alzoba (FAITID):could we name bad use cases - negative use case?

Marina Lewis:@Stephanie - domain name registrants are not "consumers" in my opinion. The people who visit their websites (or receive their emails or purchase their domain name registrations) are.

Andrew Sullivan:@Marina: you seem not to be attending to the difference between "who registered this domain name?" and "who is operating this site?" What you're trying to identify is the latter

Fabricio Vayra:@Ayden - From the same token, just one saved consumer is worth it

Andrew Sullivan:and the RDDS will give you the former

Ayden Férdeline:@Maxim: I prefer "misuse cases". I would not want to have any use cases referred to as "positive" ones before we enter into our deliberations.

Andrew Sullivan:the gap there is an invitation to consumer fraud

Andrew Sullivan:that's the reason there's a problem. I agree with Rod that you might be able to use the data as part of a reputation service

Lisa Phifer:Michele's domain name control cases would be helpful

steve metalitz:Could you specify the topics of Michele's and Rod's use cases?

Maxim Alzoba (FAITID):@Ayden , it might be better

Marina Lewis:@Andrew - they are two different things, and I am aware of that. However, when trying to determine the identity of the bad actor behind the website, the DN registration info is the best place to start.

Rod Rasmussen:Just to be clear - lots of people already ARE using whois data as part of a reputation service. :-)

steve metalitz:@Lisa thanks for reminder....

Marina Lewis:Frankly, I think if we had a more robust and accessible WHOIS system, many more people would use it.

Stephanie Perrin:On the issue of the use of the term "consumer" perhaps we should distinguish between end users of the DNS (registrants etc) and end users of the INternet. IN my view, how end users of the Internet (web surfers) are protectied

Kal Feher:yay for alt time!

Stephanie Perrin:Is not within the remit of ICANN, sorry for the break in the sentence

Fabricio Vayra:Thanks all!

marksv:great meeting, thanks - bye till next time

Maxim Alzoba (FAITID):bye all

Ayden Férdeline:thanks all

Nathalie Coupet:bye! thanks chuck

Marina Lewis:Thanks all! Have a good week.

Alex Deacon:bye all

Andrew Sullivan:bye all

Patrick Lenihan:Very informative presentations and chats.....!