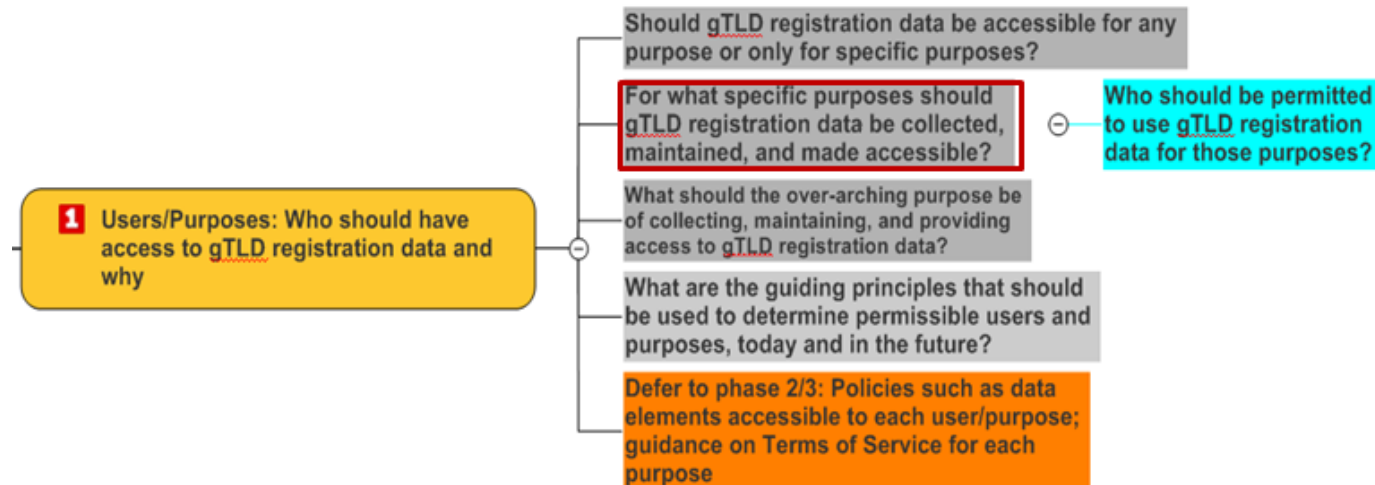


Purposes for registration data

Agenda Item 4) Resume deliberation on Purposes for gTLD registration data

- a) **Charter Question:** *For what specific (legitimate) purposes should gTLD registration data elements be collected?*
- b) Review previous WG agreements on purposes for collection of data in the Minimum Public Data Set (MPDS)
- c) Confirm updates to previous WG agreements on MPDS, for access
- d) Consider WG agreements on purposes for collection of data beyond MPDS
- e) Approach for deliberating on purposes for access to data beyond MPDS



Previous WG Agreements

Question: Should gTLD registration data elements in the “Minimum Public Data Set” be accessible for any purpose or only for specific purposes?

- 1. The WG should continue deliberation on the purpose(s) of the “Minimum Public Data Set.”*
- 2. Every data element in the “Minimum Public Data Set” should have at least one legitimate purpose.*
- 3. Every existing data element in the “Minimum Public Data Set” does have at least one legitimate purpose for collection.*

Question: For what specific (legitimate) purposes should gTLD registration data elements in the “Minimum Public Data Set” be collected?

- 4. EWG-identified purposes apply to at least one data element in the “Minimum Public Data Set.”*
- 5. Domain name control is a legitimate purpose for “Minimum Public Data Set” collection.*
- 6. Technical Issue Resolution is a legitimate purpose for “Minimum Public Data Set” collection.*
- 7. Domain Name Certification is a legitimate purpose for “Minimum Public Data Set” collection.*
- 8. Business Domain Name Purchase or Sale is a legitimate purpose for “Minimum Public Data Set” collection.*
- 9. Academic / Public Interest DNS Research is a legitimate purpose for “Minimum Public Data Set” collection.*
- 10. Regulatory and Contractual Enforcement is a legitimate purpose for “Minimum Public Data Set” collection.*
- 11. Criminal Investigation & DNS Abuse Mitigation is a legitimate purpose for “Minimum Public Data Set” collection.*
- 12. Legal Actions is a legitimate purpose for “Minimum Public Data Set” collection.*
- 13. Individual Internet Use is a legitimate purpose for “Minimum Public Data Set” collection.*

Purpose Descriptions and Use Cases

Purpose	Includes tasks such as...	Related WG Agreement	Example Use Cases developed by PDP WG
Domain Name Control	Creating, managing and monitoring a Registrant’s own domain name (DN), including creating the DN, updating information about the DN, transferring the DN, renewing the DN, deleting the DN, maintaining a DN portfolio, and detecting fraudulent use of the Registrant’s own contact information.	#5: Domain name control is a legitimate purpose for “Minimum Public Data Set” collection.	DN maintenance - Transfer DN maintenance - Deletions DN maintenance - DNS Changes DN maintenance - Renewal
Technical Issue Resolution	Working to resolve technical issues associated with domain name use, including email delivery issues, DNS resolution failures, and website functional issues, by contacting technical staff responsible for handling these issues.	#6: Technical Issue Resolution is a legitimate purpose for “Minimum Public Data Set” collection.	Technical Issue Resolution Technical Issue Resolution (specific examples)
Domain Name Certification	Certification Authority (CA) issuing an X.509 certificate to a subject identified by a domain name needing to confirm that the DN is registered to the certificate subject.	#7: Domain Name Certification is a legitimate purpose for “Minimum Public Data Set” collection.	Certification Authority

Purpose Descriptions and Use Cases

Purpose	Includes tasks such as...	Related WG Agreement	Example Use Cases developed by PDP WG
Business Domain Name Purchase or Sale	Making purchase queries about a DN, acquiring a DN from another Registrant, and enabling due diligence research.	#8: Business Domain Name Purchase or Sale is a legitimate purpose for “Minimum Public Data Set” collection.	Business DNs - Bankruptcy Asset Purchase Business DNs - Mergers and Acquisitions Business Intelligence
Academic/ Public Interest DNS Research	Academic public-interest research studies about domain names published in the RDS, including public information about the Registrant and designated contacts, the domain name’s history and status, and DNs registered by a given Registrant.	#9: Academic / Public Interest DNS Research is a legitimate purpose for “Minimum Public Data Set” collection.	None developed by PDP WG EWG example cases include: DN Registration History DNs for Specified Contact Survey DN Registrant or Contact
Regulatory and Contractual Enforcement	Tax authority investigation of businesses with online presence, UDRP [and URS] investigation, contractual compliance investigation, and registration data escrow audits.	#10: Regulatory and Contractual Enforcement is a legitimate purpose for “Minimum Public Data Set” collection.	Services required by Registry Agreement

Purpose Descriptions and Use Cases

Purpose	Includes tasks such as...	Related WG Agreement	Example Use Cases developed by PDP WG
Criminal Investigation & DNS Abuse Mitigation	Reporting abuse to someone who can investigate and address that abuse, or contacting entities associated with a domain name during an offline criminal investigation.	#11: Criminal Investigation & DNS Abuse Mitigation is a legitimate purpose for “Minimum Public Data Set” collection.	Investigate Abusive Domain Find Domains Registered by Miscreant Reputation Services Law Enforcement - Compromised websites WHOIS queries for compliance purposes
Legal Actions	Investigating possible fraudulent use of a Registrant’s name or address by other domain names, investigating possible trademark infringement, contacting a Registrant/Licensee’s legal representative prior to taking legal action and then taking a legal action if the concern is not satisfactorily addressed.	#12. Legal Actions is a legitimate purpose for “Minimum Public Data Set” collection.	Obtain DN holder details for legal action Fraudulent contact information Trademark Infringement
Individual Internet Use	Identifying the organization using a domain name to instill consumer trust, or contacting that organization to raise a customer complaint to them or file a complaint about them.	#13. Individual Internet Use is a legitimate purpose for “Minimum Public Data Set” collection	Real-World Contact

After deliberating on purposes, we agreed on access to the MPDS

Question: Should gTLD registration data in the “Minimum Public Data Set” be entirely public or should access be controlled?

20. gTLD registration data in the “Minimum Public Data Set” must be accessible without requestor identification, authentication, or stated purpose.

Question: What guiding principles should be applied to “Minimum Public Data Set” access?

23. RDS policy must state purpose(s) for public access to the “Minimum Public Data Set.”

To incorporate these access agreements for MDPS into previous WG agreements on purposes for MDPS, the following updates are proposed:

5. Domain name control is a legitimate purpose for “Minimum Public Data Set” collection.

would updated to read

5. Domain name control is a legitimate purpose for “Minimum Public Data Set” collection and access.

With similar updates to WG Agreements #6-#13 for MPDS

**Does anyone disagree with this list of purposes for
collection *and* access to data elements in the MPDS?**

Next Agenda Items

d) Consider WG agreements on purposes for collection of data beyond MPDS

Are there objections to ANY of these purposes for collecting registration data beyond MPDS?

- Note that we are not yet deliberating on access to data beyond MPDS, only COLLECTION
- Discuss each purpose for collection of registration data beyond MPDS
 - What is the rationale for and against these purposes for collection?
 - Which purposes are agreed for collection of all data elements discussed to date?
 - Which purposes raise concerns for collection of all data elements discussed to date?

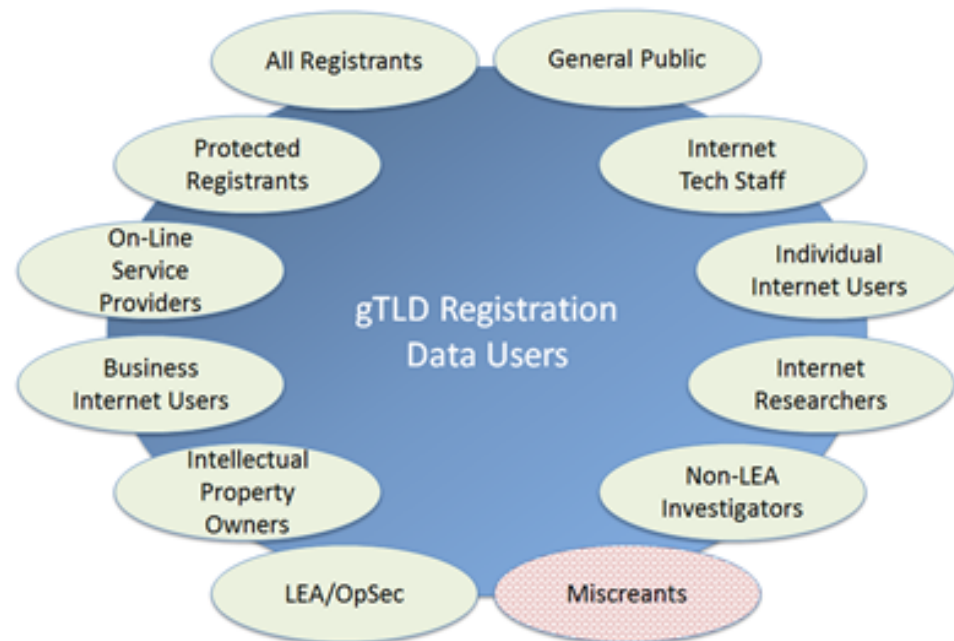
e) Finally, time permitting, discuss:

What approach will we use for deliberating on purposes for ACCESS to data beyond MPDS?

Background: EWG Methodology

The EWG examined existing and potential purposes for collecting, storing, and providing gTLD registration data to a wide variety of users, examining an extensive, representative set of actual WHOIS use cases.

The EWG considered the totality of these use cases and the lessons learned from them, as well as reference material and community input, to derive a consolidated set of users and permissible purposes that must be accommodated by the RDS and potential misuses that must be deterred.



Background: EWG Methodology

Purposes to be Accommodated or Prohibited

Consistent with the EWG's mandate, all of these users were examined to identify existing and possible future workflows and the stakeholders and data involved in them.

Domain name registration information needs were analyzed to derive mandatory data elements, related risks, privacy law and policy implications, and address other questions explored in this report. The EWG's recommended permissible purposes are summarized at right.

