

Privacy and Proxy Service Provider Accreditation Program IRT

Draft PPAA Introduction, Discussion Plan, Questions
Overview

Amy Bivins

IRT Meeting
1 August



Agenda

- ⦿ PPAA Issue 13: Provider Suspension
- ⦿ PPAA Issue 9: Provider Contact Information to Be Posted on Website
- ⦿ PPAA Issue 10: Reveal Requirements
- ⦿ PPAA Issue 5: Code of Conduct
- ⦿ PPAA Issue 6: Cancellation (PP Service and Domain Name)

PPAA Issue 13: Provider Suspension

- ⦿ RAA includes process for registrar suspension, as a step short of termination.
- ⦿ Comparable provision included in PPAA draft for discussion, at Section 5.7.1.
- ⦿ Draft provision states, similar to RAA, that when a provider is suspended, its “ability to provide the Services for any new registration...for a period of up to twelve (12) months” would be suspended.
- ⦿ **Question for IRT:** How could this be enforced, from a practical perspective, where registrars may lack the ability to block a registration utilizing a Provider’s services?

PPAA Issue 9: Contactability

- ⦿ **Final Report:** “P/P service providers should be fully contactable, through the publication of contact details on their websites in a manner modelled after Section 2.3 of the 2013 RAA Specification on Privacy and Proxy Registrations, as may be updated from time to time.”
- ⦿ **RAA:** “P/P Provider shall publish its business contact information on its website and/or Registrar's website.”

PPAA Issue 9: Contactability (Continued)

⦿ **PPAA Draftv1 Proposes to Include:***

- Full legal name of Provider;
 - Correspondence address for Provider;
 - Address of Provider's principal place of business (no P.O boxes);
 - Provider's telephone number;
 - Provider's email address;
 - Name, contact info, position of Provider officers;
 - Provider abuse contact information;
 - Names and ICANN IDs of all Affiliated Providers and Registrars.
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- ⦿ **Question for IRT:** Should this list be modified in any way to implement requirement for “business contact information”?

PPAA Issue 10: Reveal Requirements

- ⦿ **Final Report:** Reveal procedures largely left to Provider ToS.
- ⦿ **Final Report (p. 15):** Report not intended to alter Provider practice of reviewing reveal requests manually or to facilitate direct resolution of an issue. “[D]isclosure of at least some contact details of the customer may in some cases be required in order to facilitate such direct resolution.”
- ⦿ **Question to IRT:** What disclosure of contact details is contemplated here? Is anything additional needed to disclose this possibility in Provider ToS to ensure customers are aware?
- ⦿ **Draft PPAA:** Section 3.18.3 quotes language from Final Report, p. 15 only.

PPAA Issue 5: Code of Conduct

- ⊙ **2013 RAA:** Includes provision (3.7.1) that in event ICANN adopts Specification/Policy supported by a consensus of Registrars (as reflected in RrSG) establishing a code of conduct, Registrar shall abide by the code of conduct.
- ⊙ **PPAA draft:** Similar provision proposed, at Section 3.5.1, for IRT discussion purposes.
- ⊙ **Final Report:** No reference to code of conduct. WG charter said that final recommendations could include topics more appropriately handled by code of conduct.
- ⊙ **Question 1:** Is the inclusion of such a provision desirable?
- ⊙ **Question 2:** If yes, how should consensus of Providers be established?

PPAA Issue 6: PP Service Cancellation

- ⦿ **Final Report:** Customer data to be validated/verified in a manner consistent with 2013 RAA WHOIS Accuracy Program Specification.
- ⦿ 2013 RAA, in addition to Accuracy Spec, provides that Registered Name Holder's willful provision of inaccurate information is grounds for suspension or cancellation of registration (Section 3.7.7.2).
- ⦿ **Draft PPAAv1 Section 3.5.4.1 Proposed for IRT discussion.** This section is comparable to RAA Section 3.7.7.2 and would provide for suspension or cancellation of PP services and the Registered Name registration.

PPAA Issue 6: PP Service Cancellation

⦿ PPAA Draft Section 3.5.4.1:

“A Customer's willful provision of inaccurate or unreliable information, its willful failure to update information provided to Provider within seven (7) days of any change, or its failure to respond for over fifteen (15) days to inquiries by Provider concerning the accuracy of contact details associated with the Registered Name for which Provider is the Registered Name Holder for the account or benefit of such Customer shall constitute a material breach of the service agreement between such Customer and Provider and be a basis for suspension or cancellation of the Services and the Registered Name registration.”

PPAA Issue 6: PP Service Cancellation (Cont.)

- ⦿ **IRT Question 1:** Is the inclusion of this provision desirable for consistency with RAA (as a baseline, with edits based on IRT feedback)?

- ⦿ **IRT Question 2:** If yes, are edits needed, particularly related to the cancellation process for PP services or of the registered name registration?
 - While cancellation of services and registration could likely be done by registrar-affiliated provider, processes related to third-party providers seem less clear.

PPAA Issue 6: Name Cancellation During UDRP

- ⦿ **Final Report:** “accredited P/P service providers ... should nevertheless expressly prohibit cancellation of a domain name that is the subject of a UDRP proceeding...”
- ⦿ **PPAA Draft (Section 3.5.4.17):** Provider shall expressly prohibit cancellation of domain name that is subject of UDRP and URS proceeding.
- ⦿ **IRT Question:** This is currently written as a ToS-related requirement. Should a Provider be required to take any further steps other than prohibiting this in its ToS/Customer Agreement?

IRT Action Items

- ⦿ Complete IRT poll no later than Friday, 4 August. Poll results will be used as final gauge of IRT views on data escrow. If more time is needed for consultation with other stakeholders, please advise.
- ⦿ Provide any additional input regarding topics discussed today no later than Monday, 7 August.
- ⦿ **8 August:** Will discuss LEA framework, data retention, and customer data accuracy specifications and any matters not reached on today's agenda.
- ⦿ Continue to review PPAA and provide comments on-list.

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