A	**ICANN Purpose:** Establish the rights of a Registered Name Holder in a Registered Name and ensuring that the Registered Name Holder may exercise its rights in respect of the Registered Name
	(Purposes by Actor (A))(TempSpec - 4.4.1) ~~(GINA SCRIBE)~~

Lawfulness of Processing:

Art. 6.1(b): processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

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Art. 6.1(a): Consent - the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

~~Data fields accurate, except state / province and postal code, only if applicable; Remove FAX~~

Lawfulness of Processing Test:

Processing Activity:	**Responsible Party:**	**Lawful Basis:**
PA1 - Collecting registrant data to allocate a string to a registrant	ICANN: joint controller Registry: joint controller Registrar: joint controller	6(1)(b) - This is a 6(1)(b) purpose because it is necessary to collect registrant data to allocate a string to a registrant. Without collecting minimal registrant data, the contracted party has no way of tracing the string back to registrant and is not able to deliver its side of the contract.
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Data Elements Collected or Generated - Pre GDPR	**Fields to be Collected A-PA1**	**Fields to be Transferred A-PA2**	**Lawfulness of Processing Questions**
Source: R~~egistrar Data Escrow Specifications~~AA			**1) If the purpose is based on an ICANN contract, is this lawful as tested against GDPR and other laws?**
Domain Name	1	-	Undecided…either 6.1(b) or 6.1(f)
Registry Domain ID	-	-	
Registrar Whois Server	1	-	6.1(b): YES, it applies. based on ICANN requirement that registrar / registrar contract with registrant. Can we rely on this, if not, then 6.1(f)
Registrar URL	1	-	
Updated Date	1	-	
Creation Date	1	-	
Registry Expiry Date	1	-	[NOTE: The lawful basis small breakout team agreed the processing activity (collecting registrant data to allocate a string to a registrant) is lawful under 6(1)(b): processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.]
Registrar Registration Expiration Date	1	-	
Registrar	1	-	
Registrar IANA ID	1	-	
Registrar Abuse Contact Email	1	-	
Registrar Abuse Contact Phone	1	-	
Reseller	1	-	
Domain Status	1	-	**2) Is the purpose in violation with ICANN's bylaws?**
Registry Registrant ID	-	-	
Registrant Fields			No, it is not in violation of ICANN's bylaws
• Name	1	-	
• Organization (opt.)	(1)	-	~~2)~~ 3a) Description of processing activity
• Street	1	-	3b) Responsible Party/Parties ~~Data Required for purpose of whom?~~
• City	1	-	
• State/province	~~(1)~~	-	Registrar
• Postal code	~~(1)~~	-	Registry
• Country	1	-	
• Phone	1	-	[NOTE: The lawful basis small breakout team agreed to the following, but this was not agreed to in plenary:
• Phone ext (opt.)	(1)	-	
• Fax (opt.)	~~(1)~~	-	3a) The processing activity is collecting registrant data to allocate a string to a registrant.
• Fax ext (opt.)	~~(1)~~	-	
• Email	1	-	3b) Purpose pursued by ICANN, registries and registrars as joint controllers]
2nd E-Mail address	-	-	
Admin ID	-	-	
Admin Fields			**4) Is the processing necessary to achieve the purpose?**
• Name	1	-	
• Organization (opt.)	(1)	-	Agree that the Registrar Data (above the gray box) are necessary.
• Street	1	-	Agree: NameS~~e~~erver, CNSSEC, Namer Ser~~i~~ver IP Address; Last Update of Whois
• City	1	-	
• State/province	~~(1)~~	-	
• Postal code	~~(1)~~	-	Agree: REGISTRANT
• Country	1	-	
• Phone	1	-	

Comment [BC6]: Refer to the Lawfulness of Processing Test section above.

Comment [BC1]: From 1st Sub Team A: Data fields accurate, except state / province and postal code, only if applicable; Remove FAX – Changed back to required "1" for Registrant, Admin, Tech

Comment [BC7]: Refer to the Lawfulness of Processing Test section above.

Comment [GB2]: Proposal to not collect these contingent on rights.

Comment [BC3]: Discussion has evolved to this being collected optionally and is connected to Purpose C

<table>
<tr><td rowspan="4">A</td><td colspan="3">ICANN Purpose: Establish the rights of a Registered Name Holder in a Registered Name and ensuring that the Registered Name Holder may exercise its rights in respect of the Registered Name</td></tr>
</table>

A	**ICANN Purpose:** Establish the rights of a Registered Name Holder in a Registered Name and ensuring that the Registered Name Holder may exercise its rights in respect of the Registered Name (Purposes by Actor (A))(TempSpec - 4.4.1) ~~(GINA SCRIBE)~~

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Data Elements Collected or Generated - Pre GDPR	Fields to be Collected A-PA1	Fields to be Transferred A-PA2	Lawfulness of Processing Questions
• Phone ext (opt.)	(1)	-	Do not collect: Admin + Tech unless needed for Rights
• Fax (opt.)	~~(1)~~ -	-	
• Fax ext (opt.)	~~(1)~~ -	-	*Notes:* ICANN fundamental discussion…does ICANN only need the minimum necessary? ICANN is the body that supervises and supports the market place. There is a need for a record of who owns. Needs to be able to confirm the registrant to secure the rights.
• Email	1	-	
Tech ID	-	-	
Tech Fields			
• Name	1	-	**5) Do Data Elements require transfer to meet the purpose? (Charter Questions 2c, 2d, 2e, 2i)**
• Organization (opt.)	(1)	-	
• Street	1	-	~~No.~~ Yes. Refer to Purpose A, Processing Activity A-PA2.
• City	1	-	
• State/province	~~(1)~~ -	-	
• Postal code	~~(1)~~ -	-	
• Country	1	-	
• Phone	1	-	**6) Publication of data by Registrar/Registry required to meet the purpose? (Charter Question 2f)**
• Phone ext (opt.)	(1)	-	
• Fax (opt.)	~~(1)~~ -	-	[No. This purpose only deals with the collection and transfer of data to ensure the RNH rights are established. Publication or disclosure is reference in Purpose B]
• Fax ext (opt.)	~~(1)~~ -	-	
• Email	1	-	
NameServer(s)	1	-	Publication of selective elements would be allowed, tentative elements (legal person –unsure which field, maybe email; natural personal - unique identifier -new data field). Recommendation depends on the outcome of natural vs. legal purpose.
DNSSEC	1	-	
Name Server IP Address	1	-	
Last Update of Whois Database	1	-	
Other Data:			
• Field 1	-	-	Discussion:
• Field 2	-	-	*Reminder:* In the GDPR, the controller doesn't necessarily have the data. Question is should ICANN mandate the publication?
• Field 3	-	-	Does ICANN Purpose "C" on contact serve as the primary purpose?
• Field 4	-	-	Does registry serve as the ownership record?
• Field 5	-	-	
			7) Are there any "picket fence" considerations related to this purpose?
			Yes, related to WHOIS which is within the Picket Fence
			8) What are the data retention requirements to meet the purpose? (Charter Question 2g)

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Data Elements Collected or Generated - Pre GDPR	Fields to be Collected A-PA1	Fields to be Transferred A-PA2	Lawfulness of Processing Questions
			Varies by country. **Must go beyond the life of registration for a certain time period, time varies (currently 12 months) .** Once the contract is completed, how long you can hold on to the data (without the contract purpose) varies by contract or country. *Note: during the dispute resolution section, the group did not agree on the retention timeframe.*
			9) Additional information needed to adequately document the purpose?
			Need to discuss implications for natural or legal person.

Chain of Custody:
- RAA - https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en
- Temp Spec: Section 4.4.1