

ICANN Purpose: Provide mechanisms for safeguarding Registered Name Holders' Registration Data in the event of a business or technical failure, or other unavailability of a Registrar or Registry Operator
(Purposes by Actor (E))(TempSpec - 4.4.11)

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.

Data Elements Collected or Generated - Pre GDPR	Fields to be Collected	Lawfulness of Processing Questions
Source: Registrar Data Escrow Specifications		1) Is the purpose in violation with ICANN's bylaws?
Domain Name	1	<p>No.</p> <p>1.1(a)(i) Coordinates the allocation and assignment of names in the root zone of the Domain Name System ("DNS") and coordinates the development and implementation of policies concerning the registration of second-level domain names in generic top-level domains ("gTLDs"). In this role, ICANN's scope is to coordinate the development and implementation of policies:</p> <ul style="list-style-type: none"> • For which uniform or coordinated resolution is reasonably necessary to facilitate the openness, interoperability, resilience, security and/or stability of the DNS including, with respect to gTLD registrars and registries, policies in the areas described in Annex G-1 and Annex G-2; and • That are developed through a bottom-up consensus-based multistakeholder process and designed to ensure the stable and secure operation of the Internet's unique names systems. <p>The issues, policies, procedures, and principles addressed in Annex G-1 and Annex G-2 with respect to gTLD registrars and registries shall be deemed to be within ICANN's Mission.</p>
Registry Domain ID	-	2) If the purpose is based on an ICANN contract, is this lawful as tested against GDPR and other laws?
Registrar Whois Server	-	Yes, as escrowing the data is supported by ICANN's mandate to provide for security and stability in the DNS and this purpose is primarily protecting the registrant's rights.
Registrar URL	-	3) Data Required for purpose of whom?
Updated Date	-	ICANN and Registrars
Creation Date	-	4) Is the processing a legitimate interest and necessary to achieve the purpose?
Registry Expiry Date	-	While all contracted parties that have to be compliant with GDPR need to make sure there are protections against data loss and mechanisms to enable swift data recovery, ICANN is operating at the global level where customers can register domain names with registrars globally and the registry operators are based in numerous jurisdictions, it is important to have interoperability of escrow agents. Requiring all contracted
Registrar Registration Expiration Date	1	
Registrar	-	
Registrar IANA ID	-	
Registrar Abuse Contact Email	-	
Registrar Abuse Contact Phone	-	
Reseller	-	
Domain Status	-	
Registry Registrant ID	-	
Registrant Fields		
• Name	1	
• Organization (opt.)	-	
• Street	1	
• City	1	
• State/province	1	
• Postal code	1	
• Country	1	
• Phone	-	
• Phone ext (opt.)	-	
• Fax (opt.)	-	
• Fax ext (opt.)	-	
• Email	-	
2nd E-Mail address	-	
Admin ID	-	
Admin Fields		
• Name	1	
• Organization (opt.)	-	
• Street	1	
• City	1	
• State/province	1	
• Postal code	1	
• Country	1	
• Phone	1	

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<ul style="list-style-type: none"> Phone ext (opt.) 	-	parties to use the same policies for both escrowing data and applying the same standards to escrow agents for making data available, is necessary for contingency planning at the global level.
<ul style="list-style-type: none"> Fax 	1	
<ul style="list-style-type: none"> Fax ext (opt.) 	-	
<ul style="list-style-type: none"> Email 	1	
Tech ID	-	5) Do Data Elements require transfer to meet the purpose? (Charter Questions 2c, 2d, 2e, 2i)
Tech Fields		Yes, the data must be transferred to the Data Escrow provider in order to satisfy off-site data storage. In the event of failure and attempts to restore service, the data is also transferred to the Gaining Registrar.
<ul style="list-style-type: none"> Name 	1	
<ul style="list-style-type: none"> Organization (opt.) 	-	6) Publication of data by Registrar/Registry required to meet the purpose? (Charter Question 2f)
<ul style="list-style-type: none"> Street 	1	No data needs to be made public for escrow purposes, but a transfer to the escrow agent and - in case of contingencies - the transfer to a gaining registry or registrar is required to ensure that operations are not impaired.
<ul style="list-style-type: none"> City 	1	
<ul style="list-style-type: none"> State/province 	1	
<ul style="list-style-type: none"> Postal code 	1	
<ul style="list-style-type: none"> Country 	1	7) What are the data retention requirements to meet the purpose? (Charter Question 2g)
<ul style="list-style-type: none"> Phone 	1	Two years per ICANN agreement on general retention provisions. Escrow deposits are held for 180 days (this needs to be confirmed)
<ul style="list-style-type: none"> Phone ext (opt.) 	-	
<ul style="list-style-type: none"> Fax 	1	8) Additional information needed to adequately document the purpose?
<ul style="list-style-type: none"> Fax ext (opt.) 	-	None.
<ul style="list-style-type: none"> Email 	1	
NameServer(s)	1	
DNSSEC	-	
Name Server IP Address	-	
Last Update of Whois Database	-	Other Data:
<ul style="list-style-type: none"> Field 1 	-	
<ul style="list-style-type: none"> Field 2 	-	
<ul style="list-style-type: none"> Field 3 	-	
<ul style="list-style-type: none"> Field 4 	-	
<ul style="list-style-type: none"> Field 5 	-	

Chain of Custody:

- Registrar Data Escrow Program: <https://www.icann.org/resources/pages/registrar-data-escrow-2015-12-01-en>
 - Data Fields Source: <https://www.icann.org/en/system/files/files/rde-specs-09nov07-en.pdf>
- Temp Spec: Section 5.3, Appendix B