

Global Name Registry Proprietary Information

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.name Whois Proposal

Global Name Registry has met with various members of the ICANN community, including the intellectual property community, the law enforcement community, registrars, registries, the privacy advocacy community, the technical community and various privacy experts to discuss the public availability of personal information about **.name** registrants. Based on input from representatives of these groups, Global Name Registry has developed this proposal to modify the **.name** Whois Specification to address personal privacy concerns without compromising the ability of others to protect their rights, respond to customer requests for registration services, and prevent crime.

Background

Global Name Registry began resolving addresses in the new **.name** top level domain on January 15, 2002. As Global Name Registry's application for the **.name** space stated: "The **.name** TLD is intended for individuals and for personal use. . . . All Registrants will be required to certify their bona fide interest in registering a domain name for personal use and they may be required to produce evidence of this interest in the event of a dispute."

As a personal name space, the **.name** registry has tried to be responsive to personal privacy concerns. Moreover, the **.name** registry is located in the UK and subject to the requirements of the UK's Data Protection Act 1998. As a result, the **.name** Whois Specification permits the registry to protect a registrant's telephone number and email address in its web-based and Port 43 Whois service ("Public Whois"). Information is provided in either Standard, Summary or Detailed format. Searchers who certify that their use of the Whois database is (1) lawful, (2) undertaken for the purpose of protecting legal rights, and (3) does not include marketing, spamming or other improper uses receive information, including registrant telephone number and e-mail address, in Extensive format via e-mail.

Issues

In the time that the **.name** registry has been operating, several problems related to the public availability of Whois data have come to light. Specifically:

1. Although name and e-mail address in the registrant information fields is suppressed, technical, administrative, and billing contact information continues to be required. This makes sense where the registrant is a large corporation, but in a top level domain designed for individual use, the practical result is that protected registrant information is publicly available as technical, administrative, and billing contact information.

2. Corporate entities with whom Global Name Registry is negotiating long-term partnerships related to the creation of secure consumer digital identities or conversion of existing e-mail users are concerned about the personal safety of their consumers.

Proposal

This proposal incorporates certain solutions, taking into account the various suggestions made by the groups consulted with. The objective of Global Name Registry, in proposing changes to its Whois Specification, is to create a readily available and administratively simple process where legitimate Whois requestors can gain access to the Whois database, while creating obstacles designed to deter those who would use Whois data for marketing and other inappropriate purposes.

Whois II

1. Public Whois. Global Name Registry would continue to provide a public Whois database with the following characteristics:
 - Output: web and port 43 access
 - Summary and Standard Whois data.
 - Search functions would remain unchanged
 - Available to general public at no cost
 - Summary Whois query returns the most basic information - whether or not a particular **.name** registration exists.
 - Standard Whois query returns more information, but no personally identifiable data relating to the registrant (i.e. name and contact information of registrant are protected).
 - Included in the results are: registrar ID, admin ID, technical ID, billing ID, Nameserver, Creation Date, Expiration Date
 - These functions are useful in searches to check whether a **.name** exists, whether there is a similar **.name**, etc.
2. Password Protected Detailed and Extensive Whois
 - Output: web and port 43 access
 - Detailed Whois would be available behind a firewall and available to the general public with a password that would be effective for five (5) Whois searches:
 - Detailed Whois would include only registrant contact information unless the admin, tech or billing contacts were different.
 - Extensive Whois would be available behind a firewall and accessible by persistent password only.
 - Passwords would be provided to searchers willing to abide by a standard agreement that includes an undertaking that the information will be used for specified purposes only, not including marketing.
 - Password can be accessed in two ways (and will be issued to requestors by email), depending on the type of search desired:
 - Detailed Whois: application through www.name ("Public Application"):
 - Application process open to the public
 - Fee of \$[2] per search (paid by credit card or PayPal).

- The *amount* of the fee is not as important as the fact that the fee requirement is likely to deter marketers and even criminals who would not want to create a trail by using a credit card.
 - Public Application. Global Name Registry would modify the existing Extensive Whois application to require additional information from the requestor (e.g. purpose for which information will be used; more PII on requestor; and agreement regarding liability for misuse of data, etc.).
 - Access only to Detailed Whois if requestor does not wish to enter into Extensive Agreement giving full access to the Extensive Whois database.
- Extensive Whois: Agreement with Global Name Registry (the “Extensive Agreement”) – persistent password:
 - Requestors enter into a simple agreement with Global Name Registry to gain unlimited password access
 - Representations and undertakings in such an agreement would relate to uses of the Whois information – the requestor would be required to use the password only:
 - for specified purposes in pursuit of legal rights not including marketing,
 - for law enforcement,
 - for consumer protection,
 - to combat fraud or prevent crime, or
 - to confirm legitimate uses of domains (for purposes of transfers between registrars, etc.)
 - Password renewed annually upon re-certification by password holder
 - See Extensive Agreement for further detail
- Global Name Registry will require registrars to (i) disclose to registrants and get their consent for circumstances under which PII will be available, and (ii) get releases for Global Name Registry’s disclosure of PII under such circumstances
- Once password is issued, requestor may use that password within the Whois database interface to get behind the firewall
 - This is the case for either Detailed or Extensive Whois – no emails containing Whois results will be sent

3. Messenger Service

- If a requestor wishes neither to enter into the Extensive Agreement nor use the Public Application to gain one-time access to Detailed Whois, requestor will have opportunity to send an email through Global Name Registry
- There will be a web interface on www.name where a requestor can type in a domain name and fill in a message field, which message will then be forwarded to the domain name owner.
- This is useful in cases of voluntary transfer, and even in situations where requestors simply do not want to pay the fee or file the Public Application