

## Report of Public Comments

<b>Title</b>		WHOIS Proxy/Privacy Reveal & Relay Feasibility Survey	
<b>Publication Date:</b>		TBD September, 2012	
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<b>Comment Period:</b>		<b>Important Information Links</b>	
Open Date:	4 June 2012	<a href="#">Announcement</a>	
Close Date:	22 August 2012	<a href="#">Public Comment Box</a>	
Time (UTC):	23:59 UTC	<a href="#">View Comments Submitted</a>	
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<b>Section I: General Overview and Next Steps</b>			
<p>This survey, conducted by the Interisle Consulting Group in Boston, MA, USA, is intended to help the Generic Names Supporting Organization (GNSO) Council determine the feasibility of conducting an extensive analytical study ("full study") into communication Relay and identity Reveal requests sent for gTLD domain names registered using Proxy and Privacy services.</p> <p>Specifically, this survey assessed the willingness and ability of request originators, Privacy/Proxy providers, Registrars and other interested parties to participate in and provide data to a full study, identified factors that would promote or inhibit participation in a full study, and offered individuals and organizations who might be willing to participate in a full study an opportunity to identify themselves. This report presents questions posed by the multi-lingual on-line survey, responses supplied by 168 respondents, input obtained through follow-up interviews, and the research team's analysis, conclusions, and recommendations.</p> <p>This Public Comment solicitation provided the community an opportunity to consider survey results, ask questions, and share perspectives about the goals and nature of a full study of Relay and Reveal requests (if any) that could be feasible, given the findings provided by this survey report. The GNSO Council will now use this report and comments to determine whether and how to launch a full study into WHOIS Proxy/Privacy Reveal &amp; Relay handling for gTLD domain names.</p>			
<b>Section II: Contributors</b>			
<p>At the time this report was prepared, a total of two (2) community submissions had been posted to the Forum. The contributors are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the following narrative (Section III), such citations reference the contributor's initials.</p>			
Organizations and Groups:			
Name		Submitted by	Initials
Business Constituency		Steve DelBianco	BC
InterContinental Hotels Group		Andrea Whetzel	IHG
<b>Section III: Summary of Comments</b>			
<p><i>General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).</i></p>			
<b>General Comments</b>			
<p>The IHG and BC both recognize the confidentiality, participation, and convenience challenges identified by this survey, but urge ICANN to move forward with a full study.</p>			

### **Full Study Goals**

The BC recommended a full study goal of informing best practices as well as supporting policy, agreeing with the survey finding that “all three constituencies described as favorable or feasible a study designed to identify and document current procedures and policies and the functional and dysfunctional relationships among those making, receiving, and processing relay/reveal requests.”

The IHG believes that a full study is needed to better understand the process of relay and reveal, and suggested that it should help the community reach formal agreement on the structure of Proxy and Privacy services that can become part of a revised Registrar Administration Agreement (RAA).

### **Concern #1: Confidentiality**

The BC agreed with the research team’s conclusion that it is impractical to track and correlate individually identifiable reveal/relay requests and responses. It is more important to focus on how the process currently works for each Privacy/Proxy service, using aggregated information to understand the responsiveness of service providers and the extent of problems with the process to help develop an accredited standardized process.

### **Concern #2: Participation**

The BC acknowledged that a full study would require commitment by participants to place enough requests to make the study useful, but suggested that establishing a number of requests required of participants could allay fears regarding time commitment. With regard to requestor participation, the IHG – a hotel company with more than 620,000 rooms in over 100 countries – volunteered to participate in a full study. With regard to responder participation, the BC believes that Privacy/Proxy providers would have a vested interest in participating to illuminate the issues they face with requests that are burdensome or insufficient. The BC recommended a goal of having multiple participants request a reveal/relay for each Privacy/Proxy provider identified by the full study.

### **Concern #3: Resources**

The BC noted that both requestors and responders must agree to provide resources to track and report information needed by the full study. Specifically, the BC recommended that the full study track details on how each Privacy/Proxy service requires requests to be formatted, information required, delivery method, and timeline from request to response. The BC further recommended that the full study ask requestors to follow a standard process in the event of nonresponsive service provider (for example, quoting RAA section 3.7.7.3). The BC stated that several of its members would participate since the benefits of understanding the growing issue of Privacy/Proxy services is worth the resource cost incurred by participating.

## **Section IV: Analysis of Comments**

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

The GNSO Council will consider this survey report and comments received during its upcoming teleconference call on 13 September, 2012. For further information, see the GNSO Council’s website at <http://gns0.icann.org>. As input to that discussion, ICANN staff offers the following analysis:

- 1) Comments received to date raised no questions or concerns regarding the survey’s approach, reach, response rate, or report clarity. Accordingly, no revisions were made before posting the final report:
  - [WHOIS Proxy/Privacy Reveal & Relay Feasibility Survey Final Report](#) [PDF, 2.12 MB]
  - [WHOIS Proxy/Privacy Reveal & Relay Feasibility Survey Final Report Appendices](#) [PDF, 1.19 MB]

- 2) There appears to be significant, broad interest in studying this topic as a means to develop and implement policies which actually resolve identified problems.
- 3) Nonetheless, a full study appears unlikely to draw symmetric participation from both relay/reveal requestors and responders, or to generate statistically valid independently verifiable data about individual requests or metrics such as typical response time.
- 4) Requestors continue to voice interest in participating in a well-designed full study, particularly one that addresses key concerns by requiring only aggregate data and limiting resources needed to participate.
- 5) As no responder commented on survey results, we remain doubtful about Privacy/Proxy participation and believe representative participation is unlikely, no matter how a full study is designed.
- 6) Agreement on full study goals is the key to both meaningful participation and results. Specifically, a study of existing practices may be agreeable to many participants and technically feasible.
- 7) Such a full study might document experiences and published procedures for self-selected participants; that anecdotal data could be used as the foundation for “best practice” recommendations.