



## **Business Constituency Comment on Study of Whois Privacy/Proxy abuse**

**November 2013**

The Business Constituency (BC) supports the conclusions of the study as being consistent with our long-held belief that a significant portion of bad actors are using privacy and proxy services to facilitate abuse that harms business and consumer interests.

The BC encourages the ICANN community to move forward with accreditation of privacy and proxy services in order to help the business community address abuse through increased access to accurate registrant information.

The study examined and supported the hypothesis that “a significant percentage of the domain names used to conduct illegal or harmful Internet activities are registered via privacy and proxy services to obscure the perpetrator’s identity.” It provides important information for the ICANN community, as Whois accuracy and completeness is a primary goal at this time. The conclusions clearly demonstrate that an overhaul of the system is not only warranted, but necessary.

The BC recognizes that there are legitimate uses for privacy and proxy services, such as shielding the identity of those engaged in non-commercial free speech, or the launch of a new product and/or service in the business community. However, the information contained in the study, which illustrates widespread abuse detrimental to consumers and businesses alike, clearly demonstrates the need to proactively restrict the use of privacy and proxy services to organizations and individuals that are using them for legitimate purposes.

The BC also recognizes that stopping privacy and proxy service abuse is not the only way to stop abusive behavior online. When domain names are registered with the intent of conducting illegal or harmful Internet activities, a range of different methods are used to avoid providing viable contact information.



The BC looks forward to addressing all of these issues in the community-led development stage of the Aggregated Registration Directory Service. In the meantime, the BC encourages the ICANN to give attention to the issues that can be addressed immediately.

We note that although this study covered 5 TLDs, .com names dominated the datasets — only 10% were from the other 4 gTLDs. Given that, one possible approach may be for the .com registry to implement privacy and proxy services guidelines as an interim measure. This could be much faster than having ICANN make rules for all gTLDs. We would still want the proxy/privacy vendors accredited, but there may be an interim solution with the registry itself.

The BC looks forward to participating in the GNSO RAA Remaining Issues Policy Development Process on Privacy and Proxy Services, to develop an accreditation system which restricts the shielding of registrant data to legitimate, non-commercial, non-abusive websites.

The BC thanks ICANN and the NPL for this comprehensive study.

These comments were drafted by Elisa Cooper and Susan Kawaguchi, and were approved in accord with our charter.

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