



Comments on Thick Whois Initial Report

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Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC). The BC's comments arise from the perspective of Business users and registrants, as defined in our Charter¹:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

ICANN opened a public comment period on the Initial Report of the Thick Whois Policy Development Process (PDP) Working Group.

The BC supports the conclusions contained in the Initial Report as consistent with BC input to the working group on January 2nd, 2013.² Further, the BC encourages those registries operating a 'thin' Whois to migrate to a 'thick' Whois as a matter of urgency.

Comments

The Thick Whois Policy Development Process Working Group was tasked to review the following topics, to determine the consequences of a migration from 'thin' to 'thick' Whois.

- Response consistency
- Stability
- Access to Whois data
- Impact on privacy and data protection
- Cost implications
- Synchronization/migration
- Authoritativeness
- Competition in registry services
- Existing Whois application
- Data escrow
- Registrar Port 43 Whois requirements

The Working Group solicited comment from the BC on the same, to which the BC responded on January 2nd, 2013. After a thorough evaluation of the issues presented, the BC stated it "feels strongly that all gTLD registries should support Thick Whois."³

The Working Group's Initial Report states "[t]he provision of thick Whois services should become a requirement for all gTLD registries, both existing and future."⁴ This is consistent with the BC position.

¹ Business Constituency Charter, at <http://www.bizconst.org/charter.htm>.

² Business Constituency Response to Stakeholder Group/Constituency/Input Template – 'thick' Whois PDP Working Group, January 2, 2013, at <https://community.icann.org/pages/viewpage.action?pageId=39421016>.

³ *Id.* at 4.

The BC notes specifically that the following conclusions of the Working Group are consistent with the BC position:

Requiring a 'thick' Whois would:

- improve response consistency,
- improve stability,
- improve access to Whois data, and
- provide a more level playing field for competition between Registries.
- enhance consumer/user protection

Requiring a 'thick' Whois would *not*:

- raise data protection or privacy issues,
- impose overly burdensome cost impacts on providers of Whois data, and will in fact, reduce costs to consumers of Whois data,
- have detrimental effects on data synchronization,
- have detrimental effects on authoritativeness, (and would lend more authoritativeness to Registries, in line with the BC position), nor
- have any substantive detrimental effect on existing third party Whois service providers.

As a matter of timing, the BC encourages .COM, .JOBS and .NET to migrate to a 'thick' Whois system immediately upon ICANN Board approval of a new Consensus Policy regarding thick Whois, in order to avail their registrants and consumers of Whois data to these benefits without delay.

In addition, the BC anticipates that a migration to a 'thick' Whois system would facilitate an easier transition to the Aggregated Registration Data Service, as recommended by the Expert Working Group.

These comments were prepared in accordance with the BC Charter.
Elisa Cooper prepared the initial draft.

⁴ Initial Report on the Thick Whois Policy Development Process, June 21, 2013, at <http://www.icann.org/en/news/public-comment/thick-whois-initial-21jun13-en.htm>.