ICANN Transcription
Privacy and Proxy Services Accreditation Issues PDP WG
Tuesday 10 June 2014 at 1400 UTC

Note: The following is the output of transcribing from an audio recording of Privacy and Proxy Services Accreditation Issues PDP WG call on the Tuesday 10 June 2014 at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

The audio is also available at:
http://audio.icann.org/gnso/gnso-ppsa-20140610en.mp3

On page:
http://gnso.icann.org/calendar/#june

Attendees:
Steve Metalitz - IPC
Justin Macy – BC
James Bladel – RrSG
Laura Jedeed – BC
Sarah Wyld - RrSG
Michele Neylon – RrSG
Chris Pelling – RrSG
Jennifer Standiford – RrSG
Osvaldo Novoa - ISPCP
Don Moody – IPC
Darcy Southwell - RrSG
Graeme Bunton – RrSG
Don Blumenthal – RySG
Phil Marano – IPC
Jim Bikoff – IPC
Susan Prosser- RrSG
Kristina Rosette – IPC
Val Sherman – IPC
Tim Ruiz – RrSG
David Heasley – IPC
Griffin Barnett – IPC
Tatiana Khramtsova – RrSG
Libby Baney – BC
Paul McGrady – IPC
Kiran Malancharuvil – IPC
Roy Balleste – NCUC
Susan Kawguchi – BC
Carlton Samuels-ALAC
Volker Greimann - RrSG

Apologies:
Kathy Kleiman – NCUC
Christian Dawson – ISPCP
Holly Raiche – ALAC

Alex Deacon - IPC

ICANN staff:
Mary Wong
Marika Konings
Amy Bivins
Terri Agnew

Man: Please go ahead. This afternoon's conference call is now being recorded.

Terri Agnew: Thank you. Good morning, good afternoon, good evening. This is PP SAI
                 working group call on the 10th of June, 2014. On the call today we have
                 Laura Jedeed, Val Sherman, Tatyana Khramtsova, Justin Macy, Steve
                 Metalitz, Chris Pelling, Sarah Wyld, Don Moody, Osvaldo Novoa, Graham
                 Bunton, Libby Baney, Roy Balleste, Susan Prosser, Don Blumenthal, Michele
                 Neylon, David Heasley, James Bladel, Griffin Barnett, Susan Kawaguchi,
                 Paul McGrady and Tim Ruiz.

                 We have apologies from Christian Dawson, Holly Raiche, Alex Deacon and
                 Kathy Kleiman. From staff we have Mary Wong, Amy Bivins, Marika Konings
                 and myself, Terri Agnew. I would like to remind all participants to please state
                 your name before speaking for transcription purposes. Thank you very much
                 and back over to you, Don.

Don Moody: Thanks. Welcome to leading the intro. I'm not sure you've done it before, at
                 least not when I've been here. I've got to flip over to the screen. Sorry. Well,
                 we're getting into the run up to London which I probably don't have to remind
                 anybody about.

                 I'd like to, to the extent possible, kind of focus on the key questions, the
                 remaining key questions that's been our touch point, our progress touch
                 points for going into London.

I don't want to foreclose discussions of things that other folks think are important but that's why today's formal agenda is somewhat limited. Staff will be sending out some materials. Maybe they're out already. I haven't looked at email for a few minutes - to help us clarify a bit some ambiguities that might be there in D3 and D4.

So that'll help, I think. I'm sure it will. I want to make sure that people - that you all take a look at the things that have come out from the law enforcement (offset) community and from compliance.

I think they'll be helpful in framing how we it (will relate) to the RAA to our work, some provisions, and also some broader questions. And don't hesitate to raise issues concerning them - issues, agreement, whatever. I know there's been at least one message in response to the law enforcement (ops sec) submission.

With that - oh, and the other thing is, just as we go forward, we're putting together an approach to how we want to do the public meeting in London which still is set for 10:00 on Wednesday.

We'll focus a little bit more on that next week. So with that out of the way, without objection - and I'm willing to hear any considering - oh, and the other thing is the EWG report is out which has been mentioned on the list.

I'm not sure we want to spend time here talking about it in general. I would suggest that, at least again, leading into the meetings, the privacy proxy section is around Page 100. Give or take a few. And certainly if you don't want to wade through all 166 pages, and I haven't gotten through all of it yet, that's what I would - that's where I would start, at least with reference to our work.

Just jump ahead and knock it off - knock it out of the way. So with that, shall we just jump into D2? I don't see any hands raised, so I guess so. Yes, I think

we still have an issue remaining on exactly how we're interpreting dedicated. Any thoughts on this whole dedicated versus designated and the hang up? Steve?

Steve Metalitz: Hi. This is Steve.

Don Moody: Yes.

Steve Metalitz: I think the question was - did it have to be somebody whose only job was to do this? And I think pretty clearly the answer wouldn't - would be no, okay, as a designated point of contact.

The idea is just that there will be somebody up the line who will respond properly. So dedicated could suggest that that's the (exclusive) thing that person does and that may or may not be appropriate, depending on the size of the service and how many complaints come in and so forth.

So it's just - the real question is will there be prompt - is there a place that the world knows that they can go to, to raise issues of abuse and will there be a prompt response? Thank you.

Don Moody: Okay, yes, that doesn't make sense where the discussions going and I'm also - and I should've said this upfront and I apologize. And I'm also looking at the follow up questions that Mary sent around that Michele and Holly responded to.

Okay, if there are no other thoughts on that, I think we have - we can move forward. What about the whole issue of timeliness or prompt or however we want to phrase any response to that question?

I see a comment from (Chris) here that it shouldn't be a defined period. How can that (record) general - are we - do we want to make it - oh, I like

Michele's technical explanations about network work in the chat here. Steve? Or is that an old hand?

Steve Metalitz: No, it's new. I was just going to say, in a way we don't need to resolve this right now because we're - I think our next section, if I'm not mistaken, E, gets into relay and this is also touched on the EWG and that's a place where I think it makes more sense to have a discussion of time limits and so forth rather than here.

So, you know, while our IPC position is that it should be more - it should be a defined time limit, like 318-2 of the 2013 RAA, I'm happy to defer that until we actually get into relay and reveal, specific types of requests and then focus on the time limits for those. Thanks.

Don Moody: Okay, appreciate it. James?

James Bladel: So James speaking for the transcript. If I could take one step back and just point out that, yes, I agree with designated rather than dedicated as far as the point of contact, there was also some language, for example, in the new transfer policy that might be useful where we set up the (TX) point of contact.

We can say something along the lines of capable and authorized to address these complaints. And I think that's another way of saying, you know, the designated context, I think would be a, you know, an employee or a contractor that's just paid to answer the phone.

So, you know, that might be one approach or one area we can borrow some language. As far as timeframes, you know, I keep coming back to the idea that, you know, as soon as we establish timeframes, then we have to look at why 1% or 2% of something falls outside of the timeframe and whether or not that was reasonable.

And I feel like it just takes us down an ever-increasing spiral of complexity and designation. Whereas, saying something like reasonable or prompt or commercially practical, I think gets us where we want. The vast majority of the incidents that will be fielded by this point of contact, while providing registrars and other service providers the discretion necessary to address these things.

And then, it's - you know, it's (whether) service providers being unreasonable or not being prompt, I think that gives compliance enough latitude to push off on the language of their agreements and then come after service providers, you know, who's maybe going - systematically falling outside of those boundaries.

But I think the reflective desire to box in different types of abuse or different types of incidences and put parameters around them, almost like building an SLA into the policy, is - in my opinion, is going to consume a lot of cycles and ultimately just increase the rate of false positives. Thanks.

Don Moody: Okay, fair enough. Marika.

Marika Konings: Yes, this is Marika. I just wanted to (slide) one of the aspects of the common - of feedback that was provided by compliance and in relation to how the working group makes - is considering 3.18 and is the last two (unintelligible) because they suggest or request that the working group may want to consider providing additional guidance regarding the types of abuse complaints allowed and the type of actions privacy proxy providers should take regarding these reports.

And the working group may also want to consider alternative abuse report options other than publishing an email address on a Web site and then the (Whois output) as registrars have expressed concern regarding increasing (spam) volumes for published email addresses.

Don Moody: Okay. Yes, I saw that we had received something but hadn't had a chance to read it. Let me - that presents some interesting...

((Crosstalk))

Don Moody: Some side issues, some additional issues. But just looking at them. Marika.

Marika Konings: Yes, Don, if I maybe may add because I think the gist of it basically is they're ready to set expectations clearly, I think both from a complainant as well as a registrar, or in this case, privacy proxy service. You know, what is expected and, you know, what is required?

And I think that's - at least that's how I read the feedback (unintelligible) of what they've learned from the current section of 3.18 that I think initiated was some, you know, like a clarity over what registrars were expected to do as well as some complainant's perspective, you know, and expectations that certain things would happen that are not required under the current provision.

So I think that feedback is basically, you know, the more specific we can be in our recommendations on what the requirements are for privacy proxy service as well as, you know, what the expectations are for people using, you know, the contact or the (use) contact. I think that will probably help, you know, both parties on each side to implement as well as set expectations.

Don Moody: Okay. Yes, I see some spots we could - where we could potentially get into the message of contact. James?

James Bladel: Thanks, Don. James speaking and just to point out that the message that Marika circulated I think very articulately capture something that registrars - or at least I was trying to raise on our previous call which is that as soon as we were contractually obligated to post at point of contact, that point of contact effectively, or very shortly afterwards, that point of contact became useless.

The floodgates were opened for what we'd call frivolous or just completely unrelated types of communication. And something that we had built a number of processes and teams around, you know, in fielding these types of requests, suddenly we found that their primary job was just sifting through the new volume of communications to try and find an actual legitimate complaint.

So I think that this message or the message that was circulated is a good one because it shows both sides of the coin, that registrars were not clear on what the requirements exactly were and that, you know, hindsight's 20/20.

If we had known that this was going to happen when we were hammering out the language of the 2013 RAA, we probably would've built some additional flexibility into that so that just the email address could've been explicitly linked to a Web form or some other method of self-screening and self-selecting the complainants.

Because while I think registrars have had meetings with compliance to sort out and synchronize their expectations, it's impossible to have that meeting with the entire Internet and get their expectations synchronized. So we've got to get it right the first time.

And I think there's a lesson to be learned there for anything that we put equivalent (contacts) that we build into the privacy proxy accreditation program, is that you know, be careful that we don't open the floodgates to the point where these points of contact become useless.

Don Moody: Excellent. I appreciate that. I'll turn now - I see that Michele has (debarked) himself.

Michele Neylon: Thanks, Don. Michele speaking for the record. And if I disappear off the call without any advance warning, it's probably because we've been struck by

lightning again and the office network has exploded. The upside to having a data center in the same building is at least it flips over to the generators.

I was - yes, fully supportive of everything that James said that the current provisions in the 2013 REA and the way that ICANN compliance has been handling them, has been led to issues for some registrars which hopefully we'll be able to address with ICANN and ICANN compliance over the next while.

So, you know, if there's going to be anything (out of) these contact points in relation to privacy proxy, we should avoid specifying the exact medium for contacting people because we don't want to end up in this situation. That's where (Graham) put in the chat that they're getting ten times more junk email through to published contact points than previously.

I happen to have a chance to respond to the ICANN compliance input because there isn't much point in responding to that apart from going, "Yes." But the LEA thing I did respond to earlier this morning.

The - my main concern there is that this kind of conflation of, you know, domain names and Web sites being used for spreading malware, phishing and everything else, conflating that with domain names that are registered solely with the purpose of doing that and with Web sites, et cetera, that are compromised or hacked.

But in our experience, the bulk of abuse reports we get about malware, spam, phishing, et cetera, et cetera, the registrant, the Web site operator, the Web site owner is not aware of it. It's - they are not involved with the - it's a third party that has compromised it.

So just kind of things on the law enforcement side that, you know, these need to be suspended and taken down, I think is a very, very dangerous thing to

throw out there without some kind of counterbalance. But as I say, I posted that (to the) list earlier. Thanks.

Don Moody: Yes, I appreciate that. (Honestly), I think - I've already reached out to try to get more information on the sources of -- and source is a bad word -- background of that submission and regardless of whether folks agree or not, I think it merits some more in depth analysis.

So we'll work on that when the compliance support is clear where it came from which is the compliance office. And I think the background will be helpful on the LE (ops sec) piece.

I think our discussion here of what should - or what kind of contact should be there may feed directly into D3 but I don't want to give you - derail the discussion now of D2. Or are we finished with D2 at least for the call? Do we have enough here to write a preliminary template? Do we think we can get some level of consensus on?

Or if not, is everybody just - on the list, wants to say something - on the call, want to say something has and we should move on anyway? Okay, let's go on to D3.

And I'll suggest that if you have email available take a lo- well, I'll read D3. What Mary sent out was, as you - if you are just on the phone, the question and it probably makes more sense. The question is should full Whois contact details for accredited providers be required?

It's fairly straightforward in a sense. And this comes from the Whois RT recommendations that full contact Whois details should be provided. I guess the question is, is that necessary? Is it the best way to go regardless? And - well, is it necessary given other avenues of contact that may be set up? James?

James Bladel: Just so I'm understanding this question, because I'm not 100% clear that I am, this is for the service itself, should be required to put full contact details into the Whois for itself?

Don Moody: That's what I believe, yes. Now, that's my reading of it. I wish (Kathy) were on the call. She'd be the - I know. Is anybody on the call that...

((Crosstalk))

Don Moody: ...the (Whois) RT?

James Bladel: Yes.

Don Moody: Oh, okay.

James Bladel: I was.

Don Moody: You were? That's right. Never mind.

James Bladel: I just - I - you know, it was, you know, it's going on, you know, three or four years ago now, so you know, I'm just - I'm struggling with making, you know, making some sense of what we're after here because it seems fairly straightforward but I'll drop now. Thanks.

((Crosstalk))

Susan Kawaguchi: This is Susan Kawaguchi. Can I add a - I was on the Whois review team also. And so just I think I may be remembering this, James, though it was a while ago. So what we were concerned with at the time was XYZ, you know, proxy provider using GoDaddy proxy on top of their registration details.

So, therefore, we'd have to go to a - one proxy provider to get information on who to contact that that revealed and then go to, you know, the actual service.

So we felt that everyone should have - anybody providing this service should be, you know, it should be disclosed in the Whois record. So it's easily accessible.

Don Moody: I appreciate the ratification. That was one possibility I sent out to the (tiers) group. Does it mean that proxy privacy providers can use a proxy privacy registration? Steve?

Steve Metalitz: Yes, this is Steve. My understanding is similar to Susan's. And, you know, we're talking about an accreditation system here and, you know, presumably someone could go and find - I think we've already talked about having a full list of - well, we called it a register but then someone objected to that.

But a publicly available list of who the accredited regi- accredited privacy proxy services are including contact information. So I think this may be redundant of that but perhaps not.

Also, the other point I wanted to mention was isn't - at least for the registrar affiliated services, doesn't the interim specification, the 2013 RAA, already require the contact details of the service providers? I think it does. You know, requires them to state what some of their policies are and so forth. But I think it also requires contact information, although someone could check me. Thank you.

Don Moody: Appreciate it. Well, conveniently, perhaps, James has his hand up next.

James Bladel: Thanks. James speaking. And just to address a couple of things, I pretty much agree with Steve. I think that it may be duplicative because we are talking about this. I can't remember why we didn't like the word registry, but this directory or list of accredited service providers and their contact information.

There is a temporary specification in the RAA that does require a point of contact for abuse. I'm not sure if it's, you know, it certainly says something about the provider, you know, should post the terms and conditions on the Web site and then also outline its procedures for handling abuse.

As far as Susan's scenario, I do remember talking about that scenario and I think we also discussed a scenario where abuse or let's say fraudulent uses of privacy services where someone manually alters their Whois data to make it appear as though they are using an accredited privacy service but, in fact, they're not a customer of that service

And I think the key thing here is that that is often occurring without the awareness of the accredited privacy proxy service or the registrar in this regard. And I think that, you know, it's important to remember if we're going to build provisions into an accreditation program to address those scenarios, you know, we should only focus on those things where the accredited party would actually be aware that something is going on.

So, for example, an unaccredited privacy proxy service using an accredited privacy proxy service would certainly fall outside the scope of awareness of the accredited service unless it was, you know, reported to them.

So that's just my response to that and I do remember this now and I think that we, you know, it seems fairly straightforward that privacy proxy services should have their contact details available and it should be in Whois. Thanks.

Don Moody: Okay, Michele.

Michele Neylon: Yes, okay, personally I really don't care particularly strongly one way or the other about what goes into Whois for a privacy proxy provider. But I would assume that the proper contact details for the proxy privacy service provider would be provided on their Web site.

That's what's - that would just make sense to me. Under the interim specification, they're meant to have an abuse infringement point of contact and they're also meant to publish their contact information on their Web site. There's nothing about the Whois aspect of it.

And - well, for example, in the case of our Whois privacy service, you can do a Whois lookup on it until the cows come home. You're not going to get quote, unquote, "Full Whois," contact details because it doesn't use a dot com.

It uses a dot IE. So I just think that's a rather - it's a rather kind of, you know, self-defeating requirement to refer to Whois based on the assumption that everybody's going to be using gTLDs for running services, whereas, a lot of us don't. Thanks.

Don Moody: Okay, I'm trying to follow what you said there but could you expand a bit on the...

((Crosstalk))

Michele Neylon: Okay, do a Whois lookup on Blacknight.ie or Whois Privacy.ie or Michele.ie. And you will get back completely valid compliance with the dot IE ccTLDs requirement Whois output. You will not get contact details that are of any use to anybody within the ICANN context.

So relying on that requirement is pointless because there is no obligation anywhere for me to use a gTLD domain name in order to offer privacy proxy services, to be perfectly honest. Legally speaking or even how you could even oblige me to do that.

Now, if you go to the Web site, we do have contact details, company numbers, physical addresses, telephone numbers, (vat) numbers, all those things. But this kind of reliance on let's shove everything into Whois and make Whois some kind of proxy for everything else, falls apart badly when

you have a situation like ourselves where we are using a ccTLD to provide services to customers of gTLDs.

I can't provide full Whois in, quote, unquote, "In the terms of gTLD space," in a ccTLD that doesn't have it.

Don Moody: Okay. Yes I appreciate that. It's an interesting the cost constituency to use the ICANN term is - aspect is - does introduce a whole new element there.

I - for people from the IRT who've responded if you can look at Mary's note in the chat on what came from RT it discusses - it referred somehow to Whois entries somehow showing if these are privacy proxy services, you know, I think that not a new issue to us.

But does that affect well not just the RT veterans, but anybody else? Does that affect how we approach this question or should we continue on the path that fundamentally we're talking about helps fundamentally we're talking about publishing Whois information?

Susan Kawaguchi: This is Susan again. I understand Michele's situation and that's fine. He's complying with his local ccTLD registry roles. He's in full compliance.

But I don't think it's bad to have the safeguard of requiring it, the abuse information, abuse contact information to also be on the Web site and then using that Whois record as additional verification having, you know, either inaccurate information in the Whois is not helpful or having an additional third parties information in the Whois isn't helpful.

So if they're running a business offering a privacy service, you know, they're - they sort of put their stick in the ground anyway for combining a service. And, you know, being able to be contacted should be one of those.

And I mean I just think it's a simple thing. You can deal with the domain name and the Whois and the email address associated with that domain name.

I mean I manage the Facebook.com and we have domain@fc.com available to over a billion users. I still am the only one that reviews that email. You know, we use a lot of, you know, spam filters those kinds of things. But is that something I have to do every day? Yes. Is it overwhelming, absolutely not.

Don Moody: Appreciate it. Michele?

Michele Neylon: Oh Tim is - Tim Ruiz is actually pulling my leg on the chat. And of course I'm missing the tone. I'll - never mind. I think, you know, Susan is right.

I mean obviously but I think what I'm trying to get at more is that any of the contact disclosures, both in terms of normal commercial contacts and abuse contacts and all, those should be up front and should be readily accessible by the - Whois privacy or proxy service providers Web site.

I fully agree with that - totally agree. I mean I really - part of this - my own personal view is like, you know, if you're providing that kind of service, you should be fully contactable. There should be full transparency about who's operating the service.

But my main focus here is, you know, you put this upfront on the Web site. You know, I can understand that okay if they're using a gTLD, you know, then whatever, you know, you can trigger an entire set of different rules and criteria around what goes into the Whois records for a gTLD.

But, you know, just bear in mind that if they're using a ccTLD that, you know, you're not going to be able to get that and it's going to be - still going to be perfectly compliant with the country codes, rules and, you know, even the joking suggestion that forcing people to use a gTLD to do something, you know, it's a bit of a non-runner, nonstarter. Thanks.

Don Moody:		All right thanks. Steve?

Steve Metalitz:		Yes, this is Steve. I'm not sure what the basis for the full - for a full Whois contact details is. But I think the point is, there has to be some way - let's look at it again, from the perspective of a user who finds something, has a problem with a Web site associated with a particular domain name, goes to Whois, finds that it is registered to a proxy service provider and that proxy service provider is masking its contact details either by a proxy service or by not - by but being a ccTLD that doesn't provide contact details.

It's fine to say those contact details need to be on the Web site. But you need - then you need to have something in the Whois results that points you to the Web site.

And this is one of my questions about, you know, implementation of the interim specification which requires privacy and proxy service providers to post this information on their Web site. But we don't have a set - I don't think we have a centralized place where that information is collected. And I don't think it's always going to be the case.

It's not always easy to find what the proxy - where the proxy privacy services provider's Web site is. So I think there does need to be some way to - so that this information is available to the public.

It could be through ICANN again which is the creditor aggregating this information and saying okay, here's - we have this list of proxy service providers. Here's the names that they use in their - in Whois for registrations that they sponsor or registrations where they provide the service.

And here's a list of - and here's the corresponding Web site where you will find full contact details.

And I think that's sufficient. It may not be as quite - it's another extra step perhaps as contrasted with having that in the Whois output but at least there's a path to get there. And if that's the minimum I think that should be required. Thank you.

Don Moody: Okay. Michele?

Michele Neylon: Yes I think Steve finally kind of moved beyond Whois so I think I'm kind of okay with what he's saying but I am a little bit concerned by the insinuation that if a service provider uses a ccTLD but doesn't output the Whois details that he'd like to see in Whois that there's something necessarily wrong with that. I find out a little bit odd.

I mean, the point being that, you know, you do a Whois lookup on a .IE domain name, you will not get back an address. It doesn't matter who you are. You do not get back addresses for .IE domain names. They're not published in Whois.

You don't get back the company number. I mean, this is - that's the reality with the Whois output for the .IE.

And I mean I know there's other country codes that provide even less output depending on which access method you use for getting the data.

I'm quite happy and will fully support the idea that the Whois privacy proxy provider has to provide contact details on their Web site -- quite happy with that. Thanks.

Okay assuming then Steve is that a new hand?

Steve Metalitz: Well I was just going to respond to - I'm not criticizing Michele's choice of using ccTLD. But it is a fact that that means that certain information is not

available that way. Let's have it a guaranteed path to the Web site where that - to the provider's Web site, where that information will be found.

Ideally, that could be - the Whois output could indicate that but even if not there needs to be some other methods such as an ICANN aggregated site of accredited page of accredited service providers where people can get that. Okay.

Don Moody: Appreciate it. James?

James Bladel: Hi. So this is James speaking. And I just wanted to I guess agree with Steve to say, you know, I think the Michele raised a lot of interesting scenarios on how we could, you know, I think in practical terms, how, you know, the requirements could be circumvented.

But I think the bottom line is, you know, if you're going to voluntarily apply for and maintain an accreditation in this program you've got to publish some contact details whether that's in Whois or whether that's in an ICANN directory or whatever.

But I mean I think it's - I don't think this is, you know, you know, I don't think this is onerous to say, you know, as part of, you know, the benefits and the responsibilities being accredited you have to maintain current contact details for the organization.

You know, I just want to make sure that we don't then extend that to, you know, and if someone is abusing them or stealing them or safetying them or spoofing them that you're also responsible for those behaviors.

And I don't think we're seeing that. I'm just, you know, so I guess this is - I think we've already spent a lot of time on this and it's really not all that necessary.

If you want, you know, the golden star that comes with accreditation you have to do that. Thanks.

Don Moody: Okay. Yes. Tim?

Tim Ruiz: Yes I guess what I heard Steve saying was that well that's find that you have to publish on the Web site but then how do we find you? How do, you know, if were looking at a problem how do we figure out which accredited proxy privacy service we need to go look on their Web site at to find this contact information?

If we don't know which one we're looking for then we don't know which contact information to use.

But I guess I thought at some point in the past we had talked about being able to identify the proxy privacy service provider based on what they use for Whois for their users.

And maybe I misunderstood that but I thought if - so if you have a problem with a particular domain name you look up the Whois for that domain name and it should show that there is a privacy or proxy service involved there.

But that should indicate which one so then you know who to go to get the proxy privacy services contact information.

So maybe I had the wrong but I thought that's kind of what - were we headed. Thanks.

Don Moody: Good. Thanks for adding that. Okay, Steve?

Steve Metalitz: Yes I don't want to prolong this either. But, you know the example Tim gives what I'm concerned about is that Whois entry for that domain name will say, you know, world's greatest privacy service. And then that's something with

the company. And then that's not the name of the company. That's not the name of - the Web site is not world's greatest privacy service dot anything whether it's .IE or .com. It's something else. And you just can't find it. And I think this is entirely predictable.

So that it as - but as long as we have some accreditation standard that says you have to be able to tell from the Whois output either the contact information of the service provider or a path to the Web site where the conference contact information the service provider is maintained then I'm- I think that's satisfactory.

What I'm concerned about is something where you end up with information in the Whois that tells you it's a privacy - it's a proxy registration but doesn't tell you how to contact the proxy provider. Thanks.

Don Moody: Okay. Nothing, Michele?

Michele Neylon: It's Michele. No Steve's raising a valid point. You know your - you end up kind of going around in circles here because if you do a Whois lookup via whatever method on a domain name at present, if the domain name is behind the proxy privacy service of some kind the only way you know about it if you happen to recognize the details for that proxy privacy service.

And there's no way to put these contacts and all that kind of thing into the standard Whois output for gTLD registered domain. I mean this - there's an abuse point of contact for the registrar but there's no option in the current output to display anything in relation to privacy proxy nor is there any way to display any kind of flag to say that a domain is behind a privacy proxy.

So we kind of come back to something that we were discussing several meetings ago. And, you know, that in order to potentially address Steve's concern which I think is, you know, perfectly valid, then you need to - there needs to be some way of flagging clearly yes this domain is behind a

recognized privacy proxy service and then flow from there so that you actually contact the privacy proxy service, et cetera, et cetera and all that which again potentially could address the issue of misuse of privacy proxy details without the privacy proxy services knowledge, et cetera, et cetera.

So I just - I don't know how to get around that without getting involved in changing output to Whois. If somebody has a suggestion, please share it.

Don Moody: I think we're getting back to the interpretation of the question that Mary posted which suggested that the RT was looking at - was fundamentally looking at whether the fact that a registration is privacy proxy should be clear in the Whois record that the registrants (unintelligible).

I think we've gone around this fairly extensively. I'm at the point where privacy proxy's been said so much I'm at the - where we're sometimes folks get into the who's words start to make no sense which will, you know, we're not going to get away from it by changing focus a bit.

But I think we'd got a lot of, to work with here that come up with draft language for the D3 template to wait by next week.

And let's use the rest of the call at least begin talking about D4 so we have a base to work from next week.

This is another one that has I think some clear ties to the RAA language and in some complications or some complicated issues within the wording.

And it just focuses on the forms of malicious conduct. I'm jumping windows here. It would be addressed - I'm paraphrasing here (unintelligible) ways to be clearer. (Unintelligible) malicious conduct it would be handled by a point of contact at enterprise and proxy service definitions of legal versus illegal versus malicious and in the issue of which is with us always the issue of private actions, private inquiries versus law enforcement.

And again, Mary sent out some explanatory language (unintelligible) talking about. I'm sorry this was on a different call. But the origins of this go back to 2010 drafting (unintelligible) which goes back a while a little which is some of what they said was picked up in the RAA.

Does anybody want to jump in here just in terms of what types of things? Steve?

Steve Metalitz: Yes I'll kick it off. There is an IPC position on this that's in the document that's on the screen. And it's not a complete list.

But I - if you look at this there are a couple of places now as contrasted with 2010 when we had the drafting team.

There are a couple of places now where there are lists or descriptions of the kinds of contact that constitute, particularly conduct that constitute abuse are -I - the IPC submission lists one of them which is pick specification three from the new gTLD registries.

I think the contribution immediately above that references material in the GAC advice which is kind of the source of the pic specifications but I'm sure the phrasing is different. I think we have some language in the RAA as well.

So it might be useful rather than reinvent the wheel here. It might be useful to - for the staff to pull together those formulations maybe - and maybe that's somewhere else in this document.

But it might be useful to pull together those formulations from the RAA the pick specification and the GAC advice and then circulate those because it may be that through some - that that work's already been done to define the types of abuse complaints that need to trigger action in this context as well. Thanks.

Don Moody: I appreciate that. I remember that what would have been submitted. I haven't contacted to take a look since I saw it the first time.

Anybody like to either follow-up directly on Steve or Steve's points or weight in?

Okay. I'm looking at the chat here. I'm not hearing noise on my end. (Unintelligible) so I don't know what - I'm not quite sure what's going on.

If somebody could close - is this - yes, I'm trying to figure out the problem here. If somebody could pose if this noise has been there whenever I've been on mid...

((Crosstalk))

Michele Neylon: Every time you use our speaking (unintelligible) it comes on. It's really weird.

Is that - if you don't move stay very still, the noise seems to disappear.

Don Moody: Oh, good, a new career, one of those street corner statues. Okay I'll try. Like said I can't tell if there was a problem.

Man: So (unintelligible) phone.

Don Moody: No. I've got a headset on. That's not it. Anyway, when we get back to discussion would anybody else like to - well, that's a little weird vulgar.

Steve Metalitz: I think Mary's hand is...

Don Moody: Yes I'm jumping up and down from the queue to the chat. Mary?

Mary Wong: Thanks Don and I'll try not to move as well. But Steve we can certainly compile the starting point list that you suggested.

I think with respect to the RAA the starting point there would probably be the definition of illegal activity if we're thinking of the same thing.

And I think what that says is activity prohibited by law helpful or otherwise though that may be.

So I just wanted to clarify that with Steve and anyone else on the call.

Secondly also to note that the compliance recommendation that was given in the feedback Marika sent around earlier today that the working group consider adding some guidance on the abuse report requirement as to the types of abuse complaint.

So this kind of ties back into that as well. So it would be helpful if folks could think a little bit about what else might be either illustrative or form some kind of guideline. Thanks.

Don Moody: And I think yeah probably there's some language that's useful in the law enforcement object document that will give us some guidance here. Michele?

Michele Neylon: Yes, just in relation to abuse reports before (unintelligible) to my pet bugbears there's nothing more frustrating and annoying for them to read through three pages of statements about a particular bank's intellectual property being how valuable it is and before I actually get into the meat, i.e., the apparently infringing URL.

I think Don, you should know this because you're on the same route as me. Wasn't the APWC doing some work on standardizing abuse reports or was that (Mog) or one of the other groups is this being able to provide some kind

of guidance to people with respect to what they need to include in abuse reports and the order in which they put them in would be very useful.

As I say there's nothing more annoying than having to wade through three pages of being told that company X has lots of trademarks when actually all we really need to know is, you know, what kind of abuse it is, where's the abuse is being conducted. I mean we can read through the stuff afterwards. I'm sure it's fascinating but that's the key bit. Thanks.

Don Moody: Yes the APWG has its reporting project going. It's called (Amdos) for folks who aren't aware of it.

We spent a lot of time on streamlining the report and making it useful for the participants to get information. This is a beta project, just a little more our information.

I don't know that we've looked at making it a standardized reporting form although that would be an interesting thought to pass by the powers that be.

I'll be glad to talk a little about - more about (Amdos) off-line if anybody's interested. Just send me a note or grab me in the hallways in London if I'm - as much as I'm available because of NonCom conflicts.

You know, I think as part of this we'll - we should be looking at ICANN rules concerning domain abuse contractual requirements. A number of issues will play into this as we go through it.

So if it would be possible again to Mary and Marika if we could have some kind of document to would show where contractual requirements feed in that would be very useful?

Any other comments or questions or should we wrap a couple minutes early?

Michele Neylon: Just looking at the chat -- it's Michele speaking -- and some - just a bit of feedback there on this idea of the standardizing templates and everything around abuse reports. There seems to be some kind of support for further exploration on that.

So I mean if you have any examples or any kind of documentation around at that maybe it wouldn't be a bad thing to share that on the list, Don if you have information.

I mean I just - it's one of those things that's been a major (bug bear) for those of us who actually tried to process abuse reports.

And because I mean I think in one case, instead of telling us that the server or client in question was spamming their network one reporter told us that they were detecting strange traffic on Port 25. Look, great. Thanks. I had to think about that twice.

Don Moody: Yes. Point number one for the template specifics, please. Well, maybe that is specific. It said Port 25.

Yes. I'll check with Peter Cassidy and (Floyd Schiver) APWG and just see like I said it's beta, see what I can share outside as such. And if not, I'll work on adapting and anonymizing it. And (Sharon) maybe as a side project we might want to look at it.

Well I appreciate it. That took us up to our full hour. I think we've got a good start before and I think some close to wrapping up the other parts of D.

So I will talk to you all next week. Please continue to post thoughts on the email list in-between and we'll keep on add it. Thanks for your participation.

Man: Thanks Don.

Woman: Thank you Don. Thanks everyone.

Woman: Bye.

Man: Thanks. Thanks everyone.

Man: Bye.

Coordinator: Once again that does conclude today's conference.

Man: Thank you.

Coordinator: Please disconnect all remaining lines at this time and thank you.

                                    END