

WHOIS WG – progress report June 2007

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Inherited Baseline Proposal

- ◆ The OPOC proposal in essence:
 - ◆ Objective: protection of data privacy
 - ◆ Collects all existing WHOIS data
 - ◆ Also collects operational point of contact (OPOC) data
 - ◆ Displays a limited set of this data

Task – April 2007 charter

◆ OPOC

- ◆ define roles, responsibilities, requirements
- ◆ what if non-compliance?

◆ Access

- ◆ determine how and which third parties may repeatedly access full data

◆ Differentiation

- ◆ data display as a function of nature of registrant

Composition of WG

- ◆ mixed group – 60+
- ◆ wider than GNSO constituencies
- ◆ explicit invitation to law enforcement
- ◆ explicit invitation to government to factor in public policy overlap

Work plan

- ◆ Three sub groups did preliminary scoping of options
- ◆ Met during May 2007
- ◆ Three reports
- ◆ Integrated into one draft report June 2007

Preliminary findings

- ◆ Possible and useful to distinguish between legal and natural persons
 - ◆ Legal persons – full data
 - ◆ Natural – limited set of data
- ◆ Such distinction is compatible with data privacy laws

The OPOC

- ◆ Could be registrant
- ◆ Could be registrar
- ◆ Could be a third party

The OPOC

- ◆ Three roles with an objective, typically prevention of bad faith/fraud.
 - ◆ RELAY info to registrant
 - ◆ REVEAL the retained data under specified conditions
 - ◆ REMEDY : in certain circumstances communicator of action to prevent harm

If OPOC fails

- ◆ If OPOC fails to perform within a certain time limit, Requestor contacts Registrar and Registrar obliged to take action
- ◆ Actions objective is to prevent harm eg suspend name record, suspend DNS, lock the domain
- ◆ Appeal process for fairness

Tiered access to full data records

A relationship between Requestor and Registrar: no role for OPOC

- ◆ No change for legal persons
- ◆ Required for natural persons
- ◆ Required for law enforcement
- ◆ Required for private sector

Issues recently resolved

Issue: **solution**

- ◆ Legal status of OPOC: **agent for registrant**
- ◆ The actor for REMEDY: **typically not OPOC**
- ◆ Relationship OPOC/proxy services: **if proxy for registrant, OPOC = proxy**

Issues under discussion

- ◆ Distinction by use eg commercial versus non-commercial: **problematic**
- ◆ Verification of parties requiring tiered access: **no practical suggestion to date beyond self-declaration**

Next steps

- ◆ Target new report by 6 July 2007
- ◆ Three (?) more teleconferences
- ◆ Target final report to Council 27 July 2007
- ◆ If adopted, staff write implementation proposals and refer back to Council