

Comments on Final Report of the Temporary Specification for gTLD Registration Data Expedited Policy Development Process

Recommendation #3

In accordance with the EPDP Team Charter and in line with Purpose #2, the EPDP Team undertakes to make a recommendation pertaining to a standardised model for lawful disclosure of non-public Registration Data (referred to in the Charter as 'Standardised Access') now that the gating questions in the charter have been answered. This will include addressing questions such as:

- Whether such a system should be adopted
- What are the legitimate purposes for third parties to access registration data?
- What are the eligibility criteria for access to non-public Registration data?
- Do those parties/groups consist of different types of third-party requestors?
- What data elements should each user/party have access to?

In this context, the EPDP team will consider amongst other issues, disclosure in the course of intellectual property infringement and DNS abuse cases.

Comment:

Did the recommendations of the Framework for a Possible Unified Access Model for Continued Access to Full WHOIS Data (<https://www.icann.org/en/system/files/files/draft-technical-model-access-non-public-registration-data-06mar19-en.pdf>) and the Technical Model for Access to NonPublic Registration Data (<https://www.icann.org/en/system/files/files/draft-technical-model-access-non-public-registration-data-06mar19-en.pdf>), will support the development of the Unified Model by the EPDP team in the second phase or it will constraint it? Since are neither community proposals nor EPDP team initiative.

Recommendation #4

The EPDP Team recommends that requirements related to the accuracy of registration data under the current ICANN contracts and consensus policies shall not be affected by this policy.

Comment :

Did the Unified Access Model will provide some mechanisms to avoid any impacts?

Recommendation #10

Requirements for processing personal data in public RDDS where processing is subject to GDPR: The EPDP Team recommends that redaction must be applied as follows to the data elements that are collected. Data elements neither redacted nor anonymized must appear via free public based query access:

The EPDP Team also confirms that, where GDPR is not applicable, Registry Operator and Registrar MAY apply the requirements outlined in this recommendation, as well as

recommendation #12, #13, #14 and #15 (i) where it has a commercially reasonable purpose to do so, or (ii) where it is not technically feasible to limit application of these requirements.

Comment :

Does this mean that redacted data will not be available via free public based query access if needed?

Recommendation #16

The EPDP Team recommends that Registrars and Registry Operators are permitted to differentiate between registrants on a geographic basis, but are not obligated to do so.

Comment :

I agree SOs/ACs who rejected this recommendation that no needs to differentiate between gTLD registrants on geographic basis.

Finally I would like to congratulate all the EPDP team members for the great efforts they provided during this phase.