**Draft Working Definitions – for the WHOIS Affirmation Review Team:**

**(Public) Law Enforcement:** (derived from: 20 Aug. 2007 Final outcomes report of Whois Working Group, <http://gnso.icann.org/drafts/icann-whois-wg-report-final-1-9.pdf> , p. 37)

Governmental agencies legally mandated to investigate and/or prosecute illegal activity.

[or: a person employed by a local, State, tribal, or Federal justice agency including law enforcement, courts or district attorney's office] legally mandated to investigate and/or prosecute illegal activity.

**Legitimate needs/interests…[of law enforcement]**

Those needs and interests that are both: consistent with the role of Law Enforcement (as defined above); and which are performed by legal means [or “in accordance with established legal forms and requirements”], [or “in a manner acceptable to common custom”].

**Applicable laws (related to Whois):** (derived from – 17 January 2008 ICANN Procedure For Handling WHOIS Conflicts with Privacy Law, <http://www.icann.org/en/processes/icann-procedure-17jan08.htm> and <http://gnso.icann.org/issues/whois-privacy/whois_national_laws_procedure.htm> )

A law of any government that might affect the compliance of an ICANN-accredited Registry or Registrar with the provisions of the Registrar Accreditation Agreement (“RAA”) or other contractual agreement with ICANN dealing with the collection, display or distribution of personally identifiable data via WHOIS.

**Consumer:** (derived from basic dictionary definition)

Any person, household or commercial or non-commercial entity who uses goods or services.

**Consumer Trust**

(Derived from the U.S. Council of Better Business Bureaus (BBB) -- <http://www.bbb.org/us/consumer-trust-trends/> ) Consumer Trust is:

1) Integrity:

* Honesty; and
* Reputation for being truthful ; and

2) Performance:

* Good track record of producing results; and
* Doing what you say you are going to do

BBB Standards for Trust:

* Build Trust -- Establish and maintain a positive track record in the marketplace.
* Advertise Honestly -- Adhere to established standards of advertising and selling.
* Tell the Truth -- Honestly represent products and services, including clear and adequate disclosures of all material terms.
* Be Transparent -- Openly identify the nature, location, and ownership of the business, and clearly disclose all policies, guarantees and procedures that bear on a customer’s decision to buy.
* Honor Promises -- Abide by all written agreements and verbal representations.
* Be Responsive -- Address marketplace disputes quickly, professionally, and in good faith.
* Safeguard Privacy -- Protect any data collected against mishandling and fraud, collect personal information only as needed, and respect the preferences of consumers regarding the use of their information.
* Embody Integrity -- Approach all business dealings, marketplace transactions and commitments with integrity.

**Promotes Consumer Trust –**

Actions that encourage and promote adoption of and adherence to consumer trust standards (such as those suggested above).