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BEIJING – At-Large Whois Working Group  
Wednesday, April 11, 2013 – 15:30 to 16:30  
ICANN – Beijing, People’s Republic of China

MATT ASHTIANI: This is Matt Ashtiani for the record, welcome to the WHOIS working group, on Wednesday, 10th of April 2013. If I can please remind everyone to speak into the microphone when speaking, to state their names before speaking, and to speak slowly and clearly for the interpreters. Thank you.

CARLTON SAMUELS: Hi, good to see all of you here. My name is Carlton Samuels and I am the Chair of the WHOIS Working Group for the At-Large and we are going to be speaking the next hour or so about WHOIS topic. If you see on the screen there to the right we have an agenda. The idea here is that we want to give an update of where we are with WHOIS and we would have some different perspectives that will be addressed. You see on my left hand side a couple of the players that we will be calling on in the next little while. So without further ado, we have an hour so I would like to start by asking ICANN Legal to give us an update on the WHOIS negotiations.

SAMANTHA EISNER: Thanks Carlton, this is Samantha Eisner, Senior Counsel with ICANN. I have been a member of or have been a part of ICANNs negotiating team for the RAA since November 2011. Right now I

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have come to speak to different groups within the ALAC regarding the RAA over that time. I don't know if the members of the ALAC have had an opportunity to be at the RAA session that happened on Monday afternoon, so what was discussed there was on March 7th, I know that the ALAC is aware that the draft version of the RAA was posted for public comment and that draft version was not a fully negotiated document, rather it reflected many agreements in principle but also highlighted a few areas of difference between the registrars negotiating team and ICANN. Since that time, ICANN and the registrars have been negotiating at a furious pace, we've been meeting almost every other day to really try to bring home the issues that we have identified as outstanding and we have continued to meet while we were here in Beijing, and what was announced on Monday is not done but we have essentially reached an agreement in principle over all the areas in the negotiations which is a great relief to say after the almost 18 months of negotiating this document. We have a lot of key things that are in there now, if you recall we went to the table with the 12 law enforcement points as well as the GNSO-ALAC joint drafting team recommendations that have been worked on previously after the 2009 RAA was approved. So those were both part of the considerations of what ICANN brought to the table and how we were negotiating, and we have achieved many of the objectives in there, we now have an obligation for the registrars to first of all validate that the WHOIS that they receive and also the account holder information has all the correct fields filled in, is in the correct format, and also the registrants have agreed to verify either the phone or the email address of both the registrant and

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the account holder if the account holder is different, which is something that you've never seen before and I know that there has been a lot of attention within the ALAC regarding how do you address WHOIS inaccuracy issues and we think that moving forward with some verification and validation requirements is really one of the first ways to get there. We also have a WHOIS SLA, we have abuse point of contact information that has to be posted, we have information to ICANN on resellers and affiliates. There is a lot more information that is going to be available now under this new RAA and it's a whole suite of protections that we think give everyone, not just the registrars who are actually undertaking great costs to prevent their systems to figure out how to take on these new obligations but to people who are accessing WHOIS to people who are using websites, you know it gives us all a little bit more trust in the chain of registration, so that's a really high level update and I am open to answering questions you might have.

CARLTON SAMUELS:

Thank you Sam. Moving right along, we are still with the WHOIS update and we have a friend here, McHale from the registrar constituency, who has always been involved with us in the At-Large and we would like to hear from McHale on this update.

MCHALE:

With respect to the 2013 RAA I've been pretty clear about my feelings about various stages along the way. ICANN staffers will testify to the fact that I have not been the happiest person at

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various times over the last few months, but I am quite happy with what we have hopefully got, waiting to see that final language before I crack open the Champagne or whatever. The thing is this, from our perspective, I am a European based registrar as those with the ALAC know who I am know, based in Ireland, so therefore one of my concerns around everything to do with WHOIS and anything to do with any contract with ICANN or anybody else, I had concerns about the obligations under European law which up until now were not clearly delineated within ICANNs contract. As yet I haven't seen the final wording, but ICANN is now respecting the concept of local law, which I welcome and if you were in the GAC board session, you will see that the European Commission also mentioned this and I think even Suzanne from the US mentioned this. With respect to a lot of the issues that the ALAC has been concerned with around WHOIS, if all the fields are validated, in very simple terms that means we are going to have a lot less crap, I mean a lot less crappy data. I haven't seen the exact language, but if for example you work on the basis that, and this is just an example, I don't want this to coming back to bite me in 3 months time, a UK postcode is a mixture of letters and numbers, a US postcode is numeric only, most places in Ireland don't give any postcode so if you see somebody putting in a post code of 123456 for an address in Ireland, then you know it's rubbish data, if you see somebody putting a telephone number that has a too few digits or too may digits or doesn't follow the correct format then you know it's rubbish data, so that immediately removes a lot of the concerns that you guys have been expressing for a long time, and obviously there are other areas where we will still have

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disagreements and you will still pound on us and that's okay as long as we are able to do this civilly I will still engage with you from time to time.

CARLTON SAMUELS:

Thank you McHale, we are very happy that you are at least on the way to happiness with that one. The next person that I am going to call in is Alan Greenberg. As you know Alan has been instrumental as one of the crafters of the At-Large ALAC WHOIS position and I am going to ask Alan now to give us his impressions of the 2013 RAA.

ALAN GREENBERG:

Thank you. Most of what I was going to say has already been said by Sam or McHale because the achievements on the negotiating side I think are very much achievements on our side also. I have been reading the RAA for a good number of years right now and I used to characterize it as if someone was trying to write a contract in as bad a way as possible, especially from ICANNs and users perspective, they couldn't have done a better job. They probably could have done a worse job. This contract is so much cleaner. We are actually defining the terms that we use, and in some cases very critical ones like resellers. There are some words there about privacy and proxy servers, not as much as we want but as much as we can get it in given that we have no formal relationship with them. The WHOIS accuracy statement specification with penalties, we've already talked about, the registrars rights and responsibilities, a new mechanism for renewing or changing and amending the contract in future years which has some clarity

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instead of being subjected to 7 different interpretations and local law presumably is there, and I'll point out to McHale the ALAC in a number of statements has said, please fix that.

MCHALE:

I never said that you didn't Alan, in fairness. We disagree on some of these elements as you know but I never said and I never suggested for an instant that you didn't say something positive about including local law somewhere.

ALAN GREENBERG:

I am just trying to take ALAC credit for supporting that over the last little while when it wasn't always supported by other groups. So overall, is this the optimal RAA from a user perspective? Probably not. I know we could find things that we would want to change and do better but it is so much of an improvement and a mechanism for changing in the future that I will be delighted when I see the final language and believe it's going to get signed.

CARLTON SAMUELS:

Thank you Alan. Next to me is Holly Raiche, she's Chair of the registrant rights working group of the At-Large and she also is a collaborator in WHOIS since WHOIS is vested in the RAA which is the principal document around which the registrant rights working group collects. Holly, your impressions.

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HOLLY RAICHE:

Thank you Carlton. Sam, when you started to say we've finalized things, the first thing that came to mind is I hope the way they have been finalized is they have entrenched what is there and what we've read is not going to be changed because a few of us have actually read all 400 pages and absorbed them so I would hate to think we've read that and then it will be retracted. But a bit further I'd like to point out something that is really critical, what you were talking about in terms of verification, now to include something which is very important which is if there is a problem that is brought to somebody's attention they actually have to do something, there has to be a verification and if things prove to be inaccurate and in fact you are going to have to do something about that and it includes termination suspension and that's not in the RAA, its actually in one of the specification and McHale also pointed out that, what I thought was probably a big step forward, some of the stuff about privacy proxy which starts to actually look like a bit of privacy law that just has a mirror in there, now that not a 100%, but it's a lot better than what we are saying and it forecasts the development of an actual specification which will require a lot more work, but that also says that in spite of it being in a lot of work so as long as the 400 pages were not read in vain, I'll be a very happy person.

SAMANTHA:

This is Samantha again, thanks Holly, so there will be some changes to the document, it is not a wholesale change, the 400 pages that you read are not in vain, you might have to re-read 20, but if you look at the RAA itself, we had various deadlines on a 30 page

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document and probably see changes to a few of those pages but in those areas where we identify those areas of difference, we focused on those areas those will be put back on and I just want to make one thing clear and I know that it's really easy concept for me as a lawyer but I've learned as I have been taking to people about that it's not as a parent as I think it would be, just based on my training that a specification that's attached to a document is part of a binding contractual commitment, so I just wanted to make sure that everyone understood, and I've heard of multiple places that some people think that having in a specification, will be less important in terms of a contract, but that's not the case at all.

CARLTON SAMUELS:

Thank you Sam, we will bring that conversation out in our working group as well. Alan you wanted to make a quick response.

ALAN GREENBERG:

I think Sam just answered it already, but can we assume that with perhaps minor exceptions, the only things that were changed last couple of weeks that things had potential issues.

SAMANTHA:

That's right, so the areas where we had the boxes and the side by side changes, and that's where you'll see 99% of the changes and the specifications and the specifications that we identified in the ICANN's position so that they were not posted as negotiation position, there are some very minor changes, with a couple of those documents, like the registrar information, there is going to



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be a very minor change of confidentiality and the place where you would want to look for further change is the specifications and what happened there is the document in which we posted, on March 7th, looks a lot like a mini contract onto a set of self, it had a lot of legal, rational language in it and so what has been done with the assistance of the registrars is really extracted is what Carlson really said, but it still has those main points of registrars, to have commitment on that process is for relay, customer service and those types of things available on their website, so that's the other place to look for major change.

CARLTON SAMUELS:

Thank you Sam for that. Alan you wanted to come in there.

ALAN GREENBERG:

I'm here running out of the GNSO meeting and get back to that, there has been a lot of comments about how rages number of pages, you produced and I personally want to thank you, and a large number of those pages were just different views of the RAA to allow us to see what's really changed since last June what's changed since 2009, what's the contact between them and it made the job of analysing it infinitely better, so whoever it was on either side, or whoever the clerical person was who was inspired to do that, thank you, it did make a very difficult job a lot easier.

CARLTON SAMUELS:

Thank you Alan, I wanted to echo that. Yes it was very easy for me to follow up the negotiations that were up to what kind of

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languages that we should see aware of and the on guard against change, so thank you for that.

MCHALE:

Just to be brief and one thing which I think that we haven't mentioned on this panel so far, is the standardisation of WHOIS will be the worst thing ever, but the reality is for us, having to parse programmatically of WHOIS called as an operational bloody nightmare, the future replacements, but the standardising WHOIS output for us means one, then we know there's something wrong, but at the moment I am seeing, my staff dealing with, multiple transfer failures a week because we are using weirder outputs and we are putting bizarre characters into the WHOIS I don't care what they put above and below, I've seen stuff with blink tags, so the specifications around that, that makes life a lot easier for everybody. I'm sure ICANNs compliance team can probably speak to how that might make their lives easier when they need to check things, but from us operationally it makes life a lot easier.

CARLTON SAMUELS:

Thank you McHale, and I would love to hear the response from the compliance team about the 2013 update and what they think.

OWEN SMIGELSKI:

Owen Smigelski, contractual compliance manager with ICANN. There has been a lot of progress on WHOIS inaccuracies and data that is actually going to make enforcement a lot easier for us. The contract is clear what action has to be taken, there is more

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verification and all of that will clean up the data and also make it easier for us in terms of when we do have to take action. So it simplifies everything for us and I think that is good overall for the entire internet as well. The other thing that would make it easier for us as well is there is the phase in so it won't be immediately operational so we will be able to adjust our systems and everything like that so we will be ready for it once that does go live and is implemented.

CARLTON SAMUELS:

Thank you, that is very encouraging to hear from the compliance team at least. You know the At-Large has had engagement with the compliance team for quite some time and part of our concern was that the compliance team was literally working with one hand tied behind their backs on this and maybe to hear from them that there have been some improvements certainly is encouraging. So we now have RAA that is getting closer as fit for purpose and there has been some more on the plate because we are now contemplating some new developments which includes a new registrant data service and we have some folks here who are going to speak to us about it from SSAC; we have Steve Sheng and Francisco Arias, and without further ado you're on.

STEVE SHENG:

Thank you for inviting us to give you a quick update on the replacement of WHOIS protocol. I have in the room Olaf Kolkman the IETF working group chair to give us an update. I just want to give a quick introduction. There's ongoing work both on the ICANN

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sphere and in the IETF sphere, so in the IETF the WEIRDS working group is developing a new protocol for registration data on access and on the ICANN sphere the SSAC have produced a report, SSAC-51 which calls for the community to evaluate a replacement of the protocol. So I think the WHOIS issue has been an issue with the community for many years and I think out of all the efforts this is all I get and I think from our perspective and the policy community need to be aware that the activity from both ends so that they can be closely given in both your actions but it's not only a one-way stream, for the protocol side the protocol I want to stress again, enables policy but it does not dictate policy. The goal is to have a protocol that provides options for the policy makers such as you, to debate and what to put in there and for the protocol to support it. So without further ado I'll hand over the mike to Olaf Kolkman.

OLAF KOLKMAN:

My name is Olaf Kolkman, I work for NLnet Labs, I am here because I'm Co-Chair together with Murray Kucherawy of the WEIRDS working group; WEIRDS stands for Web Extensible Internet Registration Data Services. So what is the context of that piece, as you all know the WHOIS is somewhat context dependent in terms of the how and the what. In order to query for specific data you need to know how. WHOIS is not only a registration service for domain names, it is also a registration service for internet numbers and even for routing information on the internet. So having knowledge about the context specific, differs between names and numbers and what you get back is more context specific in terms of how things are completely structured, but that means that you

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have to write scrapers as well as regular expressions as well and I just mentioned and it's a headache for all the operator out there, some registries might not be able to resolve context data, so the what and the how is what we are talking about, the IETF is what we are talking about, encapsulation everything inside the protocol for internet probability all over it in registration data services, we are not calling this a WHOIS protocol, we are calling this a registration data service protocol, Chris is a former trial of the IETF in standardisation of internet registration services, that was far too difficult to implement. We want to make sure that we produce a simple, easy to implement protocol, something for which libraries are readily available, on top of http. So that's what we are using, basically standard http gets requests from pushing out and getting objections on specific standard slides, so this is an example of a subs query, if you want to have the abused contact for an operator of that IT network or I want that registrars contact or the example and you get back structured language, so it's a read only protocol, basically you request authentication mechanism that allows, implemental policy for different services by the servers that offer the data, I authenticate based on my token to serve in loss that my law enforcement might give me the forces, on another authentication token, this is our timeline and we are working hard to finish it off in the base specification, these are the major issues, I think what is important in most cases is the internationalisation, there is a report from the ICANN community, working group, final report, which provides a number of requirements of internationalisation of data elements that are carried in registration data protocols, we did an assessment of these cases,

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the 1st column says the one which needs to be available, the 2nd column indicates that it needs to be internationalised and the 3rd says that we need developing dues with that, the bottom line in all these acronyms says that to all the necessary data needs to be internationalised, how and what type of internationalisation is returned by the protocol, for instance transliteration of Chinese characters and ASCII, that's not part of this protocol. The protocol can signal that it is ASCII or Chinese characters but it doesn't say how transliteration is done. I will stop here except for showing you the very last slide, i.e. coordinates of the working group, if you are interested in this work, the top URL will sign a document page, where you can find the charter of the group and where you can find the mailing list that takes place, IETF on work takes place on mailing lists, if you are technically inclined to follow this work, please read the mailing list and put in your contributions.

CARLTON SAMUELS:

Are there any questions for this team, no questions, well thank you Francisco, thank you Steve. I have a member of the IPC constituency here, Steve Metalitz, I thought that it would be important to hear from Steve about any update or any impressions about the RAA update 18 and what might still be outstanding for the IPC. Steve you have the floor.

STEVE METALITZ:

Thank you for inviting me to give my perspective on this, I missed some of the briefing earlier on the RAA and there are certainly a lot of positive things about it and I have to say that ALAC does deserve

a lot of credit for that and going back to the work that I did with Holly and others from the ALAC on our joining team with in the GNSO and ALAC, we identified a lot of topics and just 2 cautions and all the RAA's, one is that 4 year process, goes back to the Mexico meeting in 2009 and our joint drafting team in 2010 and to get some action we had a dispute on what role non parties to the non-contractor will play, and as a result of that, for four years, we had 21 a common period and the IPC comments and the IPC members and we identified some issues and we arrived here in Beijing to find that the negotiations were over, that agreement had been reached and we still haven't seen what that sophisticatedly is and described and so there is a certain anxiety of the details n whichever the devil is, in this agreement, so we are looking forward to see that text and the final text and having an opportunity for input on it, thee sophisticated area, I would mention is the specification of the proxy and privacy services and its now being condensed as Sam was saying down to 2 pages and we'll see, we had some concerns about what was in the 5 page document and I think those mostly focussed on the fact that privacy/proxy registrations, really could be a path to undermining, the goal of who is increasing the accuracy in all share and there seem to some loop holes in that document and we don't know by shrinking, like there has been a drastic question, I have to say as I read the specification the answer was no and no indication that if the revealed data proved to be false there wouldn't be necessarily any consequences for it, so we hope that that loophole has been plugged and if it hasn't been plugged I think we have a problem and the fact that it is an interim specification, it is going to expire in

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three years, we understand that and we now it is not the total solution, but during that period there is I think there is a real risk of abuse which we hope will not occur. So I would encourage the ALAC to be alert. I don't know what was said here today about when the text would be published, but I had heard it would be this weekend, so I would encourage Holly and others to be alert and let's take a good look at that once it does come out. Thank you again for asking me to give our views on this.

CARLTON SAMUELS:

Thank you Steve, Yes, we did note in our examination of the specifications and wondered about that specific area and so we certainly will be looking closely to see how that pans out in the final text. I see McHale needed to say something. McHale you have the floor.

MCHALE:

I don't need to say something, but I have a desire to say something all the same. Hi Steve! Steve and I seem to kind of run up against each other from time to time. On the privacy proxy, my understanding like the rest of you I haven't seen any final text, so don't go biting my head off please, you would love to try though. The privacy proxy language in my understanding that is going into the contract is a kind of a temporary holder interim thing because there is an ongoing, I am not too sure, I can see Cheryl looking at me over her fan, I am not too sure whether it is a PDP or a working group of some kind, which is meant to be defining an entire proxy privacy accreditation and all those other things. So the thing is I



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think the idea here was we recognize something needs to be done, we have got something in here which is holder, which will be improved on and let's move on because otherwise we are going to be stuck forever and you know the thing is ultimately for everybody who has been involved in this and Steve and I did spend quite a bit of time on that prioritization project and trying to tease out what on earth people were talking about, which was lots of fun but they didn't give us any indication at times, so I think a lot of that stuff is going to be clarified and hopefully you know, you won't be too obsessed and then you will be happy further down the line.

CARLTON SAMUELS:

Thank you McHale. In the interest of giving other members around the table who might wish to say something here, I would like to pause here and ask if there are any comments that anybody would want to make.

JEAN-JACQUES SUBRENAT:

I have listened carefully and I have seen these to-ing and fro-ing on my email over the months, but I have a question to some of the people around us. How does this translate into other languages? I don't mean translation literally but in terms of context, the economic context, the social context and the legal context, is all this applicable, and if not what are the major areas of contention or possible contention which would need to be changed? Thanks.

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MCHALE:

I think I know what this is about. I have been following some tweets. One of the challenges that we all face is how on earth do we get the balance right between improving the accuracy and maintaining the stability, the security etc, and doing that in such way that is equitable and that it does not increase the digital divide. This is an issue. Almost within the same breath, speaking metaphorically, Fadi Chehadé announced on the one side, yes we are going to have a new RAA which is going to be stricter and going to raise the bar etc, etc and then 30 seconds later said and we are going to increase our engagement in Africa and increase the number of registrars. Yet, that bar is still quite high and some could argue it is too high. I do not have an answer for you, but I do know it is a concern because one of the registrars I talk to on a very regular basis is based in Israel and has issues with for example something as simple as the postal address that it can be written in, I think he said like three or four separate ways, which would be valid and I know in other parts of the world this is going to be an issue. I assume that is part of what you were asking about. If I am completely off the track, feel free to clatter me over the head.

JEAN-JACQUES SUBRENAT:

My question is more from a user perspective. I am a member of the ALAC and obviously one of the things I am most interested in is to see what is the balance between requirements or so called requirements by the law enforcement agencies whose role seems to be increasing in some circles in and around ICANN on the one hand, and on the other hand they are very fundamental rights of users; the protection of privacy, of civic rights, free expression,

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etc., so it is more of this balance. Sorry it's at an almost philosophical level but it may be important for the user. Thank you.

CARLTON SAMUELS:

Would anyone want to take a stab at answering that question? Well, for me, one of the things that is central I believe to the user is the assurance that in using the internet and in making transactions, increasing the transactions on the internet are commercial in nature and so on, there has to be a space where they can be assured that those they are dealing with are the ones that they wish to deal with. So there is a trust issue and to me that is what is in the balance. If I can't trust the parties to the transaction, then maybe the entire edifice of the internet and the promise that comes from having the internet is eroded in some way, so I think that to me is a critical thing whether or not we can trust.

MCHALE:

Yes but now I am going to put on the slightly different hat and rip that argument apart. I think what Jean-Jacques might be asking about is the privacy side of us, the freedom expression side, the protection, not the identification. We are not talking solely about the using the domain names and commerce because we can't argue with your argument, but there is the other side to that and one of the areas that we have been looking out within the expert working group, the EWG or whatever, that was on the agenda, is getting those kind of things on the table and trying to tease out the requirements, the needs, the cases or the way that has to fit

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together and for me as a European registrar, I look to what's come through in 2013, means that for the first time I can go to look at Irish law, I can look at European law, and I can look at the protections and other things that exist there. Now when you start getting into the slightly more extreme side of the freedom of speech, then that's a much bigger issue because even in Ireland which is supposedly a first-world democracy, freedom of speech is not given the same level of protection that you might find in other countries. So, for example for me, if I were to post something on my personal website, I could easily find myself in court in Ireland on the basis of defamation whereas in other jurisdictions they would not even consider it because they would see it as my right to have an opinion. So I appreciate that side of it too. Maybe this is a much bigger conversation and not one that I would be dismissive of by any stretch of the imagination and those of you who know me know that I have my views on a lot of the stuff. I think it is something that, you know, it has not been ignored this time, we are moving better in that direction if by least having some recognition of local law.

CARLTON SAMUELS:

That's a certainly good addition to the conversation. We have only 7 minutes so I am going to through very quickly the next item on the agenda which is to do with experts working group update. McHale referred to it in November of last year. The board by resolution defined expert working group to look at the WHOIS to see what could be done to ensure enforcement of existing WHOIS requirements as well as to look over the horizon and develop a set

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of perspectives that would guide any update or implementation of a new generation of what we call Registration Data Services. The group has been meeting several of us here, McHale is on the group and I am as well, and we have been looking at the question and meeting face to face meetings and on weekly teleconferences. What I can tell you is that we have agreed to a certain protocol in which we have full and frank discussions of views in the meeting room and communicate all other thing that we are in agreement or within sight of agreement.

MCHALE:

It is one of these things that we have been struggling with; how on earth do we talk about this without kind of saying, oh, this is what we are deciding to do, and then having a lot of people go you can't do this. Taking it from a more kind of structural perspective, many of the WHOIS related studies and reviews and whatever else you want to call them, have looked at what was there or what is there now, and trying to improve it or tweak it or find problems with it, study it, try to extract something from what was there, and we started from the basis that is WHOIS broken? Answer - Yes. Is the current system fit for propose? Answer - No. We have agreement on that. Nobody disagreed on that statement. So working from that, try to work on the basis of what do you need at the most simple technical level which we decided as well you cannot argue about it. Okay, sure, some people might want to, but really you cannot, and then build it up from and then move it forward and then we had a public session here in Beijing and we are looking for feedback, we got some feedback. We want to hear what people

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are thinking, their thoughts, what things you hold valuable. For example, Jean-Jacques, if you would want to give us input on that for example around your concerns. They are important, they need to be picked, to be collected, to be catalogued, to be evaluated, and there are other views that we need to collect I suppose, because ultimately from my perspective, for me personally, I can't speak for anybody else, but if we produce something of any kind, doesn't matter what you call it, and somebody comes along to me and says you never gave me the opportunity to provide any input. Well, one I will want to strangle them, but two I will feel that we will have failed. I think we need to make sure that people feel that they have been given the opportunity to give us input, that we have collected it. Now, it doesn't mean I am going to do everything they say, but at least I'll know about it.

CARLTON SAMUELS:

So the main thing that I want to bring up with this express working group is, whatever, we come up with as consensus is going to be part for another process and so its input a process for policy making that we hopefully bring some out of the end, this is not secret. So, we are going to have involvement there, it's very important to understand that the intent is that we look at the issues organically and then bill something that we can agree a good frame work to move forward and it's important for us to get back, it's also important to understand, there always as going to be in opportunity for input from the outside of the expert working group because that is very important to formulating the response that we think is fit for purpose moving forward. I would not want

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to say much more be on that. But suffice to say the ALAC over the years have been involved in the WHOIS question, and Cheryl Langdon-Orr is there and we have sat down and forged a consensus in the ALAC itself because there have been differences within the ALAC itself. What is important is that the ALAC by and large have always insisted that there should be accuracy requirements for the WHOIS data. The ALAC has always insisted that if there are real concerns with privacy and there are insisted were it is appropriate that a mechanism be in place for privacy concerns, and the ALAC has always held that view. One of things was there should be a single WHOIS policy that is one of the things that we were probably first in articulating. What is important is that other groups have come around some of those issues for us and where we are today is that we see that very slowly perhaps slower than most of us would wish to have it, there has been some movement in direction that we have always advocated, so we continue to look at it and we continue to take careful note of what is happening there and as time goes on we will make adjustments as necessary.

SIVASUBRAMANIAN MUTHUSAMY: It is actually not a comment, but a question particularly to Michelle and Alan. Many of the conflicts related to WHOIS data arises out of value of WHOIS data. Who uses WHOIS data? What is it that reseller can use and what is it that a registrar can use and what is it that a registry can use. At the accountability and transparency meeting this morning, I noticed that ICANN cannot reach out to

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registrants and that is also something to do with data, I'm talking about the notion of ownership of the data.

MCHALE: Are you on mailing us for this group.

SIVASUBRAMANIAN MUTHUSAMY: Yes!

MCHALE: Why don't you put that question in writing to the list? If I don't reply to you immediately it's simply because I am moving between two points and trying to collect my thoughts, but it is a very complex question which I cannot answer in 10 seconds.

CARLTON SAMUELS: Thank you McHale, and I'll keep at him to make sure that he gets back to you. Folks we are out of time. Unfortunately there is another meeting in this room right after now. I want to thank all of you for stopping by and participating. The mailing list for the WHOIS working group is open, it's an open working group that we have in the At-Large. We are always open to new participants and we welcome all of the comments that you might wish to have on the issue. Once again, thank you all. This meeting is closed.

**[END OF TRANSCRIPT]**