

Emily Taylor:

Thank you for agreeing to meet with us. Yes, we've been doing these sessions; I think we stopped by for about two seconds in San Francisco but we've been running these sessions in the last two ICANN meetings, and really the purpose is to reach out to as many of the different sections of the community as we can on this task, explain what we're doing and really get your input.

So I'm expecting this to be an interactive session. I've got some slides; really it's up to you whether we even get through to the end of the slide deck. It's really just to- We will I'm sure hit on an area or so which is of interest to you and that's the one we'll spend the time exploring, if that works.

So just a bit of background and recapping of who we are and what we're doing, the Affirmation of Commitments through which ICANN moved into a slightly more autonomous state than the previous joint partnership agreement was contingent on ICANN carrying out a number of reviews. The first of these was the Accountability and Transparency Review Team which ran through all of last year and delivered its report at the end of December. The WHOIS Review Team is one of the other two reviews that was contingent on the Affirmation of Commitments, was part of the Affirmation of Commitments.

Now, we've really been going in earnest for six months, and the first task that we had to do was define our own scope, think about how we were going to achieve it and also to develop and action and outreach plan; and also define key terms. So just to

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summarize our scope, we've been asked in the Affirmation of Commitments to evaluate the extent to which ICANN's current WHOIS policy and its implementation is effective and meets the legitimate needs of law enforcement and promotes consumer trust. So there are various elements making up that scope, basically looking at policy on the one hand and how it translates into practice on the other through the lens primarily of law enforcement and consumer trust.

So we put out our working definitions in March and also now we're about six months through our work. We've tried to articulate the issues we see arising both in the areas of policy and its implementation as best we can, in as simple a way as we can, and that issues paper which we've published – and I hope you've managed to get to – is really the wire frame on which we'll be building our later analysis. So primarily we want initial responses from the ALAC; we also want to know if we're missing some big issues that we ought to be exploring in more detail.

The rest of these slides are the questions, the context of our questions set out in the paper not at great length – just very, very briefly – and the first few relate to policy and the last seven or eight relate to implementation. So what I'm going to do is take you through the questions and please do come in if you have any queries, comments, just come in at the time. I think this is the best way to organize ourselves.

So the first thing- Oh!

Olivier Crépin-Leblond: I'm sorry to interrupt you right away and to take the opportunity, and in fact I should actually before this – Olivier Crépin-Leblond – no, it's just for the record of course. It's very difficult to put a name to anonymous voices, and also when others will be interrupting you if they can also provide their details, their names at least. Thank you very much. Sorry.

Emily Taylor: So the first thing that we tried to do was to identify the policy because that's the jump off point really for our work. Now we understand the reasons why this has happened, because WHOIS predates ICANN and it's sort of folded in to part of ICANN's setup, but there isn't really that we can see – but maybe you can point us to – a statement of the policy, the pure WHOIS policy. We're aware that there are three or four consensus policies that have been developed around WHOIS, we found them.

So the first questions are really what measures should ICANN take to clarify its existing policy; and also we noted that in the Affirmation of Commitments and in the GAC principles there are some statements of what the WHOIS policy is, and we want to know is that it? What's the interaction? Do you see any differences? Can you give us any guidance on this?

Olivier Crépin-Leblond: Okay, so the floor is open.

Cheryl Langdon-Orr: And if it's ICANN I suspect the (inaudible) will still be registered, but-

Olivier Crépin-Leblond: You might do that but they might end up deaf as well, and not stupid.

Cheryl Langdon-Orr: He should just be able to put up with that, shouldn't he? And I'll deal with him later on that last line. Cheryl Langdon-Orr for the transcript record, if we have one; if not it's Cheryl Langdon-Orr anyway. The fact that you were able to point to consensus policy development documents is part of the problem, because consensus policy when those documents were put together was done in a silo which was hardly exclusive and very much looking from a particular focus and framework, appropriate at time and place, but I would suggest from my particularly biased point of view an enormous amount – not the least of which is the pervasiveness of the internet – has happened since then.

Significant security risks and “the balance between privacy and security issues have been raised” because there are sufficient people who think that they are not a tradeoff but they are complementary, just as there is an equally large number of people who think that they are in fact mutually exclusive and need to be traded off. So there's a number of debates that I think as an

ICANN-wide community we may need to look at in the next couple of years; multiply that almost exponentially and rather terrifyingly by internationalized domain names – not just only the technical issues, which obviously your group will be looking at, but the ability to have the utility of the WHOIS affected by things being in non-Latin and non-ASCII scripts.

I think we also could look at – and I will stop here, because I tend to monopolize but people are used to that – we also need to recognize that we weren't looking from a framework of the DNS abuse, that we now have far more information than we ever did before. And at that point I think that's just the beginnings of some of the areas that I would suggest yes, ICANN should take significant steps and possibly along the lines of at the same time as its gTLD Program to clarify what the existing WHOIS policy is.

Emily Taylor:

Thanks, Cheryl, and can I just ask – you're saying yes, ICANN should be taking steps to clarify the policy. And are you saying it should be doing a community-wide revisit of the WHOIS policy?

Cheryl Langdon-Orr:

Absolutely, if I may – Cheryl Langdon-Orr for the record again. We have a rare opportunity where the complete structure and function of what is a GNSO working group is different than it has ever been before, and so we have an opportunity for wider community input even within these very requirement constraints of a PDP process. And that I think could be to the benefit of WHOIS

because you'll always find people who will want to be on the winning side, but finding how much of the majority is in the winning side is pretty important.

Emily Taylor:

Thank you very much. So we'll just move on to the next question. There's a cluster of questions here which relate to the issues of privacy. I think that the further question actually, sort of Question 4 makes it clearer: "How can ICANN balance the privacy concerns of some registrants with its commitment of having accurate and complete WHOIS data publicly accessible without restriction?" So this is really the balancing act.

One of the aspects that we're very conscious of is the growth and the popularity of privacy proxy services which have emerged without... They weren't authorized by a policy; they just happened. They must be fulfilling a need because they are very popular. So how do all of these little aspects fit together, and in particular is there anything that we can learn through good practice elsewhere, perhaps in the cc space, about people with similar functions trying to resolve the same sort of balancing acts? And are there any insights that you can give us on these questions?

Olivier Crépin-Leblond: Any takers? Carlton Samuels.

Carlton Samuels: Carlton Samuels for the record. There is in the community tensions between the privacy, rights to privacy as defined by some sections of the community and the right to know as would be required for interactions between members of the community, especially in terms of business transactions and so on.

The issue for us is really, well it's two things: first of all, if we accept that the WHOIS construct, the original construct for WHOIS is still relevant, then there are two requirements. First of all, it may require us to look at how we implement the requirement for WHOIS from the start, again; and it also requires us to look at what it is that the folks who decide that the privacy issue is superior to that construct – how it is we take in their consideration.

It seems to us that there is a minimal requirement that is necessary to fulfill the right to know. There is a minimal requirement, and I don't think you can get away from that.

Emily Taylor: Would you go further and tell us what you think the minimal requirement is? I'm not asking on behalf of ALAC; I'm just interested... At the moment we're gathering inputs, and I don't want to put – well, I am putting you on the spot, so I'm sorry about that.

Carlton Samuels: Yes, I quite understand. This is a personal reaction now; I am not speaking for my community because we have not had that kind of,

we're not at that point yet. But there are people who are so called, what is it slim... Thin and thick requirement, and there's this minimal thing where we need to know who the person is, an address, some place we can reach them, you know, and there's even questions of what should this constitute – should it constitute a brick and mortar address, should it constitute an email address, and should it constitute a phone number or so on?

I think it's reasonable that you should have those three pieces. Well, if you're online I do believe that you should have some way to reach you online, so the email address is...

Cheryl Langdon-Orr:

I got nervous with the telephone.

Carlton Samuels:

No, not the telephone. A brick and mortar address, yes – I think that is reasonable. So and to me that's good and sufficient. Now, there's a significant sector of our community that would think that for the law enforcement requirements – the law enforcement requirements – then you need to go a little bit further, not as far as the thick requirements certainly, but certainly a little bit further. And some are saying “Well, you need to be able to identify and get people much more quickly so you have to have other pieces of information that will allow you to be reached much quicker,” and that's for the telephone comment.

Emily Taylor: Thank you. So are there any more comments on these issues? Olivier?

Olivier Crépin-Leblond: Thank you. I was going to – Olivier Crépin-Leblond for the record. I was going to actually ask, since we have such a wide panel of the whole world I think represented here, maybe we could ask each one of our whole panel that specific question. So who will be our first? Sergio, would you be able to tell us what information do you think is the minimum requirement for WHOIS?

Cheryl Langdon-Orr: Let them all get their ears on first...

Olivier Crépin-Leblond: And wait a few seconds to get everyone to understand.

Cheryl Langdon-Orr: Unless you speak Spanish you will probably be benefited by having your interpretation earphones on. English is Channel 1 for those of you who haven't used this before.

Olivier Crépin-Leblond: Okay, I think everyone is ready. Sergio?

Sergio Salinas Porto: Very good. Good afternoon. As Olivier said, my name is Sergio Salinas. I'm not sure if we need to add something to what Carlton says, but undoubtedly there are some requirements that we need to start considering and they are related to including other issues to what was requested from us. I think it would be important to have more information on TLDs and ccTLDs issues.

Olivier Crépin-Leblond: Thank you, Sergio. Next one would be Dev Anand Teelucksingh.

Dev Anand Teelucksingh: Dev Anand Teelucksingh. I think some sort of a review of how country codes do it is I think needed, because I think you'll find there might be quite a wide variety of how ccTLDs have implemented WHOIS. I mean I know for example my ccTLD doesn't even offer WHOIS at all, so I'm sure there's a whole gamut of how ccTLD operators have implemented the WHOIS based on their data privacy requirements and so forth, and disclosure requirements and their own law enforcement.

Olivier Crépin-Leblond: Thank you. Next is Dave Kissoondoyal.

Dave Kissoondoyal: When you talk about the privacy proxy service, does it mean that then okay, the service should be paid for and in this way the

developing countries are disadvantaged compared to those who can afford?

Emily Taylor:

We're referring to it in the most general terms. There was a study undertaken by the ICANN Compliance Team on the use of privacy and proxy services, and it did some quite useful work in trying to define them. What it said was that a privacy service is where you can identify who is the actual registrant but the address details are somebody else's, whereas a proxy service may well be paid for – you're right – but also they didn't really differentiate. Because there's no kind of rules about how to do it they noted that while there are obviously some paid for services provided by some of the registrars, there are also several informal ways of accomplishing the same things which may or may not be paid for. I hope that clarifies it for you.

Olivier Crépin-Leblond:

Thank you. Next is Tijani Ben Jemaa who will be speaking to us in French.

Tijani Ben Jemaa:

Okay, thank you. Of course the maximum of information would be, well received in this field we should have the maximum of information for WHOIS. Of course we still need to remember that we need to respect the privacy sphere of people. There are means to be used in order to consultate both aspects, but I believe the more

information the ccTLDs can give the better it will be. That will enable us to do the follow-up if it's necessary.

Olivier Crépin-Leblond: Thank you. Next is Aziz Hilali.

Aziz Hilali: I have a small question regarding the internationalization of the WHOIS system. Is your Team working on it?

Emily Taylor: No, but there is a working group actually looking at that very specific question. Our role is to look at the current WHOIS policy and its implementation. We're aware that the internationalization both of domain names but also of WHOIS records, WHOIS data itself, has been an issue in that for example there's a WHOIS accuracy study which notes that one of the most common reasons for data apparent inaccuracy is in problematic transliteration or translation between the ASCII and the Unicode. Does that answer?

Bill Smith: If I could also, this is Bill Smith. We have as a team looked at internationalization around issues of consumer trust and I think – I'm not speaking for the committee here but on my own behalf: I think there is an issue with respect to WHOIS given that there are internationalized domain names and we don't have an

internationalized WHOIS. And from a sort of process and technical perspective, as a technologist that's a huge gap in my mind. I know that there was lots of – and properly so – pressure to get internationalized domain names, but the fact that the protocols and the other things don't match? That's a significant problem.

Olivier Crépin-Leblond: Thank you very much, Bill. We'll move to the next person down on bench, Michele Neylon.

Michele Neylon: Thank you very much, Olivier. I have a small question regarding the people on the grounds. I have seen that we think less on the global policy. I would like to know how you envision the ownership of the project as soon as we have launched the project on the ground, with regards to government or the civil society which still remains very active with regards to these types of questions.

Emily Taylor: My apologies. Could you clarify your question? I may have lost something in the translation.

Cheryl Langdon-Orr: Cheryl for the record. Michele, just see if my interpretation of what I think you said, or what you may have meant to say, is correct. What I heard was about a project – so I'm assuming

gTLD launching and IDNs – but what I assumed you were meaning to say was that these matters of privacy and indeed of WHOIS, in the view of the WHOIS Review Team, is it the mandate or the issues of different parts of the community outside of ICANN such as civil society and government, as well as where those are represented within ICANN.

And it is my effort, albeit poor, to I think understand what the question might have meant, and it may be an interpretation issue. So perhaps if you can restate your concern and your question that would help us all. Thank you.

Michele Neylon:

I would like to know about the responsibility; if we are thinking about the responsibility of the actors in this process for securitization. That's how I would summarize my thoughts.

Emily Taylor:

On the question of the role of different actors, I think that's a very appropriate question in this context. And one of the things that we've been conscious of is that while we might be running around the different stakeholder groups within ICANN and getting your inputs, that there's a big world out there who – shock, horror – might have never heard of ICANN or might never have heard of the WHOIS, who nevertheless are an extremely relevant community, particularly for our mandate, our scope which is to look at the issue of consumer trust.

And having considered that quite apart from trying to unpack what on Earth we mean by consumer trust and what things tend to build or tend to detract from consumer trust, what we have decided to do and we've just recently gained budget approval for, is to undertake a study outside of the ICANN community in I think ten different countries to make sure that we're reaching out to people who can tell us, who aren't the sort of insiders, who might not know all of the terminology but nevertheless might have been impacted by the WHOIS data being available or by WHOIS abuse; or have some sorts of insights to give us on how the WHOIS policies and their implementations actually affect their trust in the internet. I hope that's going to your question.

Olivier Crépin-Leblond: Thank you, Emily. I think the next person is Sylvia Herlein Leitte.

Sylvia Herlein Leitte: My name is Sylvia Herlein. I wanted to make a comment that I believe is vital regarding security and privacy. I suppose this isn't the issue that civil society can have access to through the ccTLD, perhaps because this is a very technical issue. Thank you.

Emily Taylor: Thank you very much. I've noticed that a number of you have sort of prompted us to go and visit the ccTLDs and to look at the different implementations geographically, and that is well noted. Thank you.

So I think that we'll skip over the next question... Please, Cheryl.

Olivier Crépin-Leblond: I'm sorry, Emily was going to break. Cheryl wishes to, to that point, add a few more words.

Cheryl Langdon-Orr: There would be no surprise to hear that the Australian view is that you should certainly be looking at the – and I can say the Australian view is that you should be looking at the ccTLDs. But it's also perhaps useful to, while you're engaging with the ccTLD community, to ask beyond the WHOIS questions as well. It strikes me listening to the concerns and the questions that we've had coming down this side of the table that for example, despite the fact that one can have a bricks and mortar address in a system it need not necessarily be the actual address of the registrant; and that's something that we see in other parts in some countries, even with quite strict regulations such as my own.

You have the ability to have what's called 'registered office address' which is a bricks and mortar situation; but you also have in law the right, with the appropriate motivations and knocking on the right doors with if necessary the right pieces of paper, but it should be in business hours anyone's right to walk into said address and ask for the contact details or an ability to contact. They may in fact take the written request, the email or the letter bomb and pass it on but you do have a set of expectations.

So if the information is obfuscated then we still in a highly regulated and accountable way have a method to get to it when it's needed, and I think that's possibly useful to look at as well. And it struck me also that there is possibilities in the world in some of our telco regulations as well. Again, I spend an awful lot of my time not thinking about ICANN matters – shock, horror – and when I'm not thinking about ICANN matters I actually am involved in consumer advocacy in the general communications space in country.

And we have things such as you obviously can have your phone number not listed publicly, but we also have the ability to have it listed but to have it on a “do not call” register which is managed by the regulator, and woe betide the individual who was told “Do not call me from this database, it needs to be removed because I am registered on the ‘do not call’ register.” Serious consequences come into play. So there's other ways perhaps of skinning the cat here that might be found within country just a step beyond WHOIS. Thank you.

Emily Taylor:

Thank you very much. The next raft of questions relate to compliance and enforcement activities, and these are obviously areas where we're expecting a lot of input from registries, registrars on the one hand; business IPC and so on on the other hand. I'm quite interested, before we go and delve into the detail of this, is this an area where ALAC has a point of view, experiences to share with us? Please let us know.

Olivier Crépin-Leblond: Carlton Samuels.

Carlton Samuels: Carlton Samuels for the record. With respect to that question, emphatically yes – we’ve had lots of ground in it, some of us around this table have had long interest and experience. And the first thing in a general sense, we’ve always, the ALAC has always taken the position that if it is part of the agreement, the RAA agreement, then enforcement should apply – compliance should be required. That has been, as a general principle, that has been our standing for many years.

Emily Taylor: And can I ask how does that match up with your experience?

Carlton Samuels: Well, we do not believe that compliance... Compliance has been spotty at best, and we believe the mechanisms that are employed by ICANN is part of the problem.

Emily Taylor: Can you elaborate on that at all?

Carlton Samuels: Well for one the compliance actions, the behaviors, the infrastructure that is required for compliance has never existed.

That's been our view. They really have not addressed what is required to ensure that there is compliance. That's one piece – the mechanisms by which they go about addressing or seeing if there is compliance has been poor, middling to poor.

We had a meeting this morning for example, and we do that every year – it has been on our agenda, on the ALAC agenda every year at every meeting, and we get the Compliance Team, they will come and present to us and so on. And what's been consistent in our reaction to those meetings is A.) you do not have the bandwidth to do what you're supposed to do, B.) the processes that you are following simply will not get the job done. And we've even, from our community offered to look at processes. We've volunteered to provide, yes – we've volunteered to provide ways for them to be more efficient in assessing the data, examining the baseline data that's required to say if the registry is compliant or not. And we're still struggling with it today.

Emily Taylor:

And could you help us with, given that your view is that compliance activities are for whatever reason not as effective as they should be, could you give us an impression of the harm, the damage, the cost that that's causing from your perspective as ALAC?

Carlton Samuels:

Well, go ahead.

Cheryl Langdon-Orr:

I might just jump in here. It's actually a fairly short answer – trust, lack thereof. Cheryl Langdon-Orr for the record. And what we I think need to recognize is we also need to establish what measurements of such desired trust are. We have for example sets of data that just simply talk about particular port open or not don't mean anything in themselves; we need to look at the value of the metrics, the meaning of the metrics as well as just the raw metrics. And one of the things which, if one of our liaisons in the room would be bringing forward – so I am now channeling Alan Greenberg for him.

Alan for example is in discussions ongoing with Compliance and I should actually stop there for a moment and just recognize how refreshing and how excited and how buoyed most of us were as a result of the discourse we had today where we see potential from a new method, a new mechanism and a new set of management systems being brought in. That's all very exciting but we are cynical enough to say let's see the proof of the pudding.

So whilst we wait to see all these wonderful changes happen, Alan has frequently said it would be delightful to have a community where we see that believes more than just paying the bills are the rationalization for some of these actions. Now, we know that's not the case and we know it's a huge job, so a lot of it's perspective. When was it...correct me if I'm wrong – September or October 2010 was the last time, for example – October 2010, thank you

Carlton, was the last time an advice, newsletter, and update, those sorts of things.

So we recognize it's getting fixed but does our community have concerns? Absolutely, but we need to know we're measuring the right things as well. So there's a granularity requirement.

Emily Taylor:

And what would you, I've clearly hit a seam here and I'm delighted. When we were kind of preparing to meet with you we thought that the aspects of consumer trust might well be something that you could help us with and help us to understand, and this is very, very helpful. So even if we don't go through the rest of the slides, if you'll excuse that I'd quite like to keep exploring this issue with you.

And you've clearly given the thought of metrics – what you're measuring, the impact of any particular action or reaction, so a lot of thought. And can you share with us where you're at at the moment, what you think? If you could do one thing that would make a really big impact in improving that thing of consumer trust, thinking about WHOIS and Compliance, what would that be? Or if that's too difficult straight off the bat maybe that could be something for a written response perhaps to this issues paper.

Olivier Crépin-Leblond:

Thank you, Emily – Olivier Crépin-Leblond for the record. I think if there's one first thing, one first steps that need to be taken with

regards to WHOIS is to make it mainstream for people to actually know about the darn thing. It's great to have it but you ask anyone if they know about WHOIS or how they could find out whom a domain name is actually registered to and they will just tell you, well basically they'll first say "WHOIS? WHOIS what?" Or "What is WHOIS and what is this WHOIS, and how do I get to it? And if I do WHOIS.com do I get to it?"

So really that's the first thing. It's great to have this WHOIS which has as you said clearly predated ICANN, but I think only probably a bit more than the people in this room know about it but still it's very confidential in the number of people using it.

Emily Taylor:

Thank you.

Cheryl Langdon-Orr:

If I may, Cheryl Langdon-Orr for the record. Just following on from that – "What is WHOIS at what point in time?" also needs to be discussed. As we discovered in the Post-Expiry Domain Name Recovery Group, when WHOIS records change at various points in the process I think it's extremely unlikely that a consumer, let alone a registrant... Well a registrant is unlikely to know; a consumer is definitely not going to know what any of that means. And many of the issues brought up to that particular PEDNR Working Group were basically when data changes in the WHOIS and the confusion that happens with the registrant as to "Well hang on, I thought it was mind and what's this saying?"

We might need to do a lot more education and outreach at the registrant level as well as at the consumer level to build the right level of trust. But one other thing I think is important while we're talking here, and that is at the moment we're getting reports – and we're talking specifically consumer trust here. At the moment, when we get reports of for example a registry failure we understand there's consequences.

But when there's a registrar issue we don't know why, whether or not that means that's a huge black hat wearer and what that means. We know that they've gone but what does that mean for everyone as it's called a registry? What does that mean for a reseller? So there's an awful lot of explanation to consumers as to what these things are and what the definitions are. Thank you.

Emily Taylor: And quite a tough thing to make it interesting to consumers. I think we've got Lutz wanting to come in remotely, is that right? Lutz?

Lutz Donnerhacke: Yep.

Emily Taylor: Go ahead please.

Lutz Donnerhacke: Hello everybody! I'd like to add that we as ALAC have to mention that a lot of customers are not aware of WHOIS because they do not need it and they expect from the local law that their personal data is not published. So we have a distinction between buyers and sellers if you consider the internet as an only commercial institution. So we have the expectation from the customer that it can obtain information about the websites they are buying goods from, but they expect at the same time that their own identity is not being published. And we have to deal with this.

Emily Taylor: Thanks, Lutz. Kim, did you want to make a comment?

Kim von Arx: I just had a quick question. I don't quite understand what you mean by timing and the different data sets at different times, so if you could just elaborate on that that would be great.

Lutz Donnerhacke: We have to publish more consumer trust here, we have to consider the consumer trust. A consumer is somebody who doesn't provide any services on the internet but uses other services. So for instance he is buying some goods from the store and he's expecting that he has the ability to prove the identity of the shop, of the shop owner even on the internet. On the other hand he has a privacy interest – he wants to stay anonymous on the internet. And on the internet

system there is no distinction but an expectation on such a distinction.

So the WHOIS service needs to be split into somebody who is offering services and somebody who is not offering services, but this would change the whole internet system to a completely different network, something like CompuServe network or something else we had in the (inaudible) times.

Kim von Arx:

Actually my question was, so sorry, I should have clarified. My question was actually to you, not to you, Lutz, but thanks for the response.

Carlton Samuels:

Yes, Carlton Samuels for the record. Over the period of the WHOIS there's been different requirements; the data set that is related to answering the WHOIS question has changed from time to time. And points where there are changes in the data set there's been inflections, deflections in the data set. There's been no explanation as to why this is the case, and so it would be useful for there to be full and complete disclosure as to what constitutes a WHOIS data set at any given point and why.

Emily Taylor:

And it's interesting because the very same point was made to us by the SSAC this morning who also are working on a precision in the taxonomy of WHOIS so that it's clear when we're talking about

the data, the protocol and the services. And they made exactly the same point about the fact that the implementation of the services, that there is no standard data set and that the implementation of the service is not standard either, standardized. So yeah, thank you very much for raising that.

Shall I just in the last couple of minutes at least let you see the other questions? I mean we've actually got quite far on the slides; we've done pretty well this time. We've been pretty shocking in other sessions. So there's a whole thing here about data accuracy which I'm guessing you've got quite a lot to say about, lessons that we can learn from ccTLDs – which we sort of discussed. Barriers and costs to compliance, what do you perceive?

And I think the consequences of non-compliance is something that we've explored and it's an extremely useful perspective that you've given us on consumer trust. And really the bucket at the end, anything else that we should be thinking about that we're not.

Olivier Crépin-Leblond: Cheryl?

Cheryl Langdon-Orr: He then turned me off, introduced Cheryl Langdon-Orr for the record. My Chair just introduced me then summarily turned me off. Thank you, Olivier. No, no, it's on the record now, that's why I wanted to say it so I can hold it against you forever more because it'll be archived.

I just wanted to say something about that cost, and that is, thank you, Olivier, that many of us at the consumer interest end and the user end of the spectrum maintain well, we know who's going to bear the costs under normal circumstances and that will be us because costs will be passed on. If they are not passed on there is probably a good market differentiation reason for them not to be passed on, and it will probably mean that we are buying other services at greater costs from our suppliers to compensate for that anyway. So forgive us generically if we don't cry too deeply in our cups about increased costs when we know we will be paying them anyway.

Emily Taylor:

And Cheryl, are you saying you're happy to pay them?

Cheryl Langdon-Orr:

Many of us have no choice, and the difference between \$7.50 or \$11.00 is virtually nothing when we are simply wanting to get our name registered, licensed and safe for whatever period of time we're purchasing it for.

Emily Taylor:

So are you saying from your perspective that issues relating to things like data accuracy and all of the stuff that we were talking about bundled in on consumer trust are more important to you than being able to get a domain name cheaply.

Cheryl Langdon-Orr: Just do it.

Olivier Crépin-Leblond: And with these words of wisdom...

Bill Smith: I'd like to ask a question back to you folks if I could. Earlier, this is Bill Smith by the way, I got the impression that when you were talking about minimal set of information – as an example, phone number perhaps was not necessary. The question I'm asking is around time to respond – using WHOIS information or other information, what is ALAC's view in terms of response times for... And these would be called in an agreement, the SLAs, the service level agreements, what amount of time should either a registrant or registry/registrar respond to questions or issues? Do you have any thoughts on that given that we're operating the internet?

You also made a comment that "I should be able to go to a bricks and mortar store during normal business hours..."

Emily Taylor: Lutz also wants to come in on this.

Bill Smith: If I do normal business hours when a phishing site is up that potentially could be problematic so I'm asking basically what are your thoughts on response times for security issues?

Cheryl Langdon-Orr: If I may, Cheryl Langdon-Orr for the record. It's not something that we've discussed, and I think many of us went "Oh, that would be good to talk about." And so thank you, we will work on that. But my kneejerk reaction is that it will probably be differentiated between the registry/registrar much shorter requirements and the registrant who probably should make sure that they understand their contract and realize that certain things have to be updated and kept up to date in a fixed period of time as per their agreement.

And if they don't then so be it, but that's just my kneejerk reaction. I think that'd be wonderful to explore though, and the bricks and mortar was only an example of how obfuscation of data can still be accurately tested.

Emily Taylor: Thank you. I think Lutz has a comment to make as well. Lutz, do you want to go ahead?

Lutz Donnerhacke: Yep, please let me allow to have the head of ALAC or At-Large at the moment, not as the Working Team. I was to have a thin WHOIS approach so that everybody dealing with domain names has the obligation to provide a WHOIS service, the service itself, an automatic service without any limitation but only contained data is needed to provide its own service. So we get from the registry the name server, the DNSSEC data, all the [glue] data the registry

needs and the next WHOIS server of the records trial, who is responsible for updating this data.

There's no data about the owner, about the phone contact or anything else in this WHOIS of the registry. On the registrar side we have the same WHOIS server and the same WHOIS service but only containing on which train, where did the data come from, from the reseller. So we can go down the reseller train up to the correct endpoint providing the correct accurate data, which is updated in time because it's coming from the end data point where data was updated and correctly inserted.

On the other hand this seam provides the possibility to pull in local law. If we are not allowed to give out several information in one country the finer point in the reseller train is able to omit this data, or even to provide write limiting which can be different through all the states or all the legal systems we have in the world. So we have the system which can protect the local information according to local law but accessing it in a global consistent way. Thank you.

Emily Taylor:

Thank you very much, Lutz. I think that we're now over time so I wanted to thank all of you very much for giving us your thoughtful feedback and also the unique perspective of the ALAC on issues like consumer trust. And I'm very glad to have had the opportunity to meet with you. I hope that you will give us some written comments on the issues paper but we've been taking notes

of this as well and very much appreciate the opportunity for interaction. Thank you.

Olivier Crépin-Leblond: Thank you very much, Emily, and good luck from all of the At-Large constituency. I think you've got quite a task on your hands. Thank you.

[End of Transcript]

