

From: Cristina Berra

Date: Wednesday, March 28, 2018 at 12:11

To: "gdpr@icann.org"

Subject: [Ext] GDPR - Interim and Accreditation Models

Dear Sirs,

I am Brand Protection Manager at Entertainment One UK Limited and I am writing you on behalf of the Family and Brands Division of Entertainment One.

Entertainment One is a leading international entertainment company specialising in the acquisition, production and distribution of film and television content across all media, and related merchandise.

With particular reference to the Family & Brands Division, Entertainment One is the controller of all exploitation rights in and to several well-known brands. These include the brands Peppa Pig, PJ Masks and Ben & Holly's Little Kingdom, which are hugely successful, critically acclaimed pre-school animated series for girls and boys that are broadcast and whose merchandise is distributed in over 100 countries including the UK, Spain, Italy, Greece, Russia, United States, China and various Asian and Latin American countries.

With reference to the current debate over the balance between privacy and access to WHOIS information, we do believe domain registrant's contact information be critical to identify intellectual property infringers and prevent abuses. Moreover, as our brands involve a very young audience, access to such information is also key to protect children's physical (see online sale of counterfeit unsafe products) and psychological (see infringing violent, sex-related online content) integrity.

We acknowledge ICANN's proposal of an interim model for the display of WHOIS data, which aims to balance both the privacy interests of individuals and those of law enforcement and brand protection advocates. However, we

believe such model be quite limited from the point of view of intellectual property rights (IPRs) holders. In fact, such model seems to make the access to restricted data much onerous and would render IPRs holders' efforts to fight infringements almost ineffective in a wide range of situations.

We have knowledge of another model, the accreditation model - which has been developed by MarkMonitor alongside a number of other corporations, organizations and IP protection groups - that allows third parties with a legitimate interest, such as IPRs holders, to gain access to full WHOIS data. We believe such model better take into account our rights and needs as brand owners and ultimately give us the faculty to better protect the rights and integrity of our young end consumers. Therefore we strongly hope for ICANN to carefully evaluate the benefits of such model for all the concerned parties – including the personal data owners which would receive a sufficient level of protection in compliance with the GDPR – and fully implement it.

Finally, we do hope all the legitimate interests at stake be fully considered and we insist that ICANN prevent WHOIS from “going dark” until a complete accreditation program can be implemented.

We thank you for your consideration.

Kind regards,
Cristina



Cristina Berra | Manager, Brand Protection | Entertainment One | Family & Brands