

From: Gavin McCutcheon
Organization: dotScot Registry Limited
Date: Thursday, January 25, 2018 at 09:07
To: "gdpr@icann.org"
Subject: [Ext] Proposed GDPR compliance models

Dear ICANN,

As a European based gTLD Registry, I read your blog post and Proposed Interim Models for Compliance with ICANN Agreements and Policies in Relation to the European Union's General Data Protection Regulation document with much interest.

From a European perspective, we are very cognisant of the rationale behind the incoming enhanced data protection regulations, especially in light of the ever increasing misuse of personal data by bad actors outwith the EU, although I doubt many of the spammers and cold-callers would describe themselves as such. The fact remains however, that persistent and high volumes of unsolicited email and phone calls to domain registrants - especially those from vulnerable groups - is both unwelcome and potentially harmful. Such bad actors not only circumvent national laws regarding the making of nuisance calls (by telephone) and via email but also run roughshod over the expectations of privacy of registrants. It demeans the entire Internet on general and reflects badly on the domains where the registrant suspects the leak of personal data to have come from in particular.

Referring back to the three proposed compliance models, the only one which is likely to offer both compliance with GDPR and simultaneously meet the needs and expectations of European registrants is the **third model**, allowing for the display of Thin registration data and any other non-personal registration data.

So long as there is a valid and robust mechanism allowing law enforcement to request registrant data through appropriate channels, there is simply no need to open up registrants to wholesale privacy violation and so the GDPR compliance model employed must meet the EU directive to the fullest extent possible.

Yours sincerely

Gavin McCutcheon

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