

La Directrice générale

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Subject: The importance of publishing WHOIS data for the protection of individuals and businesses

Gentlemen,

I would like to share with you, on behalf of the members of the Unifab Association, which works for the promotion of intellectual property and the fight against counterfeiting, under the supervision of the Ministry of Industry and the Interior, my concerns regarding the matter of the publication of WHOIS data.

The Internet economy is a major contributor to development, trade and employment. Governments have an interest in protecting trademarks on the web to avoid confusion and harm to their citizens, and in providing a stable environment for global economic growth. Unfortunately, fraudulent sites are a reality which is difficult to fight. The publication of WHOIS data is a tool for combating online committed crime. However, access to these data is now threatened.

This would have a catastrophic effect both for the consumer who often uses this data to verify the trust level of a site, and for the right holders who have been unable to identify the individuals behind the counterfeit sites and would then have to make a formal request. But these sites are millions and such a procedure, which could be left to the subjective appreciation of each register or registrar, or even based on a court decision, is not a suitable answer considering the extent and the dangerousness of the phenomenon.

My priority is therefore to ensure that a direct, public and transparent access to WHOIS data is maintained in a consistent and effectively way.

Surprised by the limited time left for interested parties to comment on compliance scenarios with the GDPR, I invite you not to make a hasty decision without taking into consideration the concerns of a large number of actors.

I thank you in advance for your help and kindly ask you to believe, gentlemen, in the assurance of my respectful consideration.



Delphine SARFATI - SOBREIRA