



Ostermundigen/Bern, 13/03/18
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Internet Corporation for Assigned Names & Numbers
ICANN
Mr. Göran Marby, President & CEO
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USA
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Subject: WHOIS and the implementation of the EU General Data Protection Regulation

Dear Mr. Marby,

With the present letter, we would like to support the Federation of European Sporting Goods Industry (FESI)'s position by giving more weight and concern to its message regarding the publication of WHOIS data further to the implementation of the EU General Data Protection Regulation.

As the counterpart of the FESI at the world level, the WFSGI is officially recognized by the International Olympic Committee (IOC) as the global voice of the sporting goods industry representing more than 5000 direct and indirect members and corresponding to 70% of the global industry turnover. WFSGI includes the world-leading sport brands, manufacturers, suppliers, retailers, national/regional federations, industry and trade associations and all sporting goods industry related businesses.

Building on its global dimension, and given the fact that our members all have European operations and business, the WFSGI would like to echo the points raised by its European counterpart and especially highlight the fact that accuracy and accessibility of WHOIS data is vital to its members' efforts to investigate and enforce against infringements of their creations.

- As one of the main targets for counterfeiters, our members are invested in ensuring the continued availability and transparency of WHOIS data that should continue to be available both to law enforcement, IP and security professionals. To further evidence its importance, the concept of an accurate and transparent domain name registrant database is an obligation in several free trade agreements.

- Moreover, concerns that not distinguishing between registrations of legal and natural persons have been raised by our members. We would like to point out that the GDPR does not protect data pertaining to legal persons and consequently the distinction is necessary, as this interpretation is an over-application of the EU Regulation.
- Another point of concern regarding the Interim Draft Model is that the email of the registrar will also not be displayed and instead would only include an anonymized email address or a web form that could be forwarded to the registrant email address. Our members' brand enforcement teams would subsequently not be able to find out where registrants that are conducting illegal activities are and their data, essential for the enforcement mechanism of our brands.

In light of this, we believe the WHOIS/domain registrant database should remain as public and transparent as possible, and that access to any non-public WHOIS data should be provided expeditiously and without undue hindrance.

We thank you in advance for your consideration.

Yours sincerely,

World Federation of the Sporting Goods Industry



Robbert de Kock
WFSGI President and CEO