



Mr. Vinton G. Cerf
Chairman of the Board
Internet Corporation for Assigned Names and Numbers
4676 Admiralty Way, Suite 330
Marina del Rey, California 90292-6601

E-mail: vint@google.com

Dear Mr. Cerf:

I write on behalf of the International Anti-Counterfeiting Coalition (the "IACC"). The IACC is the largest multinational organization representing exclusively the interests of companies concerned with product piracy and counterfeiting. Our members consist of approximately 150 corporations, trade associations, and professional firms and represent total revenues of over \$650 billion. The intellectual property owners represent a cross-section of industries, consisting of many of the world's best known companies for the various products that they develop, manufacture and distribute in the entertainment, automotive, pharmaceutical, motion picture, consumer goods, personal care, apparel and other product sectors. These members regularly conduct intellectual property enforcement efforts and enforce their rights in scores of countries around the world.

The IACC welcomes this opportunity to comment on the important interests at stake in the Policy Development Process initiated by the ICANN as it relates to the WHOIS database and continued access to the data contained in that database. <http://www.icann.org/public_comment/#whois-comments-2007>

The IACC has previously expressed its concerns with the so-called OPoC (operational point of contact) proposals advanced within the PDP. See <http://gnso.icann.org/mailing-lists/archives/council/msg02618.html>. The IACC will not restate those concerns in detail. The IACC does believe, notwithstanding the substantial efforts dedicated to this PDP, that any of the serious flaws in the OPoC proposal have been resolved.

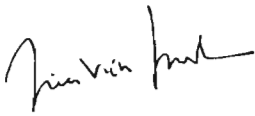
In particular, as articulated in the Final Report of the Working Group, the OPoC proposal does nothing to reconcile the competing interest of continued access to WHOIS data for intellectual property enforcement with the privacy concerns underlying OPoC.

For these reasons, of the three resolutions advanced for consideration by the GNSO at the Los Angeles meeting on October 30, the IACC strongly supports Resolution No. 2. To the extent ICANN believes it is necessary to persist with the PDP despite the inability to achieve any semblance of consensus after more than four years of effort, then it is abundantly clear that further factual investigation is required in order to develop a consensus around which change can occur. The present inability to achieve consensus demonstrates that there has been insufficient factual investigation to support the changes in WHOIS being advanced within the GNSO.

The IACC is alarmed that the GNSO could even consider an irresponsible proposal like that advanced by Resolution No. 3 which would constitute a unilateral repudiation of ICANN's legal responsibilities and a rejection of key responsibilities ICANN accepted when it assumed responsibility for the domain name space.

Again, the IACC thanks you for the opportunity to comment on these important issues.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Nils Victor Montan".

Nils Victor Montan
President

cc. ICANN Board of Directors