

# Report of Public Comments

<b>Title:</b>	<b>Additional Whois Information Policy (formerly, "Whois Information Status Policy")</b>		
<b>Publication Date:</b>	18 April 2014		
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<b>Comment Period:</b>		<b>Important Information Links</b>	
Open Date:	10 May 2013		
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Time (UTC):	23:59		
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<b>Section I: General Overview and Next Steps</b>			
<p>The Generic Names Supporting Organization Council ("GNSO") initiated a Policy Development Process in June 2009, which resulted in the submission of several policy and process recommendations to the ICANN Board of Directors, which the Board approved on 6 May 2012. ICANN staff developed this proposed Policy on the basis of a recommendation from a Working Group convened by the GNSO.</p> <p>The proposed policy that was posted for public comment is derived from Recommendation #8 of the GNSO's IRTP Working Group B. It will require registries and some registrars to modify their Whois output to include universal "EPP" status codes for domain names along with a link to explanations of the status codes.</p> <p>A separate recommendation (#3) by the GNSO's IRTP Working Group C, which has also been the subject of a <a href="#">Public Comment</a> period, will require the registry operators to display each registrar's respective ICANN-assigned identification number (commonly referred to as the "IANA ID" or "GURID") in their Whois outputs.</p> <p>Because Recommendation #8 (IRTP Working Group B) and Recommendation #3 (IRTP Working Group C) both concern Whois output and will have a similar operational effect on registries and registrars, they will be implemented together, as a single "Additional Whois Information Policy."</p> <p>ICANN has reviewed the submitted comments and, where appropriate, will incorporate suggested modifications into the Policy. Once finalized, the Policy will be implemented and made effective for all gTLD registrars and registries.</p>			
<b>Section II: Contributors</b>			

*At the time this report was prepared, a total of five (5) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

#### Organizations and Groups:

<b>Name</b>	<b>Submitted by</b>	<b>Initials</b>
Intellectual Property Constituency	Claudio Di Gangi	IPC
ARI Registry Services	Yasmin Omer	ARI
Illumintel, Inc.	Greg Aaron	Illumintel
United-domains AG	Tobias Sattler	UDAG

#### Individuals:

<b>Name</b>	<b>Affiliation (if provided)</b>	<b>Initials</b>
MaverickII		MII

### **Section III: Summary of Comments**

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

A majority of the submitted comments relate to Section 1.b of the proposed policy. IPC suggested that the URL should always link to the HTML anchor for the respective EPP code in order to further clarify the respective status and for the purpose of consistency across all registrars and registry operators.

ARI suggested that Section 1.b should not apply to port 43 Whois, while Illumintel suggested that Section 1.b be removed from the proposed policy. They believe that the application of that provision would overload the Whois output because many domain names have multiple statuses. Including a separate link for each status would reduce the usability and the ease of consumption of the Whois services as well as make the parsing of Whois Data (necessary for domain name transfers) more difficult. Illumintel indicated that sections 1.a and 1.c together were sufficient in order to reach the objective of the policy.

Other comments relate to the application of the provisions that are included in the proposed policy. IPC expressed that, if this policy was not to be a "consensus policy," then its provisions should be included in the New gTLD Registry Agreement as well as in the 2013 Registrar Accreditation Agreement ("2013 RAA"). UDAG expressed that the policy is not necessary because it is a duplicate of provisions that are already in the New gTLD Registry Agreement as well as in the Whois Specifications of the 2013 RAA.

According to ARI, the use of the statuses that is made by some registry operators does not reflect the definitions that are given in the EPP Status Code document on the ICANN website (<http://www.icann.org/en/resources/registrars/transfers/epp-status-codes-30jun11-en.pdf>). For that reason, ARI thinks that the Whois output should optionally resolve to a page maintained by the relevant registry operator or, alternatively, that the document on the ICANN website be amended in order to take those use cases introduced by registry operators of new gTLDs into consideration.

MII's comment relates to other information that could be included in or removed from the Whois outputs of registrars and registry operators. He expressed that an e-mail address to contact the relevant registrar as well as a line space between each data category should be included in every Whois result, while the registrars should not include their fictitious (d/b/a) names, any code of the company that could create confusion with their registrar IDs, or any proprietary code used by the registry operators.

Finally, ARI expressed that the resulting policy should be translated into other languages, including Arabic, in the light of the launch of new gTLDs in the Arabic script.

#### **Section IV: Analysis of Comments**

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

The [Base New gTLD Registry Agreement](#) includes provisions that require the signing registry operator to comply with RFC specifications, some of which include the obligation to display Whois statuses in their Whois outputs that correspond to EPP status codes. The [Registration Data Directory Service \(Whois\) Specification](#) to the 2013 RAA includes a similar obligation. Neither agreement requires registry operators or registrars to display any link or other information that allows users to get information about the meaning of EPP status codes, as was recommended by the GNSO's IRTP Working Group B. Existing registry operators are required to display a status in their Whois output pursuant to their current [Registry Agreements](#). There is no uniform obligation, however, for registry operators to exclusively use EPP status codes. The [2009 and 2001 versions of the RAA](#) do not require registrars to display any status in their Whois output.

The proposed policy only sets requirements for the registry operators and registrars that display Whois statuses. Since the above provisions already require all current and future registry operators and registrars that enter into the 2013 RAA to display Whois statuses, these contracted parties will be required to comply with Sections 1 and 2 of this new policy. However the registrars that are still operating under the 2009 or 2001 RAA and currently do not display any status in their Whois output will not be required to comply with the above provisions, unless the policy is amended in such a way that all registrars will be required to display Whois statuses. While all registrars will be encouraged to adopt the 2013 RAA, some registrars could choose to stay under their current version until its expiration.

The proposed policy requires registry operators and registrars that display Whois statuses to include a link or a URL to an ICANN web page that describes and defines EPP status codes. All registry operators are currently required to display statuses in their Whois outputs, but they are not required to include any linkage or other information explaining the meaning of the statuses. Nothing, therefore, currently prevents registry operators from assigning their own meanings to the statuses they display. In that regard, requiring them to display a link to a web page maintained by ICANN, which clearly explains what each EPP status code means, will require them to use those codes in a way that is consistent with the information listed on the ICANN web page.

The 2001 and 2009 versions of the RAA as well as the 2013 RAA require the company name of the registrar to be displayed in the registrar's Whois output. Furthermore the Whois specifications of the Registry Agreements between the existing registry operator and ICANN, as well as the equivalent specifications in the New gTLD Registry Agreement, include the same requirement. Therefore, the fact that some registrars display a d/b/a or similar name in their Whois output should not create significant confusion because the company name is always listed by the registry. The final Policy will also integrate [Recommendation #3 of the IRTP Part C Working Group](#), thus the registry operators will also be required to always display the relevant registrar's IANA ID. As for the suggestion to add the e-mail of the relevant registrar in the Whois output and a line space between each data category, while it may be useful, it is not addressed by the recommendations from the GNSO upon which this policy is based.

Since some future new gTLDs will be in non-Latin characters, it will be relevant to translate the final policy, which will be a Consensus Policy, into multiple languages as it has already been done for other Consensus Policies.