Frequently Asked Questions (FAQs) for the Registration Data Request Service (RDRS) for Requestors

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General

What is the Registration Data Request Service (RDRS)?

The RDRS is a proof of concept for a ticketing system that will handle requests for access to nonpublic registration data related to generic top-level domains (gTLDs). The service connects requestors seeking nonpublic registration data with the relevant ICANN-accredited registrars for gTLD domain names who are participating in the service.

The service is intended to gather usage and demand data that can inform the ICANN Board's consideration of the requirements related to a System for Standardized Access/Disclosure (SSAD), and ongoing consultations with the Generic Names Supporting Organization (GNSO) Council who developed these recommendations.

Where can I find publicly available registration data?

Use the ICANN Lookup Tool to see what registration data is publicly available.

How does the RDRS work?

The new service streamlines the process for submitting and receiving requests for nonpublic gTLD registration data for requestors and ICANN-accredited registrars. Participating registrars will review and consider the request in the Naming Services portal (NSp) and balance the interest of the requestor with those of the data subject, where such balancing is required by applicable law. The service will not guarantee access to registration data. The operation of the service is intended to capture usage and demand data for a data request service.

Who will use the RDRS?

The service will be used by participating ICANN-accredited registrars and requestors seeking nonpublic gTLD registration data. The service is intended for use by individuals and entities requesting access to nonpublic gTLD registration data like law enforcement, government agencies, intellectual property professionals, cybersecurity professionals, and others with a valid legal basis for the data.

Should Uniform Domain Name Dispute Resolution Policy (UDRP) and Uniform Rapid Suspension (URS) providers use the RDRS to submit verification requests to registrars and request domain locks?

No, while the RDRS will be made available to the general public, including UDRP and URS providers, the RDRS should not be used as a mechanism to submit official UDRP/URS requests. The RDRS is a voluntary service, which means that ICANN-accredited registrars are not required to participate. While UDRP/URS providers can utilize the RDRS for investigatory/research purposes, they should continue to make official proceeding requests following Section 4 of the UDRP Rules and URS procedures directly with registrars.

Will disclosure of data take place within the RDRS?

No, all communication and data disclosure between the registrars and requestors will take place outside of the service. Data disclosure will take place directly between the registrar and the requestor via the method the registrar chooses. Although the service directs requests to registrars, it will not deviate from or change the applicable laws, and the registrar will maintain responsibility for deciding whether or not to disclose the requested data.

Are all ICANN-accredited registrars required to use the RDRS?

No, use of the system by ICANN-accredited registrars is voluntary. Requestors seeking data from non-participating registrars should contact them directly.

Will the personal data processed through the RDRS be shared with any third party outside of ICANN and the registrars?

For more information about the processing of personal data in the RDRS, please refer to the RDRS Privacy Policy. ICANN will share the personal data with third-party service providers that process the personal data on ICANN's behalf (as data processors) and provide services to ICANN such as the NSp (Salesforce).

For how long will ICANN retain personal data processed in the RDRS?

For more information about processing of personal data in the RDRS, please check the RDRS Privacy Policy. ICANN will retain personal data generally in accordance with our general archival practices and as required or permitted by law. ICANN will retain personal data generally only for as long as is required to fulfill the purposes set out in the RDRS Privacy Policy. However, where ICANN is required by law to retain personal data longer or personal data is required for us to assert or defend against legal claims, we will retain the personal data until the end of the relevant retention period or until the claims in question have been resolved. More details about the retention periods applicable are available here.

Accessing the RDRS to Make Requests

How do I access the RDRS to make requests?

To access the RDRS, you'll first need to create an ICANN account if you do not have one already. An ICANN account allows users to securely access ICANN services and manage profile information such as name, email, and password using only one set of login credentials.

Please see here for more information on how to create and manage an ICANN account.

Once I've logged into my ICANN account, how do I start making requests?

Once you have logged into your ICANN account, you can access the RDRS by clicking on the RDRS tile on the home page or navigating to the RDRS home page. You can then use the service to start making requests and review statuses of pending requests once they have been submitted successfully.

Data Disclosure Request-related Questions

How do I submit a request?

To submit a new nonpublic registration data request, you will need to fill out a request form from the requestor portal to provide the required information needed by the registrar. A series of questions will guide you through the information requirements.

Can I submit a request for nonpublic registration data for any domain name?

No, nonpublic registration data requests can only be submitted using the RDRS for generic top-level domains (gTLDs) registered by participating ICANN-accredited registrars. As such, requests for registration data from non-participating registrars, country code top-level domains (ccTLDs), and certain reserved domains are not supported.

Why can't the RDRS be used to request nonpublic registration data from ccTLDs?

Only ICANN-accredited registrars for gTLDs currently have access to the Naming Services portal (NSp), which is being used for this ticketing system. In addition, ccTLDs are not subject to ICANN's consensus policies for gTLDs. Usage of this system is meant to inform the ICANN Board's consideration of a possible new consensus policy for gTLDs. If your request pertains to a ccTLD domain name, please contact the relevant ccTLD operator to obtain further information about how to request registration data for that ccTLD. A list of contact information for ccTLD operators is available here.

What do I do if the registrar managing the domain name I am seeking registration data from is not participating in the RDRS?

The RDRS will notify you at the start of your request if the registrar managing the domain name you are seeking registration data for is not participating in the RDRS. If this is the case, you can contact the registrar directly to submit the data request (contact information is listed at https://www.icann.org/en/accredited-registrars). You will have the option to continue to fill out the request form and save as/print to PDF so that you can provide the form directly to the registrar.

What do the request categories mean?

When submitting a new request, you'll be asked to choose a request category indicating the 'type' of your request: law enforcement, security researcher, computer security incident response team (CSIRT), cybersecurity incident response team (non-CSIRT), consumer protection, research (non-security), domain investor, IP holder, dispute resolution service provider, litigation/dispute resolution (non-IP), or other.

If I'm making a law enforcement request, can I request confidentiality?

If you choose "law enforcement" as your request category, you will have the option to indicate that you wish your request to be kept confidential from the registered name holder due to its sensitive nature and to not have your request be processed if the registrar's policy does not allow such a confidential process. It should be noted that it is up to the discretion of the registrar to determine whether or not to comply with such a request for confidential treatment. If the registrar does not comply with your request for confidential treatment, it will be up to you as the requestor to cancel your request if you do not want to make a request without confidential treatment ensured.

Can I ask for an expedited processing of the request?

The RDRS allows requestors to indicate if the request is urgent:

Expedited Review Requests: If you believe that the nature of the request necessitates faster processing, you may choose this option.

Please be advised that selecting the "Expedited" option for your request does not obligate the registrar to provide an expedited response. The "Expedited" designation primarily signifies your view that the nature of your request warrants a faster processing time, but it does not guarantee an accelerated resolution.

Do not rely on this Expedited Review Request functionality in emergency situations such as but not limited to an imminent threat to life, serious bodily injury, critical infrastructure (online and offline), or child exploitation. In these circumstances you should contact the registrar directly for immediate assistance. For the registrar's contact information, please refer to this page.

Please exercise caution and discretion when selecting the "Expedited" option, as it is not a substitute for direct communication in emergency situations, and it is not necessary for all requests. If you select "Expedited Review Request," provide an explanation in the text box provided.

Standard Requests: All other non-urgent requests. It should be noted that the registrar can change the urgency level if they deem the level to be inaccurately set during their review of the request. You will receive an email notification from the system if the priority is changed by the registrar.

I've submitted my request, now what?

Once your request is submitted, it will be routed to the registrar managing the domain name. The registrar is then responsible for assessing the request and making the decision of whether to disclose the requested data. If the registrar needs to communicate with you to get additional information or clarification to appropriately respond to a request, that communication will occur outside of the RDRS. Once the registrar makes their disclosure decision, it will be marked for you as "complete" in the RDRS and you will be notified via email.

What are all of the possible outcome responses that I can expect to receive?

There are various outcomes that you can expect to receive:

- Approved: All requested data was disclosed to the requestor.
- Partially approved: Only some of the requested data was disclosed to the requestor.
- Denied: All requested data was not disclosed to the requestor.
- Data publicly available: Registrar found the requested data is publicly available.
- Canceled: Data request was canceled before the disclosure decision was made.

For more detailed information, please refer to the RDRS User Guide for Requestors.

Can I re-submit my request if it is denied?

Requestors can always submit a new request with new or more detailed information.

Other Questions

What if the registrar I am seeking registration data from is terminated while my request is still pending?

If an ICANN-accredited registrar's Registration Accreditation Agreement with ICANN is terminated while your request is outstanding, you'll be notified via email. When registrars are terminated, the domain names under their management are transferred to another registrar but this process typically takes a few days. As such, we recommend you resubmit a few days after receiving the notification. Updates on bulk transfers of domain names after registrars are terminated can be found here.

What if the registrar I am seeking registration data from stops participating in the RDRS while my request with them is still pending?

In the event that a registrar whom you have an outstanding request with stops participating in the RDRS, you'll be notified via email. If this occurs, existing provisions require the registrar to respond to your request; therefore, you may still receive communication from the registrar outside the system. You may wish to follow-up with them directly once you are notified that they have opted out. Registrar contact information is listed at https://www.icann.org/en/accredited-registrars. If the registrar fails to respond, you may file a complaint with ICANN Contractual Compliance following these directions and using the appropriate form.

I have neither received the data requested or heard from the registrar yet. What should I do?

After submitting your request, the registrar will assess the request and decide whether or not to disclose the requested data. If you have not received a response from the registrar within a reasonable time, you may wish to follow up with the registrar directly. However, if the issue persists, you may file a complaint with ICANN Contractual Compliance following these directions and using the appropriate form.

I disagree with the registrar's decision. What should I do?

Registrars are responsible for determining whether or not to disclose nonpublic registration data. ICANN will not be able to reexamine the results of the registrar's disclosure decision. However, if you have reason to believe the registrar's response did not comply with the applicable requirements concerning disclosure, you may file a complaint with ICANN Contractual Compliance following these directions and using the appropriate form.

I see the request outcome in the RDRS is different than what actually happened. What should I do?

If there is a discrepancy between what the registrar has disclosed to you and what has been logged in the RDRS as an outcome, please contact the registrar directly to remedy the inconsistency.

Registration Data for Domain Names Using Privacy or Proxy Services

What are privacy and proxy services?

A **Privacy Service** allows a customer to register a domain name as the registered domain name holder, meaning that the customer's name is assigned to the registrant name field in Registration Data Directory Services - "RDDS"/WHOIS. Alternatively, reliable contact information (such as a mail-forwarding email address) is published by the service provider in place of the customer's personal contact information.

A **Proxy Service** allows a customer to use a domain name without displaying any of the customer's information in RDDS. The proxy service provider is the registrant of record (the registered domain name holder) and provides its own name and contact information in the RDDS. This service is legally distinct from a privacy service because the proxy service provider is the registered domain name holder (which attaches certain legal rights and responsibilities for a domain). The proxy service provider licenses use of the domain name to the customer via its agreement with the customer.

Can I make registration data requests using the RDRS for domain names using privacy or proxy services?

As explained below, certain information may be subject to registration data requests in the case of domain names using privacy services, but not proxy services. Before starting a request in the RDRS, requestors are encouraged to use ICANN's <u>Lookup Tool</u> to see if the registration data is either publicly available or registered through a privacy or proxy service.

When a domain name is utilizing a proxy service, registrars must publish the full registration data of the proxy service. In such cases, the registration data is not redacted in the RDDS. When a domain name is utilizing a privacy service, registrars must publish the alternative, reliable contact information of the privacy service, but the identity of the registrant (in this case the privacy customer) may be shown as redacted in the RDDS. In the case of privacy services, the redacted registration data is subject to disclosure requirements under the applicable provisions, including response requirements for requests submitted via the RDRS. If you are seeking the privacy or proxy customer's underlying information behind the provider's data, you may wish to contact the provider directly to determine the circumstances under which it will reveal the customer's identity and/or contact information. The ICANN Lookup Tool may help you identify the name and the contact information of the privacy or proxy provider, from whom you may need to request the data from directly.