



Privacy and Proxy Service Provider Accreditation Program

IRT Meeting | 31 January 2017

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Recent Developments

- ICANN58 IRT meeting scheduled for Saturday, 11 March, 1:45-6:30

Deliverables Status

- IRT reviewing draft Policy sections 2, 5, 6
- Next items to be distributed to IRT:
 - Initial operational questions
 - Proposals on RDS labeling, data escrow/retention
 - Updated Policy Section 1.C.iii
 - Draft Policy section on IP framework

Discussion Question 1

- What should a registrar be required to do when it becomes aware of an existing registration involving an unaccredited Privacy or Proxy Service provider?
- Proposal:
 - Follow WHOIS Accuracy Program Specification
 - Alert the Customer (question—how?)
 - Alert ICANN where there is a pattern

Discussion Question 2

- IRT asked for feedback on intent of these recommendations:
 - *A uniform set of minimum mandatory criteria that must be followed for the purpose of reporting abuse and submitting requests should be developed.*
 - Provide ability to “categorize” reports
 - *Use of standard forms and other mechanisms to facilitate prompt and accurate identification of a relay request should be explored.*
 - E.g. drop-down menus

Policy Discussion Questions: Terms of Service

- Pricing disclosures: Can IRT confirm whether PDP intended this to be in general ToS or just Customer disclosures?
- Notices to Customers: Did WG intend any baseline requirements w/r/t format, time to respond
- Did WG contemplate what “timely” means?
- ToS: Should jurisdiction for applicable disputes be limited in any way?

Policy Discussion Questions: Relay

- Did PDP intend required timelines for relay of RAA/Consensus Policy-required communications?
- Interpretation of the following (this is one of two options for Relay: *Promptly Relay all Electronic Communications (including those received via emails and web forms) received from Law Enforcement Authorities and third parties containing allegations of domain name abuse (i.e. illegal activity)*).
 - All LEA communications, or only those alleging abuse?
 - Is abuse only illegal activity, or is illegal activity an example?)
 - Is this from anyone who says they are LEA, or is this more limited (and, if so, should limitations be consistent with the to-be-created LEA framework)?

Policy Discussion Questions: Relay

- Abuse reports: Should a Customer be notified of the identity of the person alleging abuse? Should the Customer be provided with the contents of an abuse report?
- Persistent delivery failure: Should “reasonable limits” be defined, with respect to the number of requests related to the same domain by the same requester?
- Persistent delivery failure: looking for volunteers to propose definitions of relevant terms (how many attempts to deliver over what period of time)

Policy Discussion Questions: Reveal

- Did PDP intend requirement that Requesters be notified in a timely manner of Provider's decision on Reveal request?
- “In a timely manner”
- Draft language added in response to proposal on list. Does this capture intent?

*2.E.viii. Privacy and Proxy Service provider terms of service SHALL indicate clearly, **including required timelines and processes**, whether or not:*

(a) A Customer will be notified when a provider receives a Publication or Disclosure request from a third party; and

(b) A Customer may opt to cancel its domain registration prior to and in lieu of Publication.

Policy Discussion Questions: Transfers

- Did the PDP intend for there to be transfer requirements between one PP and another PP, or should this be handled under the existing Transfer Policy?
- Additional work on Transfer Policy could be added to scope of IRT if Board directs this

Policy Discussion Questions: Abuse Reporting

- Scope: Was intended scope of abuse reporting recommendation (a) any abuse related to the domain or (b) any abuse related to the privacy/proxy service only?
- If (b) how would these be distinguished? Can we provide examples?

Policy Discussion Questions: UDRP Proceedings

- Should recommendation prohibiting cancellation also apply to names subject to URS proceedings?

Policy Discussion Questions: Best Practices

- What did WG mean by “...providers should facilitate and not hinder the transfer, renewal or restoration...”?
- What efforts are “commercially reasonable” with respect to avoiding the need to disclose underlying Customer data?

Policy Discussion Questions: Reviews, Etc.

- Given that WG contemplated that this Policy will be reviewed, did WG also intend that data relevant to that review could be required to be retained for future use?
- Final Report directs that IP Framework should be reviewed. Is this an ICANN review or a community review?

Thank you!



Thank You and Questions

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IRT community wiki space:

<https://community.icann.org/display/IRT/Privacy+and+Proxy+Services+Accreditation+Implementation>

Implementation Status Page:

<https://www.icann.org/resources/pages/ppsai-2016-08-18-en>