



ICANN ANNUAL GENERAL	63
BARCELONA 20–26 October 2018	



Welcome to Barcelona and ICANN63!

On behalf of the ICANN Business Constituency (BC), dedicated to the interests of business users of the Internet and the future of business growth on the Internet, welcome to Barcelona and ICANN63!

As 2018 closes, our work has continued to focus on the European General Data Protection Regulation (GDPR) and its impact on WHOIS. The BC continues to work tirelessly around a possible “accreditation model” for interested third parties, security researchers, and companies to access to the WHOIS register. To this end, the BC holds internal, weekly discussion calls on the EPDP, a community effort to develop a long-term solution. Of course, this is not the only topic to be discussed in Barcelona. Other critical issues and priorities include: New “GTL

Subsequent Procedures”; “curative rights”; and the FY20 ICANN Operating Plan and Budget.

ICANN63 is the Annual General Meeting (AGM), where the community will come together to celebrate ICANN’s 20th Anniversary. Thus, in addition to our policy work, we will use this opportunity to focus on outreach and engagement to the local and regional business community. To this end, the BC will be hosting a networking event on Monday night for local businesses and invited guests to attend and learn more about our Constituency and our work.

The BC welcomes all business and commercial users to join us in Barcelona to learn more about what the BC does, how business can benefit from the BC representation, and how members in the BC positively engage in the community.

Further, the BC is committed to geographical diversity and involvement of women in the community!

The BC continues to play its part to make sure the ICANN Organization and Community are more transparent and accountable every day. The BC remains committed to helping strengthen the multi-stakeholder model that has helped build the successful, global, and business-friendly Internet community we have today. And we look forward to more and deeper engagement of new potential members in different regions of the world: from Barcelona to Kobe, where the next ICANN meetings will be held.

Claudia Selli, BC Chair

For more information regarding the BC, please go to our updated website at <https://www.bizconst.org>

Policy Perspective

Why does the BC focus on WHOIS?

By Steve DelBianco, Vice Chair for Policy Coordination



For most of 2018, the BC perspective on policy has focused on preserving business access to domain registration data (WHOIS), despite the scramble to comply with Europe's General Data Protection Regulation (GDPR).

If you are wondering why the BC focuses so much on Whois, start with the BC's mission to ensure that ICANN "promotes user confidence in online communications and business interactions". Businesses use WHOIS data to protect their customers from confusion and fraud that is facilitated by deceptive domain names, and to track malware and DNS attacks targeting business websites.

This comports with ICANN's own Bylaws, which include specific commitments to provide access to registrant contact information:

"Subject to applicable laws, ICANN shall use commercially reasonable efforts to enforce its policies relating to registration directory services and shall work with Supporting Organizations and Advisory Committees to explore structural changes to improve accuracy and access to generic top-level domain registration data, as well as consider safeguards for protecting such.

The Board shall cause a periodic

review to assess the effectiveness of the then current gTLD registry directory service and whether its implementation meets the legitimate needs of law enforcement, promoting consumer trust and safeguarding registrant data.
(Section 4.6e of ICANN Bylaws)

Acknowledging that all of ICANN's contracts and commitments are enforced subject to applicable laws, there is much room for interpretation and discretion of GDPR law when applying it to WHOIS.

The BC is now working overtime to nudge ICANN's latest policy development process (PDP) towards preserving WHOIS for legitimate business uses. BC members Margie Milam (Facebook) and Mark Svancarek (Microsoft) are serving as our representatives on this PDP, which meets twice each week to develop permanent policy to replace ICANN's placeholder – the Temporary Specification.

At the same time, several BC members are drafting a model to grant access to non-public WHOIS data to accredited requestors. ICANN Org is moving in the same direction with a unified approach where all registries and registrars handle WHOIS requests the same way, subject to a shared understanding of

The BC is now working overtime to nudge ICANN's latest policy development process towards preserving WHOIS for legitimate business uses.

how GDPR and other applicable laws should apply.

While this WHOIS issue will dominate the next several months at ICANN, the BC will also be attuned to policy planning for future expansions of top-level domains.

Anyone from the business community who is attending the Barcelona meeting is welcome to learn more about and meet the members of the ICANN Business Constituency.



Steve DelBianco
Vice Chair
for Policy
Coordination

BC Outreach News

BC Outreach During ICANN62 Panama

By Gabriela Szlak, BC Member



As the Latin American representative of the BC's Outreach Committee, and as representative of eCommerce Institute at the BC, I led the organization of a strategic outreach event this past June, focused on engaging local and regional businesses during ICANN62 in Panama.

The event was a success. More than 50 people joined us for a one-hour networking reception that was funded by ICANN's Global Stakeholder Engagement Team and the Community Regional Outreach Program (CROP). As a result, BC members interacted and expanded their network by meeting with the local community of business owners, as well as other ICANN participants from the region, including participants of ICANN's Regional Fellowship program.

eCommerce Institute's local partner, CAPATEC (the Panamá Chamber of Internet and eCommerce) – in conjunction with another local organization – IPANDETEC, enabled us to contact multiple businesses within the region, in advance of the event. ICANN's Regional Vice President, Rodrigo De la Parra, and his colleague Daniel Fink, assisted the BC and myself as a counterpart to invite their contacts from the local community to our event,



further multiplying the outreach efforts of the BC.

During the event, Chris Mondini (ICANN); BC Chair, Claudia Selli (AT&T); BC Vice-Chair for Finance and Operations, Jimson Olufuye; Dario Anguizola (CAPATEC); and myself (eCommerce Institute), addressed the audience, informed about the BC and created the context for the networking to be followed. We have received two new members to the BC as a result of the event so far, and look forward to future collaborative events with ICANN's GSE team.

Join us in Barcelona to learn more about how you can engage the BC. If you have any questions, please reach out to the BC. We would be happy to meet with you.



Gabriela Szlak
BC Outreach Committee,
Latin America

ICANN Multistakeholder Organizational Chart



ICANN Board of Directors

Top row Left to Right: Göran Marby – President & CEO, Cherine Chalaby – Chair (NomCom), Chris Disspain – Vice Chair (ccNSO), Becky Burr (GNSO), Ron da Silva (ASO), Maarten Botterman (NomCom), Sarah Deutsch (NomCom), Avri Doria (NomCom), Matthew Shears (GNSO), Leon Felipe Sanchez Ambia (At-Large)

2nd row Left to Right: Khaled Koubaa (NomCom), Rafael Lito Ibarra (NomCom), Lousewies van der Laan (NomCom), George Sadowsky (NomCom), Manal Ismail (GAC Liaison), Mike Silber (ccNSO), Akinori Maemura (ASO), Ram Mohan (SSAC Liaison), Jonne Soininen (IETF Liaison), Kaveh Ranjbar (RSSAC Liaison)

Generic Names Supporting Organization (GNSO)

(see following page)

Heather Forrest (Chair)
Donna Austin (V. Chair)
Rafik Dammak (V. Chair)

Country Code Names Supporting Organization (ccNSO)

Katrina Sataki (Chair)
Byron Holland (V. Chair)
Debbie Monahan (V. Chair)

Address Supporting Organization (ASO)

Aftab Siddiqui (Chair)
Ricardo Patara (V. Chair)
Kevin Blumberg (V. Chair)

Empowered Community Administration

Alan Greenberg (ALAC)
Alan Barrett (ASO)
Stephen Deerhake (ccNSO)
Manal Ismail (GAC)
Heather Forrest (GNSO)

Government Advisory Committee (GAC)

Manil Ismail – (Chair)
Vice Chairs:
Thiago Jardim
Ghislain de Salins
Guo Feng
Par Brumar
Cherif Diallo

Security & Stability Advisory Committee (SSAC)

Rod Rasmussen (Chair)
Julie Hammer (V. Chair)

Root Server System Advisory Committee (RSSAC)

Brad Verd (Co-Chair)
Tripti Sinha (Co-Chair)

At-Large Advisory Committee (ALAC)

Alan Greenberg (Chair)
Bastiaan Goslings (V. Chair)
Maureen Hilyard (V. Chair)

Technical Liaison Group (TLG)

Francisco deSilva
Howard Benn
Reinhard Scholl
Jie Zhang
Wendy Seltzer
Daniel Dardailler
Paul Wouters
Warren Jumari

Internet Engineering Task Force (IETF)

Jari Arkko (Chair)

Nominating Committee 2017

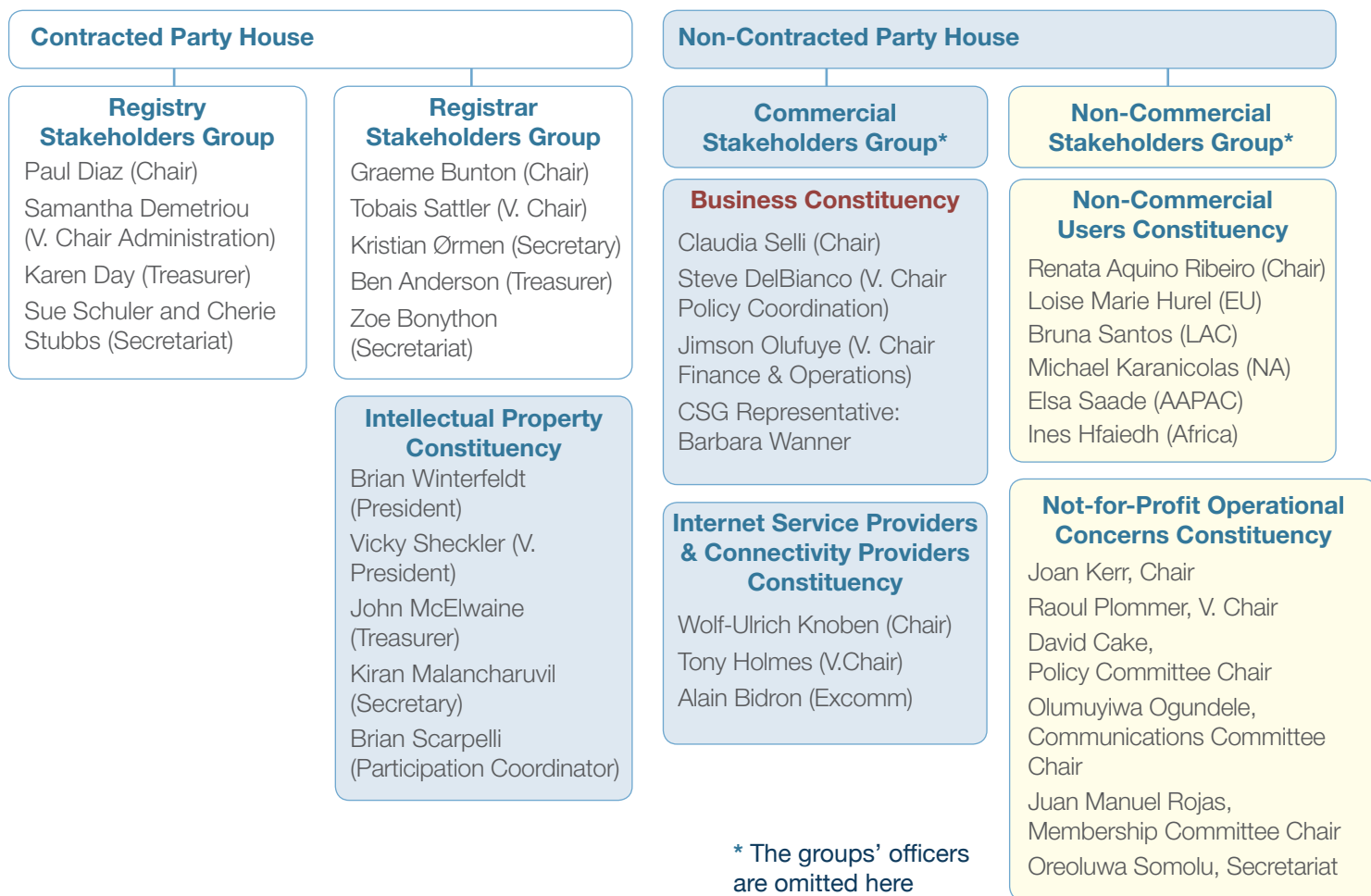
Zahid Jamil (Chair)
Damon Ashcraft (Chair-Elect)
Hans Petter Holen (Associate Chair)

Ombudsman

Herb Wayne

GNSO Stakeholder Groups, Constituencies & Council

The GNSO Council is responsible for managing the policy development process of the GNSO.



Become proficient, start in the right place

The Basics of WHOIS

From the ICANN website

Most of the search engine results, particularly those at the top of the search result hierarchy, link to webpage of registrars attempting to sell domain names and related services. It is not at all intuitive how to access WHOIS in order to find the domain name registrant information. In order to become proficient with WHOIS, it's important to start in the right place. ICANN organization's WHOIS look-up tool makes it easier to conduct WHOIS searches.

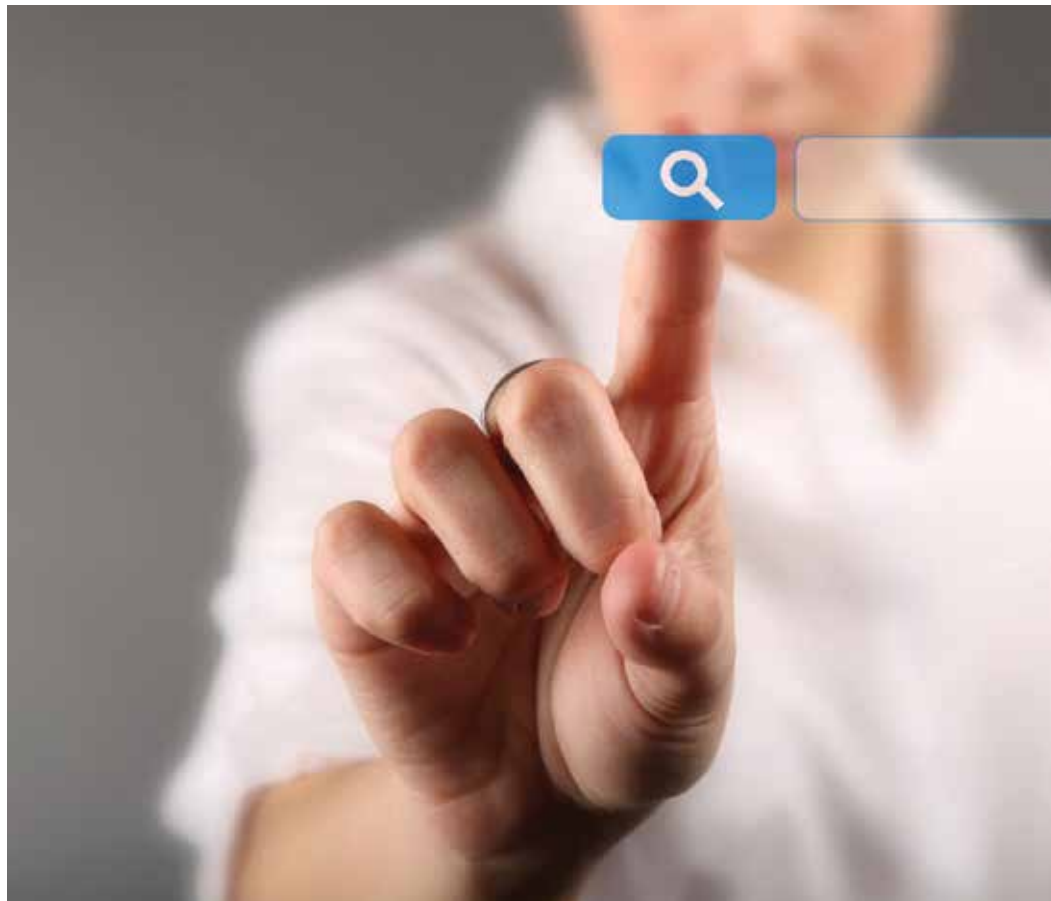
1. Accessing WHOIS

WHOIS services are provided by registrars and registries for the domain names that they sponsor. Access to this distributed network of independent databases is provided in two ways – through a free web page and through a free Port 43 service. The web page allows real-time access to WHOIS data in individual searches; the Port 43 access allows automated queries by machine. Searches for the full WHOIS contact data for the domain name registrant and the designated administrator and technician, as well as the registration creation and expiration dates can be performed at the registrar's systems (either through its web page and Port 43 service). A "thin" registry provides minimal information when queried: namely, the registrar, name servers and domain name registration dates. However, a growing number of registries are now transitioning to provide "thick" or full contact data.

ICANN organization's WHOIS look-up tool provides an additional resource for accessing WHOIS in addition to the access provided by registrars and registries.

2. Uses of WHOIS

WHOIS is used for many purposes.



Under ICANN organization's agreements, WHOIS may be used for any lawful purposes except to enable marketing or spam, or to enable high volume, automated processes to query a registrar or registry's systems, except to manage domain names. In addition to identifying domain name registrants, WHOIS data also allows network administrators and others to find and fix system problems and to maintain Internet stability. With it, they can determine the availability of domain names, combat spam or fraud, identify trademark infringement and enhance accountability of domain name registrants. WHOIS data is sometimes used to track down and identify domain name registrants who may be posting illegal content or engaging in phishing

scams. These are just a few examples of how WHOIS helps maintain a healthy Internet ecosystem, for a more detailed overview see the box at the end of this article.

3. Keeping WHOIS Accurate

ICANN requires WHOIS information to be accurate throughout the registration period of a domain name. Until recently, registrars were not required to proactively verify or validate the information provided by domain name registrants. ICANN requires registrars who have signed its 2013 Registrar Accreditation Agreement (RAA) to validate and verify certain WHOIS entries.

Domain name registrants need to carefully follow the instructions of their



registrar or risk losing their domain names at the time of registration. A registrar may require a response to an e-mail sent to the email listed in WHOIS or a response from the phone number listed in WHOIS. Because information can change over time, ICANN requires registrars to provide each domain name registrant with an annual opportunity to review and correct their domain name WHOIS data. They also get a reminder that providing false data can be grounds for cancellation of their domain name registrations. Anyone who submits false data or fails to respond to registrar inquiries related to the accuracy of their data risks having their domain name be cancelled or suspended. Domain name registrants need to respond quickly to inquiries from

their registrar related to the accuracy of their contact data to avoid cancellation or suspension.

Conversely, Internet users who find that WHOIS data is incomplete or incorrect can file a complaint with ICANN organization, which will forward it to the sponsoring registrar. The registrar will investigate and correct inaccurate data in response to the complaint. Under the 2013 RAA, registrars are also required to reverify and revalidate certain WHOIS fields in response to a WHOIS inaccuracy claim.

4. Privacy Issues

Sometimes results may not show any contact information for the actual operator of a domain name and instead display information from a privacy and proxy service. Some registries and registrars offer privacy or proxy services that show only the contact information of the service, to shield users who don't want their personal information to appear in the database. Their anonymity is not guaranteed since registrars may abide by any legal requirements to share the identity of the customer. Likewise, registries or registrars in countries where privacy laws prohibit the collection and publishing of personal data are not required to break those laws to satisfy WHOIS. Instead, they are eligible to follow ICANN's procedure for handling conflicts with local law, and to apply for a WHOIS Data Retention Specification Waiver. Privacy issues are still being explored by on-going policy development efforts.

For more information on WHOIS visit ICANN's website: <https://whois.icann.org/en/basics-whois>

Stakeholders use the WHOIS service for a variety of purposes, including to:

- Determine whether a domain is available
- Contact network administrators regarding technical matters
- Diagnose registration difficulties
- Contact web administrators for resolution of technical matters associated with a domain name
- Obtain the real world identity, business location and contact information of an online merchant or business, or generally, any organization that has an online presence
- Associate a company, organization, or individual with a domain name, and to identify the party that is operating a web or other publicly accessible service using a domain name, for commercial or other purposes
- Contact a domain name registrant for the purpose of discussing and negotiating a secondary market transaction related to a registered domain name
- Notify a domain name registrant of the registrant's obligation to maintain accurate registration information
- Contact a domain name registrant on matters related to the protection and enforcement of intellectual property rights
- Establish or look into an identity in cyberspace, and as part of an incident response following an Internet or computer attack. (Security professionals and law enforcement agents use WHOIS to identify points of contact for a domain name).
- Gather investigative leads (i.e., to identify parties from whom additional information might be obtained). Law enforcement agents use WHOIS to find email addresses and attempt to identify the location of an alleged perpetrator of a crime involving fraud.
- Investigate spam- law enforcement agents look to the WHOIS database to collect information on the website advertised in the spam.



The Benefits of BC Membership

The Business Constituency (BC) is the voice of commercial Internet users within ICANN – the Internet Corporation for Assigned Names and Numbers.

Business users rely on a stable and secure Internet and e-commerce experience, one that serves their users and customers on a global basis. Through your participation in ICANN, and in the Business Constituency, your company will make a difference on behalf of business.

BC members contribute as:

- participants on the BC e-mail list to learn about and debate issues
- participants on telephone conferences to reach consensus on key issues
- participants at physical meetings coincident with ICANN global meetings
- issue managers on specific topics
- bridges for information flow between other GNSO constituencies

The mission of the BC

The Constituency fully represents the views of the Internet business user community.

ICANN policy positions are consistent with the development of business via an Internet that is stable, secure and reliable while promoting consumer confidence.

ICANN policy positions derive from broad stakeholder participation in a common forum for suppliers and users.

BC Executive Committee



Chair
Claudia Selli



Vice Chair Policy Coordination
Steve Del Bianco



Vice Chair Finance & Operations
Jimson Olufuye



CSG Representative
Barbara Wanner



GNSO Councilor
Marie Pattullo



GNSO Councilor
Susan Kawaguchi

Nominating Committee (NOMCOM members)



Large Business Seat
Cheryl Miller



Small Business Seat
Jay Sudowski

BC Credentials Committee:

Andrew Mack, John Berard, Arinola Akinyemi, Adetola Sogbesan, Lawrence Olawale-Roberts

BC Finance Sub Committee:

Jimson Olufuye (Chair)
Marilyn Cade, Chris Chaplow
Arinola Akinyemi, Tim Smith

Outreach Committee Members:

Andrew Mack (Coordinator)
Gabriela Szlak, Marilyn Cade,
Lawrence Olawale-Roberts,
Omar Mansoor Ansari, Adetola Sogbesan, Arinola Akinyemi



BC Secretariat:
Chantelle
Doerksen

If you would like to become a member of the BC, please contact the BC Secretariat at: info-bc@icann.org or simply visit our website and register online:

www.bizconst.org