



## **Comments from the Internet Infrastructure Coalition (i2Coalition)**

**July 6, 2015**

The Internet Infrastructure Coalition (i2Coalition) appreciates the opportunity to comment on **GNSO Privacy & Proxy Services Accreditation Issues Working Group Initial Report**. See public comment notice at <https://www.icann.org/public-comments/ppsai-initial-2015-05-05-en>.

The i2Coalition's diverse membership represents both large and small Internet infrastructure providers such as web hosting companies, software services providers, data centers, registrars and registries. The i2Coalition has several key goals with ICANN, but chief among them is continuing to build a voice for underrepresented parts of the Internet ecosystem – in particular web hosts, data centers and cloud infrastructure providers – and ensuring that accountability and transparency are paramount. i2Coalition brings unique representation to ICANN as it is made up of companies representing the whole broad ecosystem of Internet infrastructure companies.

In our brief comments, we would like to focus our attention on four key concepts that all focus on i2Coalition members' roles as Internet intermediaries. As Internet intermediaries, we are keenly aware of the possibility of setting bad precedent that could later be introduced to other Internet intermediaries. Here are our four concerns:

### **An Internet Intermediary Should Not Be Forced To Categorize Content & Restrict Services Based On Those Categories**

An Internet intermediary should not be contractually required by ICANN to categorize the use of an Internet service. It is not practical or operationally feasible to restrict the use of privacy & proxy services for websites involved in commercial transactions.

### **An Internet Intermediary Should Not Be Required To Assume Costs For Relaying (Forwarding) of Third Party Requests**

Just as the cost of contacting an individual would fall on the third party (via phone, postal mail, etc.) if contact info was public, so should the cost of relaying a third party request fall to that third party and not be forced to be built into the cost of the service.

### **An Internet Intermediary Should Have Clear Definitions Of What Constitutes A Law Enforcement Request**

There is a clear need to differentiate between a request made by law enforcement authorities (LEA) and one made by other third parties such as intellectual property rights holders or private anti abuse organizations.



## **An Internet Intermediary Should Be Able To Follow Local Disclosure Laws**

Different global jurisdictions have differing laws regarding when a law enforcement request is supposed to remain confidential. A P/P provider must be able to operate within the allowances of its local jurisdiction regarding disclosure to customers.

## **Concluding Comments**

We appreciate the work of the PPSAI Working Group. We look forward to continuing the work with the group as it moves toward finalizing the proposals.