

The Registries Stakeholder Group writes in response to the Registry Service Evaluation Process (RSEP) request by Sharp Corporation to remove the requirement to operate searchable WHOIS from Exhibit A of the .SHARP Registry Agreement.

The New gTLD Applicant Guidebook does not require registries to operate a searchable WHOIS service, nor does any consensus policy exist regarding the operation of a searchable WHOIS service. It would be inequitable and inconsistent with existing policies and requirements for ICANN to prevent subsequent removal of this service by way of the RSEP process. One of the purposes of the RSEP is to allow evaluation of the security, stability, or competition implications of new registry services. The operation of non-searchable WHOIS service is not a new service; several registries from the 2012 New gTLD Application Round already offer non-searchable WHOIS services, with no evidence of accompanying issues or community concerns. It is highly unlikely that the operation of a comparable, non-searchable WHOIS service would raise new issues that would justify ICANN's non-approval of an RSEP request. The Registries Stakeholder Group urges ICANN to not bar RSEP requests that refer to optional registry services.

Additionally, we urge that for similarly routine services, such as the one described, ICANN reconsider whether the amendments warrant a thirty day comment period. The Registry Service Evaluation Policy only describes usage of the public comment period where a request is being subjected to evaluation by a Registry Service Technical Evaluation Panel. Subsequent guidelines established by ICANN state that a public comment period may also be held for an RSEP requiring contractual amendment, where the amendment "sets new precedent or has substantial effect on ICANN, third parties or the Domain Name System."¹ For the reasons described above, the request by .SHARP to remove searchable WHOIS does not appear to meet any of these criteria.² We ask that ICANN adhere to clear standards when determining whether a request warrants a public comment period.

¹ See ICANN, RSEP Guide Version 1.0.

² Other recent RSEP requests such as requests to support internationalized domain names at the second level have similarly appeared to not meet these criteria, but have still been subject to public comment periods.