

November 13, 2013

## **IACC Comments Study on Whois Privacy & Proxy Service Abuse**

The International Anti-Counterfeiting Coalition (IACC) provides these reply comments on the “Study on WHOIS Privacy and Proxy Services Abuse.” The members of the IACC support the study, which concluded that a significant portion of those engaged in illegal and/or harmful internet activities, such as counterfeiting, use privacy and proxy services to facilitate this abuse.

This study demonstrates to the IACC, the pressing need to examine and overhaul the use of privacy and proxy services, especially in light of the new gTLD expansion. The members of the IACC continually encounter bad actors that hide behind privacy and proxy services, which significantly harm the ability to effectively monitor and take down counterfeit websites.

Of course, the IACC also encounters bad actors that hide behind inaccurate WHOIS information, which we look forward to addressing through the Expert Working Group’s proposed overhaul of the entire Registration Directory Service. However, this is an important first step, and we encourage the ICANN community to address it as a matter of urgency.

The IACC believes that privacy and proxy services should be limited to those entities that are using them for such interests as non-commercial free speech, or for the pre-launch development of legitimate websites associated with new products/services.

In light of the information contained in this study, the IACC encourages the ICANN community to develop restrictions on the use of privacy and proxy services and to require privacy and proxy providers to be accredited.

The IACC endorses the comments published by the Intellectual Property Constituency: <http://forum.icann.org/lists/comments-whois-pp-abuse-study-24sep13/msg00005.html>, but notes that while the study could have been more robust by including further examination of Intellectual Property Rights violations, the study is not deficient, and still clearly demonstrates that privacy and proxy services are disproportionately used by bad actors on the internet.

Respectfully submitted,



Travis D. Johnson  
Vice President – Legislative Affairs & Policy