CADNA's Public Comments on the WHOIS Registration Identification Study

As a coalition of brand owners, CADNA appreciates the opportunity to comment on ICANN's WHOIS Registration Identification Study.

CADNA was founded in response to the growing international problem of cybersquatting, which is the bad-faith registration of a domain name that includes or is confusingly similar to an existing trademark. In addition to the mounting legal costs that companies now face in defending their own domains, this infringement costs organizations billions of dollars in lost or misdirected revenue. Bad actors are often difficult to identify and track down due to false Whois information or the use of privacy proxy services. For that reason, CADNA is a major supporter of ICANN's efforts to examine the Whois issue and evaluate potential policy changes that can better promote a safe and flourishing Internet.

CADNA recommends that the current Whois study be used to provide guidance to future Whois policy development efforts. ICANN must also heed NORC's advice to "study alternative ways to code the data in order to reduce the number of 'unknowns.'" For example, NORC found that "55% of the relationships in the sampled domains are Undetermined", which means the relationship between the domain user and the registrant is unknown for 55% of the sample domains.

NORC's study states:

> *A variable such as "Apparent Business Structure" contains a large percentage of domains used by entities with unclear business structure…Perhaps business structure is an ill-defined concept given the vast array of businesses around the world. If so, ICANN should seek to find other concepts that might better explain the registrant/user relationship.*
> *- WHOIS Registrant Identification Study, pg. 59*

Ultimately, objective information about how Whois is being used can only help ICANN better address enforcement challenges in the domain name space and at the same time address community concerns related to Whois.