

Verisign Comments on the Thick Whois Preliminary Issues Report

Verisign, the registry operator for .com, .net and .name and the backend registry services provider for .jobs on behalf of Employ Media, appreciates the opportunity to submit comments on the Preliminary Issues Report on 'Thick' Whois, dated 21 November 2011.

As the only existing registry services provider impacted by any future PDP on Thick Whois, Verisign will neither advocate for nor against the initiation of a PDP. If the ICANN community, through the GNSO, determines that a PDP on Thick Whois is necessary, Verisign looks forward to participating in a careful cost-benefit analysis of any recommendation for a transition from thin Whois to thick Whois in .com, .net, .name and .jobs.

While Verisign would be the only incumbent registry services provider impacted, we recognize that any move from thin to thick Whois involves several parties besides Verisign -- most importantly registrars and registrants. We believe strongly that any PDP on Thick Whois must take into account the views of all impacted parties, including existing Whois applications and users. Verisign supports the statement in the Preliminary Issues Report that:

"Whois affects all registrants of gTLDs, registrars and registries, and a large part of the user community, the issue is broadly applicable to multiple situations or organizations. Any changes to the policy or the rules that may result from a PDP would also be broadly applicable to multiple situations or organizations."

Verisign also supports the IRTP Working Group's recommendation that:

"...the Issues Report and possible subsequent Policy Development Process should not only consider a possible requirement of 'thick' WHOIS for all incumbent gTLDs in the context of IRTP, but should also consider any other positive and/or negative effects that are likely to occur outside of IRTP that would need to be taken into account when deciding whether a requirement of 'thick' WHOIS for all incumbent gTLDs would be desirable or not."

The existence of "thin" Whois for .com and .net is a legacy of the separation between registry and registrar functions dating back to 1999, when the Shared Registration System (SRS) was first introduced to expand competition in the registration of domain names. Any future PDP on thick Whois must evaluate the state of the market today to determine whether earlier reasons for implementing a thin Whois – (1) the separation of Whois databases delineating customer relationships among registry and registrar and registrar and registrant, and (2) the promotion of competition through preventing a registry from holding registrant data – are still applicable for .com and .net.

As recently as the June 2011 ICANN meeting in Singapore, Verisign heard from several registrars that they are still not comfortable with Verisign holding their customers' data. Other registrars have noted no concern with such a transition, while a few have indicated willingness to consider. Any discussion of a move from thin to thick in .com and .net must incorporate input from all registrars, including developing a better understanding of their transition costs.

As a starting point, Verisign supports the statement in Section 4 of the Preliminary Issues Report that outlines *“an initial list of potential benefits and/or negative effects that will need to be considered in further detail should a PDP go forward, including: consistent response; enhanced stability; enhanced accessibility; cost implications; potential issues related to database synchronization, and; potential need for exemptions.”* In addition, we believe any PDP must evaluate and address the impact on existing Whois applications and the users who rely on them.

Verisign also understands the concerns raised by registrars and registrants around the need to protect registrant data. Maintaining a centralized thick Whois may require that data be maintained in jurisdictions that do not offer the same level of privacy and data protection as the country in which they and the registrar with whom they transact are located. Accordingly, any discussion of a move from thin to thick in .com and .net must incorporate input from registrars, registrants, and data privacy experts to develop a better understanding of their concerns about cross border transfers of registrant data.

If a PDP is initiated on thick Whois, it will be important to establish what issues thick Whois does not resolve, including:

- Thick Whois does not improve Whois data accuracy – the registry only displays data that is provided by the registrar and the registry has no way of validating registrant data.
- Thick Whois does not display registrant data that is shielded by a proxy or private registration service – the registry only displays data that is provided by the registrar.

Verisign believes the current Whois model for .com, .net, .name and .jobs is effective and that the proper repository of registrant data is with registrars -- the entities with direct connection to their customers. However, if the community, including our customers, determines through a PDP that “going thick” is now the best approach, we will respect and implement the policy decision.