

Comments on the "Preliminary Task Force Report on the Purpose of Whois  
and of the Whois Contacts."

**VAP** is the Austrian anti-piracy association for the film and video industries.

Our members include:

**FILM:** local and MPA distributors, theatrical exhibitors, local production companies, warehouse and shipping

**VIDEO:** distributors, rental chains, retailers

**TV/RADIO:** national and private broadcasters

**ADVOCACY GROUPS:** Austrian chamber of commerce trade associations from all relevant industries, Motion Pictures Association (MPA)

The role of VAP is to 1) increase public awareness of intellectual property issues and the damaging effects of piracy and 2) discourage and prosecute criminal piracy activity.

The most significant piracy problems in Austria are optical disc piracy and internet piracy, whereby the source of locally-produced pirate product is internet release groups. In addition to illegal downloads to convert to hard goods, the Internet is a popular means of distributing films through pirate websites, auction sites and peer-to-peer networks.

The data available at WHOIS are essential in our investigative efforts against copyright violations, as they enable us to identify the persons behind illegal homepages, nicknames or pseudonyms.

Internet access is available to virtually the entire population, as are technologies enabling downloading, burning, uploading or ripping. Copyright violations increase every year, unfortunately because they are perceived as harmless by a large part of the public, and because most users believe they will not be held accountable for any online misbehaviour.

VAP's legal actions are directed against large-scale, commercial distributors of stolen intellectual property. **Formulation 1 would restrict our ability to identify the perpetrators behind organized criminal activity in the Internet.** By association, our members would be unable to intervene in cases of on-line copyright abuse. By narrowing down the definition of WHOIS' purpose to purely technical issues, the message conveyed to the public is one of tolerance for lawless behaviour.

We urge ICANN not to adopt Formulation 1, and **express our support for Formulation 2.**