



2nd Floor  
28-30 Little Russell Street  
London WC1A 2HN

T: +44 (0) 20 7421 8250

F: +44 (0) 870 011 8187

E: [info@comlaude.com](mailto:info@comlaude.com)

[www.comlaude.com](http://www.comlaude.com)

7 July 2015

ICANN  
12025 Waterfront Drive, Suite 300  
Los Angeles  
CA 90094  
USA

**Re: Privacy and Proxy Services Accreditation Issues Initial Report**

Dear Sirs

Com Laude welcomes the publication of the Privacy and Proxy Services Accreditation Issues Initial Report, and is grateful to the Working Group for its diligent and detailed work over several months. We appreciate this chance to comment.

Com Laude is a registrar which supports intellectual property owners worldwide. Almost all of them have suffered at times from the masking of a registrant's identity either to conceal ownership of a cyber-squatted domain name or to host infringing content. Conversely, they have found it useful from time to time temporarily to use P/P services when a new brand is launching or an acquisition is contemplated.

Broadly, therefore, we support the recommendations of the Initial Report, which we believe provides a framework balancing legitimate privacy interests with the need for remedies for abuse. We have the following specific comments:

- Alternative relay mechanisms in the case of failed delivery. We accept our responsibility to maintain verified contact details for our clients. In addition to our contractual commitment to ICANN to do so, we have to maintain valid contact details for our financial and operational purposes. We would therefore expect to use an alternative mechanism at our own expense in the unlikely event of delivery failure, and if we felt this was likely to be a recurrent problem, we would increase any P/P charge we might levy.
- With respect to relaying information to our Privacy/Proxy registrants, Com Laude often agrees to filter out communications intended for our proxy registrants to ensure that only legitimate third party complaints are disseminated to our customers. Generalized complaints lacking demonstrable evidence of wrongdoing as well spam and other emails intended to harass our customers are not relayed to our registrants. We therefore would not support a requirement that all communications must be delivered to proxy registrants on an automated basis and

request the flexibility to agree with our customers as to which communications they would like to receive.

- We would welcome clarification of exactly which organisations constitute P/P providers, as we frequently deal with law firms, marketing agencies and other entities which may act as agents for their end customers. We do not want there to be any doubt over who should or should not be accredited, and whether or not we can accept their orders.
- Fees for processing disclosure requests. We support the proposal that a standard, nominal fee should be chargeable to requesters. In our experience of handling abuse reports, the overwhelming majority are frivolous, malicious or wrongly directed. If we are obliged to consider fully the merits of each disclosure request without any barrier, however low, being put in the way of the requester, we anticipate that we would be deluged with requests to reveal client details. Although we would expect to have legitimate reasons for non-disclosure, the process of triaging these requests would be an unnecessary overhead.
- Use of P/P services for domain names which support commercial transactions. We believe that, in itself, the existence of commercial transactions on a website should not be reason for denial of P/P services; further, we do not believe that it would be practicable or reasonable for P/P providers to monitor websites for such use. Contact information should be provided on websites; the enforcement of this is a matter for national consumer protection laws and is not best handled through the domain name system.

We thank the WG for its consideration of these comments.

Yours faithfully



Lorna Gradden  
Director