



Web.com Group, Inc.
12808 Gran Bay Parkway West
Jacksonville, FL 32258
T 904 680 6600
F 904 880 0350
NASDAQ: WWWW

July 7, 2015

Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536 USA
comments-ppsai-initial-05may15@icann.org

Re: GNSO Privacy & Proxy Services Accreditation Issues Working Group Initial Report

Dear ICANN Staff and Members of the Privacy & Proxy Services Accreditation Issues Working Group:

Web.com Group, Inc. ("Web.com") appreciates the time and effort taken to prepare the GNSO Privacy & Proxy (P/P) Services Accreditation Issues Initial Report ("Report"). It should be noted that representatives of Web.com participated in the Privacy & Proxy Services Accreditation Issues Working Group (the "WG") to develop policy that would protect registrant privacy and prevent unauthorized access to, and misuse of, a registrant's sensitive information.

In regards to this Report, Web.com submits the following specific comments:

1. Section 1.3.1 which contains all of the WG's preliminarily-agreed recommendations. Web.com does not support recommendation 17 as currently written. Specifically, bullet one should clarify that "All" does not include spam or other forms of abusive communications as outlined in recommendation 16.
2. Section 1.3.2 which contains certain questions relating to specific aspects of "relay" and "reveal" that have yet to be finalized. Regarding Escalation of Relay Requests, Web.com believes that the P/P service provider's obligations to act in the event it becomes aware of a persistent delivery failure is already covered in bullet 3 of recommendation 17 and therefore there should be no other obligatory next steps regarding escalation by a Requester. Specifically, customer data would be validated and verified in a manner consistent with the WHOIS Accuracy Specification of the 2013 RAA.

If the Requester is not satisfied with the response (or lack thereof) from the Registered Name Holder, then they have the right to take the appropriate legal action in the provider's controlling jurisdiction as warranted.

3. Section 1.3.2 which contains certain questions relating to specific aspects of "relay" and "reveal" that have yet to be finalized. As to the specific questions for which ICANN seeks community input regarding Disclosure and Publication in Relation to Requests by LEA, Web.com responds as follows:

- P/P service providers should be given discretion to comply with express requests from LEA in the provider's jurisdiction not to notify a customer. Compliance with LEA requests should only be mandatory if doing so is required by the law of the provider's controlling jurisdiction;
- There should not be mandatory Publication requirements for certain types of activity (e.g., malware/viruses or violation of terms of service relating to illegal activity) unless appropriate legal documentation is provided;
- There should be no remedies for unwarranted Publication except those as outlined in P/P service provider's contractual terms and conditions; and
- A similar framework and/or considerations should not be created for third parties other than LEA. For non-LEA third parties, it is Web.com's contention that the relevant law in the P/P service provider's controlling jurisdiction should control.

4. Section 1.3.3 which contains the WG's majority and minority view on certain aspects in relation to commercial/non-commercial uses of domain names in relation to privacy and/or proxy services. Web.com opposes the minority position and believes that P/P services can be and are used to protect legitimate privacy interests for both commercial and non-commercial entities.

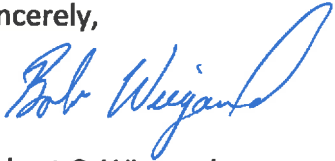
Specifically, as it pertains to the use of domain privacy services, a registrant associated with a domain name that is currently being used for commercial transactions should have the same rights as a registrant that is using the domain for non-commercial transactions. The Report lacks supporting evidence as to why "domains used for online financial transactions for commercial purposes should be ineligible for privacy and proxy registrations." Simply put, there are no grounds provided for this proposed unequal treatment that would substantiate the unsupportable position that these particular transactions should not be afforded the same privacy protection as other activities.

As the WG is well aware, the publication of a registrant's private information can result in spam, phishing, harassment, intimidation, identity theft, and even jeopardize a registrant's personal safety. What would happen to the current rights of the hundreds of thousands of registrants that currently utilize P/P services if the minority position is adopted? How would ICANN define, monitor, and enforce this (still undefined) commercial vs. non-commercial definition across the millions of websites that are in operation today and the tens of thousands that come into existence every day? The minority position is untenable, would lead to inconsistent and arbitrary enforcement of its standard, and would have unintended consequences that could inhibit free expression and innovation on the Internet.

* * * * *

Web.com believes that several of the WG's recommendations are unsupportable in their current form and are inconsistent with international data protection and privacy laws. As set forth herein, we recommend that the WG revise its policy recommendations accordingly.

Sincerely,



Robert C. Wiegand
Senior Vice President, Domains
Web.com Group, Inc.