



**Comments by InterContinental Hotels Group
on the
Initial Report on the
Thick Whois
Policy Development Process
July 12, 2013**

InterContinental Hotels Group (IHG) appreciates the opportunity to submit its comments to the ICANN Staff on the Initial Report on Thick Whois, which was submitted to the GNSO Council and posted for public comment on June 21, 2013. IHG represents 4,150 hotels across nearly 100 countries operating under nine hotel-brand names. Our group's members account for more than 160 million hotel stays in more than 620,000 rooms annually. Internet commerce is a vital part of the hotel business; we are pleased to play an active role in this ongoing policy dialogue that affects our company, brands, and the business community as a whole.

Following are our comments on the Working Group Preliminary Recommendations and Observations.

7.1 Preliminary Recommendation: The provision of thick Whois services should become a requirement for all gTLD registries, both existing and future.

IHG strongly supports this recommendation and urges the GNSO Council to adopt it in the final report. Our hotels, as well as a wide range of businesses, rely on the Whois database to combat exploitation by malicious registrants who want to capitalize on our well-known trademarks. For years, individuals and entities have intentionally registered domain names that are confusingly similar to those of well-known brands, such as Holiday Inn®, in order to lure Internet consumers and others to illegal, inappropriate, and deceptive websites under false pretenses. This practice of cybersquatting continues to evolve in complexity, sophistication and frequency, while the means to combat it remain relatively static.

Requiring all gTLD registries to provide thick Whois services would greatly improve our ability to combat cybersquatting by creating a database that is central, universal and, hopefully, accurate. It would provide greater protections for consumers as well as brand and intellectual-property owners, and would help to ensure the continued stability of the Internet. Further, we

believe that a requirement for uniformity in Whois output, such as that contained in the proposed 2013 Registrar Accreditation Agreement, also is essential to provide consistency and assure that the information is easy to parse. We urge ICANN to finalize the language of the proposed 2013 Registrar Accreditation Agreement (RAA) to require registrars to provide uniform Whois output. While we agree that the transition of the current thin gTLD registries must be carefully prepared and implemented, we urge that the transition occur sooner, rather than later.

7.2 Implementation Considerations

- **Cost implications for gTLD registries, registrars and registrants of a transition to thick Whois:**

IHG agrees that the costs of transitioning from thin to thick Whois will be minimal, and believes that those costs are far outweighed by the numerous benefits of requiring thick Whois for all gTLD registries.

- **Guidelines as to how to conduct such a transition:**

We agree that the transition of .org from thin to thick could serve as a model for implementation. We would support the formation of a team of experts for the parties that will be most affected by the transition to work with ICANN Staff on the transition process, and look forward to reviewing and commenting on any such implementation plan in the near future.

7.3 Additional Observations

Privacy and Data Protection: We concur that it is important that ICANN thoroughly examines the ramifications of data protection and privacy laws and regulations with respect to Whois requirements and that it develop procedures for handling conflicts with local rules. We note, however, that proxy services have become a widely used tool for registrants hoping to avoid making sensitive information available to the public. It is not the position of IHG to halt these services in their entirety; rather, we call on ICANN to develop effective enforcement mechanisms to assure that proxy administrators maintain accurate information of the individuals who contract their services and that, in the case of a legitimate dispute, there needs to be an appropriate, workable and timely process to obtain the underlying registrant's information.

IHG believes that a thick Whois process actually enhances consumer privacy and safety for the following reasons:

- A reliable access route to domain registrants provides individual consumers with a way to contact domain name administrators to voice questions and concerns;
- Complete and accurate data available through a thick Whois, coupled with a failsafe avenue to contact administrators should all other extensions fail, provide a greater level of consumer confidence when conducting business online;
- The ability of trademark owners with legitimate claims of infringement or other legal violations to contact the accused directly would reduce the need for time-consuming and costly dispute resolution in favor of direct negotiation; and
- Open and immediate access to information is essential to effective pursuit of online fraud activities by law enforcement professionals.

ICANN must initiate processes to oversee and regulate privacy and proxy service providers. This oversight must be standardized, and requirements for registrars to meet accreditation standards must be contractual. Such oversight will result in clear, consistent and enforceable requirements for the operation of privacy and proxy services that are consistent with national laws and that strike an appropriate balance between stakeholders with competing, but legitimate, interests.

Sincerely,

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InterContinental Hotels Group