

Report of Public Comments

| | | | | | | | | | | | | | | | | | |
|--|--|------------------------|------------------------|--------------------|-----------------|---------------------|----------------|--|--|------------------------------------|--|------------------------------|--|--------------------------------|--|---|--|
| Title: | Initial Report of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data Team – Phase 2 | | | | | | | | | | | | | | | | |
| Publication Date: | 12 May 2020 | | | | | | | | | | | | | | | | |
| Prepared By: | Caitlin Tubergen | | | | | | | | | | | | | | | | |
| <table border="1"> <tr> <td colspan="2">Comment Period:</td> </tr> <tr> <td>Comment Open Date:</td> <td>7 February 2020</td> </tr> <tr> <td>Comment Close Date:</td> <td>23 March 2020*</td> </tr> </table> | | Comment Period: | | Comment Open Date: | 7 February 2020 | Comment Close Date: | 23 March 2020* | <table border="1"> <tr> <td colspan="2" style="text-align: center;">Important Information Links</td> </tr> <tr> <td colspan="2" style="text-align: center;">Announcement</td> </tr> <tr> <td colspan="2" style="text-align: center;">Public Comment</td> </tr> <tr> <td colspan="2" style="text-align: center;">View Comments Submitted</td> </tr> </table> | | Important Information Links | | Announcement | | Public Comment | | View Comments Submitted | |
| Comment Period: | | | | | | | | | | | | | | | | | |
| Comment Open Date: | 7 February 2020 | | | | | | | | | | | | | | | | |
| Comment Close Date: | 23 March 2020* | | | | | | | | | | | | | | | | |
| Important Information Links | | | | | | | | | | | | | | | | | |
| Announcement | | | | | | | | | | | | | | | | | |
| Public Comment | | | | | | | | | | | | | | | | | |
| View Comments Submitted | | | | | | | | | | | | | | | | | |
| Staff Contact: | Caitlin Tubergen | Email: | Policy-staff@icann.org | | | | | | | | | | | | | | |
| Section I: General Overview and Next Steps | | | | | | | | | | | | | | | | | |
| <p>This Public Comment proceeding seeks to obtain input on the Initial Report of the Phase 2 EPDP on the Temporary Specification for gTLD Registration Data Team. The Phase 2 EPDP Team is tasked with evaluating a System for Standardized Access/Disclosure to non-public gTLD registration data ("SSAD"). The Initial Report outlines the core issues discussed, proposed responses to charter questions, and accompanying preliminary recommendations.</p> <p>The EPDP Team welcomed feedback from the community on any of the draft recommendations in the report, which included:</p> <ul style="list-style-type: none"> Preliminary Recommendation #1. Accreditation Preliminary Recommendation #2. Accreditation of governmental entities Preliminary Recommendation #3. Criteria and Content of Requests Preliminary Recommendation #4. Third Party Purposes/Justifications Preliminary Recommendation #5. Acknowledgement of receipt Preliminary Recommendation #6. Contracted Party Authorization Preliminary Recommendation #7. Authorization for automated disclosure requests | | | | | | | | | | | | | | | | | |

Preliminary Recommendation #8. Response Requirements
Preliminary Recommendation #9. Determining Variable SLAs for response times for SSAD
Preliminary Recommendation #10. Acceptable Use Policy
Preliminary Recommendation #11. Disclosure Requirement
Preliminary Recommendation #12. Query Policy
Preliminary Recommendation #13. Terms of use
Preliminary Recommendation #14. Retention and Destruction of Data
Preliminary Recommendation #15. Financial Sustainability
Preliminary Recommendation #16. Automation
Preliminary Recommendation #17. Logging
Preliminary Recommendation #18. Audits
Preliminary Recommendation #19. Mechanism for the evolution of SSAD

The EPDP Team also sought specific guidance with respect to Recommendation 19 (Mechanism for the evolution of SSAD) and SSAD reporting requirements, asking:

- What existing processes / procedures, if any, can be used to meet the above [criteria]?
- If no suitable existing processes / procedures can be used, what type of mechanism should be created factoring in: Who should guidance be provided to? How is guidance developed / agreed to? How should it be structured?
- What information is needed to ensure the continuous evolution of SSAD?
- How is guidance of the Mechanism expected to be implemented?
- What type of reporting should be required as part of SSAD?

The EPDP Team is now carefully reviewing Community input and will consider it when developing final responses to charter questions, final recommendations, and implementation guidance in its Final Report. The EPDP Team will submit its Final Report to the GNSO Council for its consideration. Following approval by the GNSO, the GNSO Council will submit the Final Report to the ICANN Board for its consideration.

Section II: Contributors

At the time this report was prepared, a total of forty-seven (47) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups are listed below.*

Organizations and Groups:

| Name | Submitted by |
|--|-------------------------|
| Georgia Institute of Technology | Dr. Milton Mueller |
| VKGP SA dba Vanksen | IP Department |
| Motion Picture Association | Franck Journoud |
| Pernod Ricard | Sylvia Sanders |
| AFNIC | Marianne Georgelin |
| Insance Nationale des Télécommunications de Tunis | Hend BAKLOUTI |
| ANDEMA | Javier González |
| LEGO | Mette M. Andersen |
| Federation of the Swiss Watch Industry | Delphine Sarbach |
| BIOFARMA | Meriem BOURAHLA-LOUDIYI |
| TUI AG | Sarina Edwards |
| IPC | Franck Journoud |
| BC | Steve DelBianco |
| AIM - European Brands Association | Marie Pattullo |
| AXA - Eirini Patsi | Eirini Patsi |
| Nexperteam B.V. | Bota Oana |
| Novartis,Hermes International,French Anticounterfeiting Committee,Comité Colbert,SERVIER,SOMFY ACTIVITES SA,Belgian Association Anti-Counterfeiting,CHANEL,UNIFAB,Sanofi | Myrtha Hurtado Rivas |
| MARQUES | Alessandra Romeo, |
| ALAC | At-Large Staff |

| | |
|---|-------------------------|
| Com Laude Group | Susan Payne |
| Article 19 | Ephraim Percy Kenyanito |
| MarkMonitor | Brian King |
| M3AAWG | Nat Kopcyk |
| SSAC | Danielle Rutherford |
| RrSG | Zoe Bonython |
| INTA | Lori S. Schulman |
| Endurance International Group | Eric Rokobauer |
| Employ Media LLC | Ray Fassett |
| DotMusic Limited | Constantine Roussos |
| LEGO | Mette Andersen |
| Hermes International | Muller |
| Hermès International | Alice Gensse |
| Hermès International | Sophie Sojfer |
| Hermès International | etienne VANDAMME |
| Hermès International | Masson |
| SOMFY ACTIVITES SA | PICARD Stephanie |
| SERVIER | Domain manager |
| Comité Colbert | Laurent Dhennequin |
| French Anticounterfeiting Comittee | Stéphanie Leguay |
| Sanofi | Carole TRICOIRE |
| UNIFAB | David Saussinan |
| CHANEL | Romain Mallet |
| Belgian Association Anti-Counterfeiting | Roland De Meersman |
| 58 Organizations | Franck Journoud |
| Registry Stakeholder Group | Samantha Demetriou |

Individuals:

| Name | Affiliation (if provided) |
|---------------|----------------------------------|
| ChunKuang Wei | |
| Mark Wilson | |

Section III: Summary of Comments

General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).

To facilitate its review of the Public Comments, the staff support team developed a set of [Public Comment review tools and discussion tables](#), which provide a high-level assessment of the views expressed on the preliminary recommendations as well as the detailed comments provided by each contributor.

All contributions received can be reviewed here:

<https://community.icann.org/pages/viewpage.action?pageId=126430750>.

Section IV: Analysis of Comments

General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.

The EPDP Team is responsible for the review and analysis of comments, and will be reviewing all comments via the [Public Comment review tools, the discussion tables](#), and further deliberations during meetings. Please note at the time of publication of this report, review of the comments by the EPDP Team is still underway.