

2023.7.19

Dear Sirs,

1. I am a professional cartoonist (Manga Artist) based in Japan.
2. I am happy to know that in 4.1 and 4.2 of the RA, the Registry is required to "must promptly take the appropriate mitigation action(s)" when the TLD is used for "DNS Abuse" and that in 3.18.1 and 3.18.2 of the RAA, the Registry is required to "take the appropriate mitigation action(s)" when the TLD is used for "DNS Abuse".
3. However, the definition of "DNS Abuse" in the RA and RAA is confined to malware, botnets, phishing, etc., as delineated in Section 2.1 of SAC115. It is not perceived to encompass illegal activities related to content, including the operation of pirate sites, which would be included in "malicious conduct" (RA) and "Illegal Activity" (RAA). Therefore, I ask for the definition to be promptly expanded to include such illegal activities in the "DNS Abuse" category.
4. Internet Piracy has been a severe issue. According to a recent survey, the total damage to Japanese contents due to Internet piracy in 2022 amounted to approximately 2 trillion yen. Out of this, the damage to manga and other publications is estimated to be between 395.2 billion yen and 831.1 billion yen, causing significant distress for us, the manga artists. Also, There is an awful situation that the works I have created for the youth are being published together with obscene advertisements on the pirate sites without my intention.
5. "Domain hopping," where domain names are quickly changed to evade detection, is a prevalent practice worldwide and contributes substantially to the severity of damage caused by pirate sites. Since domain hopping is easily executed across national boundaries, national laws, regulations, and individual responses have limitations. Thus, the collaboration of registries and registrars managing domains is crucial to prevent domain hopping. The RA and RAA, regulating the conduct of registries and registrars, are effective as they can impose uniform rules on registries and registrars worldwide.
6. ICANN has a responsibility to oversee the safe operation of the Internet environment through the global coordination of various Internet resources. Consequently, while giving utmost consideration to freedom of expression and other liberties in the digital space, I would like ICANN to control obviously illegal activities such as the operation of pirate sites that dead copy contents, from the perspective of the safe operation of the Internet environment.

7. In light of the above, I appeal to ICANN to expeditiously include illegal activities related to contents, such as the operation of pirate sites, in the list of activities requiring the "prompt implementation of the appropriate mitigation action(s)" as stated in the RA and RAA.

Sincerely,

Ken Akamatsu, Professional Cartoonist (Manga Artist) in Japan