



VERISIGN®

April 13, 2018

VIA EMAIL

Akram Atallah  
President, Global Domains Division  
Internet Corporation for Assigned Names and Numbers  
12025 Waterfront Drive, Suite 300  
Los Angeles, CA 90094-2536

Dear Akram:

We are writing to request an extension of the current implementation deadlines under the Thick WHOIS Consensus Policy (“Thick WHOIS Policy”). Under the current implementation plan, the optional milestone deadline for registrars to begin voluntarily submitting thick registration data to Verisign is May 28, 2018, the deadline for registrars to submit all new domain name registrations to Verisign as thick is October 28, 2018, and the deadline to complete the migration for all existing .com and .net domain name registrations is July 31, 2019.<sup>1</sup> Although Verisign has completed all technical and operational work necessary to begin accepting thick data from registrars in May, we believe an extension of the current deadlines is necessary.

First, ICANN is aware of the uncertainty the community presently faces with the current WHOIS services because of the GDPR and its imminent enforcement date of May 25, 2018. We understand ICANN is likely to adopt an interim compliance model for WHOIS services and may implement that model through the one-year temporary policy mechanism. At the same time, it is our understanding that if such a temporary policy is instituted, a community PDP will endeavor to formulate a permanent compliance model for WHOIS, or its replacement, within the one-year temporary policy period.

With the uncertainties of the present status of any interim compliance model, and the further uncertainties associated with its implementation, and with an undeveloped final model on the road map, we believe adhering to the current implementation deadlines for the Thick WHOIS Policy would not be prudent. Indeed, we believe doing so would add complexity and risk to the community’s work at the very moment when the uncertainty about the collection, transfer and processing of WHOIS data is at its peak. We believe migration of the massive amounts of

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<sup>1</sup> See ICANN Board, *Resolution 2017.10.29.04* (October 29, 2017).

WHOIS data associated with .com and .net should not occur until the compliance situation becomes clear and the work of the community and ICANN is nearer completion, which we hope will occur within the one-year temporary policy period.

Second, the contractual changes necessary to implement the Thick WHOIS Policy are not completed and in fact have not progressed in view of the compliance work undertaken by ICANN and the community. That said, we have been advised that the Registrar Stakeholder Group still plans to provide ICANN updated changes to our proposed registry-registrar agreement at some point in the future. While we hesitate to comment on those changes, we doubt they could address the many contractual issues that will arise from the interim and final compliance models adopted by ICANN. In any event, ICANN's potential temporary policy is very likely to supersede or at least inform any such contractual changes. Moreover, as a practical matter, even if Verisign would receive the proposed contractual changes today, there simply is not time to meet the May 28 date as required under the current plan because of the notice requirements in our registry-registrar agreements.

As a result of the uncertainties arising from the GDPR, and the related unfinished contractual changes, and the practical timing considerations, as described above, we are requesting that ICANN extend all dates in the current implementation plan for the Thick WHOIS Policy by one year, to coincide with the time-frame for concluding any temporary policy and corresponding community work.

Thank you for your consideration of this important matter.

Sincerely,



Patrick S. Kane

CC: Karla Hakansson, ICANN  
Cyrus Namazi, ICANN