

3 August 2018

RE: Letter of 13 July 2018 from AppDetex Legal Services

AppDetex Legal Services

Dear AppDetex Legal Services

Thank you for your letter of 13 July 2018¹ and supporting documentation providing information regarding your experience with requesting access to non-public registration data from various registrars. We acknowledge your request not to move forward with any formal complaints related to the supporting documentation at this time.

To address your question regarding ICANN Contractual Compliance's method for conducting WHOIS queries, ICANN directly queried the respective registrars' port-43 and web-based WHOIS servers, including testing some WHOIS servers through queries from non ICANN IP addresses. Some registrars may have whitelisted ICANN's IP addresses, creating different results between users depending on the occurrence of whitelisting. As a result, ICANN will take into account any variances identified regarding the public WHOIS of specific domain names.

With regard to enforcement of the Temporary Specification for gTLD Registration Data, any updates to the specification, including requirements concerning registrar disclosure of non-public data, will be communicated on [icann.org](https://www.icann.org) through ICANN's Data Privacy/Protection Issues page at <https://www.icann.org/dataprotectionprivacy>. ICANN Contractual Compliance will continue enforcement efforts as it does for any other contractual requirement through its published Approach and Process at <https://www.icann.org/resources/pages/approach-processes-2012-02-25-en> upon receipt of complaints or through its proactive monitoring.

ICANN appreciates your feedback regarding the current status of disclosure guidelines for non-public WHOIS requests and registrar responses to your requests. In the event you decide to move forward with any formal complaints, you may do so by submitting them to compliance@icann.org or through any of the ICANN Contractual Compliance complaint forms.

Sincerely,



Maguy Serad
Vice President, ICANN Contractual Compliance

¹ The letter has been posted to the ICANN Correspondence page (<https://www.icann.org/resources/pages/correspondence>) with direct link at <https://www.icann.org/en/system/files/correspondence/milam-to-serad-13jul18-en.pdf>.