

Summary of Public Consultation on Creating a Universal Whois Service

August 15, 2001
U.S. Chamber of Commerce

This summarizes the first of 3 public meetings VeriSign is holding to solicit input and feedback on the development of a "universal whois" service. The meeting focused on input from business, intellectual property and law enforcement interests. The other two public consultations will reach out to the international and civil liberties/NGO communities.

Participation

Panel

Miriam Sapiro, Director of International Policy, VeriSign
Joe Rubin, U.S. Chamber of Commerce
Robert Flaim, Special Agent, FBI
Steven Metalitz, Smith & Metalitz, DNSO IPC

Attendees

Susan Anthony	International Trademark association (INTA)
Tom Barrett	MediaOne.net
Kim Bayliss	The Dutko Group
Stuart Benson	INTA
Alisa Bergman	Piper Marbury Rudnick & Wolfe LLP
Mark Bohannon	SIIA
Lan Chu	NTIA
Rob Courtney	Center for Democracy & Technology
Susan Crawford	Wilmer Cutler & Pickering
Leslie Daigle	VeriSign
Troy Dow	Motion Picture Association (MPAA)
Robert Flaim	FBI
Susan Ginsberg	Congressman Berman
Chuck Gomes	VeriSign
Mark Kusters	VeriSign
Ray Kowalski	US Chamber of Commerce
Maggie Mansourkia	WorldCom, Inc.
Steven Metalitz	DNSO IPC, International Intellectual Property Alliance
Steven Mitchell	IDSA
Jeff Neuman	NeuLevel
Erik Olbetar	Charles Schwab
Amy Page	US Patent and Trademark Office (USPTO)
Valerie Rice	KPMG, LLP
Joe Rubin	US Chamber of Commerce
Miriam Sapiro	VeriSign
Peter Shin	US Chamber of Commerce
Shane Tews	VeriSign

B. Tonkin	Melbourne IT
E. Brunner Williams	NeuStar
Danny Younger	General Assembly, DNSO ICANN

Agenda

1. Welcome and introductory remarks
Miriam Sapiro, Director of International Policy, VeriSign
Joe Rubin, U.S. Chamber of Commerce
2. Invited experts
Robert Flaim, Special Agent, FBI
Steven Metalitz, Smith & Metalitz, DNSO IPC
3. General discussion
4. Concluding remarks

Meeting Notes

I. Welcome and Introductory Comments

Miriam Sapiro, Director of International Policy at VeriSign

- Welcomed everybody and thanked the Chamber of Commerce for hosting the consultation.
- Explained that this consultation (focused on getting the thoughts of the business, law enforcement and intellectual property communities) is the first of three consultations VeriSign plans to hold this year to discuss the future of the Whois database R&D project. A second consultation, to be scheduled soon, will be focused on getting the views of civil liberty groups and other NGOs. The third consultation will be an effort to get international input into this project. VeriSign would like to work with others to develop a more advanced infrastructure for a universal WHOIS search capability. To achieve this VeriSign is also going to set up a web-based forum for public comment, so that everyone who has suggestions and input can participate.
- Clarified that in connection with the new Registry Agreement, VeriSign has agreed to allocate a part of the \$200 million that the company has committed for “research, development, and infrastructure improvements to the .com, .net and .org Registries” “to design and develop a Universal Whois Service that will allow public access and effective use of Whois across all Registries and TLDs” (Appendix W). This is intended by ICANN to be a genuinely universal Whois service, in other words applicable to all TLDs, including ccTLDs. VeriSign will, insofar as is feasible in view of its “dependence on the cooperation of third parties, strive to achieve significant progress in implementing a Universal Whois Service by December 31, 2002.”
- It is understood by a number of key players involved (the Commerce Department, ICANN and VeriSign) that creating technology that permits this sort of "universal Whois" is a daunting task because of the diversity of

Whois services among both ccTLDs and gTLDs. There initially appears to be at least two ways to proceed, and possibly more. The **first approach** could be to try to develop some form of intelligent searching technology that would permit searches to occur across extremely heterogeneous databases. Because there appear to be no standards for Whois-like services among registries or registrars, any search tool would involve new intelligent software that would have the ability to search databases that are extremely diverse. A **second approach** could be to encourage development of a standard Whois technology that could be adopted by standards groups and implemented by all ccTLD and gTLD registries across the board. This approach would be oriented towards the standards process and, once Whois standards are adopted, search tools should be relatively easy to adapt.

- Reiterated that the purpose of this consultation is for VeriSign systems engineers and management to listen to comments and suggestions on the way forward. It would be particularly useful to hear about users' requirements and their priorities.

Joe Rubin, U.S. Chamber of Commerce

- Welcomed everybody to US Chamber's second discussion on Whois database and asked for suggestions for similar events that would allow the Chamber to play a greater role in the dynamic area of the Internet.

II. Remarks by Representatives of the Law Enforcement and IP Communities

Robert Flaim, Special Agent, FBI

- Emphasized the importance of the Whois database for his work on domain name hijacking and computer intrusions. The Whois database should be accurate, reliable, easily accessible, user-friendly.

Steven Metalitz, Smith & Metalitz, DNSO IPC

- Stated that the Internet needs to be safe for e-commerce, but also accommodate the needs of law enforcement and consumers.
- From the perspective of IP community, he highlighted two important areas: 1) the universal Whois should be a one-stop shopping portal for accessing information provided by as many Registrars as possible and 2) Whois should be robustly searchable along a range of data elements instead of only through a look-up info based on a domain name, e.g., Whois should be searchable also for all domain names registered by the same Registrar. Generally, Whois needs to be public, free to use, without substantial restrictions and should provide information in real time.
- It is not VeriSign's responsibility to address the issue of accuracy in this project because accuracy of the available information depends on the inputs of the Registrars. VeriSign needs to address the technical aspects of

the Whois project, estimate the cost of it and clarify what cooperation would be needed for the creation of a universal Whois.

III. Public Comment Session

Jeff Neuman, NeuLevel

- Expressed the opinion that this project is a “VeriSign” Whois project instead of a “universal” Whois project since he does not yet see the involvement in the project of other gTLDs, the ccTLDs, Registrars, ICANN and the IETF. He suggested that other gTLDs have better protocols for the placement of a robust searchable database and that port 43, the port for the existing whois standard protocol service, is not the right place to put it. He also asked who was going to administer the database and whether it is going to be a proprietary VeriSign database or an open standard one.
- Made analogy with telephone information look-up services and commented on the cost of maintaining a database like Whois, especially if it involves wild card searches.

Miriam Sapiro: Stressed inclusive nature of our outreach effort. Will only work if all participants in the community want it to. Welcomed NeuLevel’s offer to work with our team on the R&D. Only we, however, are on the hook with respect to our legal obligation in Appendix W with respect to ICANN.

Steven Metalitz: Shared his understanding that the project had a technical focus and the issue of cost should not be a part of the discussion since it is incorporated into the cost paid by the Registrant when registering a domain name.

Susan Anthony, INTA

- Asked for clarifications about the two possible approaches to the Whois database.
- Expressed a concern that the invited audience does not have the technical expertise for which VeriSign is asking.
- Asked Special Agent R. Flaim (FBI) to talk about the frustrations FBI experiences with the Whois database.

Miriam Sapiro: Clarified two different approaches and reiterated request for input from audience on their perceived requirements and priorities – an issue that cuts across policy and technical users.

Robert Flaim: Accuracy is the biggest problem for law enforcement, but there is a clear trade-off between accuracy and openness in the case of Whois. Delays due to inaccuracies hurt investigation, but there seems to be no way to have data easily accessible, open, free, and also accurate. It is also very important that Whois be universal

since investigations are worldwide and anything that would speed them up would be very helpful.

Bruce Tonkin, Melbourne IT

- Suggested that one should distinguish between policy issues and technical issues. Important policy issues are: privacy and increased chances for soliciting information. Important technical issues are: interface and consistent format, special organizations having intelligent search engines (e.g., law enforcement), as well as what is the appropriate forum for inputs from the different ccTLDs.

Danny Younger, General Assembly, DNSO ICANN

- Expressed concern that ICANN's Whois Committee has not been contacted for help. Whois survey has been completed recently but the survey data have not yet been analyzed. Asked whether VeriSign would take into consideration the results of this survey, especially if it indicates a certain consensus.

Miriam Sapiro: Focus of this consultation is on business/IP/law enforcement interests, although all parts of the Internet community are most welcome. Efforts were made to make this first consultation as inclusive as possible. We do need to separate the policy from the technical issues, as appropriate ICANN bodies will address policy issues.

Mark Bohannon, SIIA

- Thanked VeriSign for leading this effort that would make people have greater confidence in the Internet. Expressed SIIA's willingness to assist VeriSign and recommended the development of a concrete time schedule for the universal Whois project.

Valerie Rice, KMPG

- Expressed her concern about the combination of heterogeneous, open, and non-proprietary databases and wanted to know what types of controls on databases are envisaged to reassure clients/registrants that the information will not be abused.

Maggie Mansourkia, WorldCom, Inc.

- Wanted to know how Whois will use a VeriSign proprietary database and yet be publicly accessible, as well as how other Registrars will be reimbursed for data they submit to Whois.

Miriam Sapiro: Emphasized that, as set forth in the last paragraph of Section 2 of Appendix W of the VeriSign – ICANN Agreements, the protocols would be open and non-proprietary.

Chuck Gomes: Reiterated Whois dependence on other Registrars and Registries (both gTLDs and ccTLDs).

IV. Concluding Remarks

Miriam Sapiro thanked everybody for attending the Whois forum and providing input into the R&D effort to try to meet the challenge of developing a universal Whois.