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Message

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Jessica



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Internet Corporation for Assigned Names and Numbers

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Dear Mr. Chairman,

On April 12th, 2006, the Generic Names Supporting Organization (GNSO) passed a resolution redefining the usage and purpose of the "Whois" database. By limiting the "purpose of Whois" to simply "resolve issues related to the configuration of records associated with the domain name within a DNS nameserver," the council has weakened the franchise community's tool to discover those who would use a domain name in a fraudulent and unethical manner. Changing the purpose of the Whois database eliminates the consumer's ability to investigate whether he/she is being misled or deceived.

The members of the franchise community regularly rely on the Whois database to:

- Identify parties responsible for the coordination of piracy or product counterfeiting via the World Wide Web
- Participate in e-commerce by learning the identities of suppliers and buyers
- Assist law enforcement, as well as consumer protection agencies, with the protection of consumers in cases of fraudulent websites

It is imperative that your council understand the absolute ramifications of this resolution. By closing the door on the public consumer and business community, you remove fundamental information that is used for the protection of commerce. This resolution will give anonymity to those that would use it to harm and defraud.

Franchised businesses' access to the Whois database ensures that the identities of customers are protected and the reduction of online fraud continues. If a consumer, or business, is defrauded online it hurts the party that created the counterfeit business as well as the entire business community. The prevention of fraudulent behavior enhances the integrity of the online business community. The current long-standing rules on access to Whois are the best way to fulfill this important consumer protection need and they should be maintained.

The International Franchise Association, therefore, strongly urges ICANN to reconsider the GNSO's resolution to redefine the purpose and use of the Whois database. We believe the preservation of current rules and access is in the best interest of every stakeholder. On behalf of the franchise community, we hope that ICANN will realize that recent actions will deeply and negatively effect the integrity of the business community and the public trust.

We thank you for this opportunity to express our concerns, and we are happy to assist you in every way possible to address these issues.

Regards,

David French

Vice President, Government Relations

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