

From: Dean Marks

Date: Thursday, July 1, 2021

To: Jamie Hedlund

Subject: Whois inaccuracy

Hi Jamie,

Thanks for asking and that is fine with me. During the CSG meeting with the Board, it was stated that ICANN Org thought it was a joint controller for some purposes and functions but not for others. And subsequently Becky stated in the chat in response to a comment I made in the chat that this did not prevent ICANN Org from engaging in all pro-active compliance activities (as opposed to responding to complaints) but some pro-active compliance activities. I think it would be helpful for the community to understand clearly what controllership roles ICANN Org believes it has/assumes with respect to WHOIS data and where it believes it does not—in terms of collection, accuracy, processing, direct access, etc. Similarly, I think it would be helpful to understand what specific proactive compliance measures with respect to WHOIS data ICANN Org believes it can still undertake and which proactive compliance it believes it can no longer undertake.

I hope this is helpful and, as always, happy to engage in discussions with you and your colleagues.

Have a good July 4 weekend.

Kind regards,
Dean