

**ICANN** 76
COMMUNITY FORUM
CANCÚN
11-16 March 2023

Welcome to Cancun and **ICANN76**

Greetings from the BC Chair and welcome to ICANN76!!

It's a pleasure to join you here in Cancun for ICANN's first public meeting of 2023. We're following on our successes during ICANN's proceedings in Kuala Lumpur in late 2022, and are looking forward to collaborations with ICANN Org, industry colleagues and friends to bring to the community the perspectives of business users of the internet, whom the BC represents.

As usual, the issues before the BC and the wider community are many,

varied and often urgent. The BC very much looks forward to weighing in on governance matters and, further, eagerly anticipates conferring with new ICANN leadership at both the executive and board levels.

Whether you're new to the BC or are a veteran of our work, your knowledge, advocacy and opinions are important, and you are very much encouraged to join discussions, ask questions, and make your input known. As always is the case, there is much work to be done, and the BC needs

thoughtful contributions from you and others who carry forward the needs of online businesses.

ICANN76 is ICANN's Community Forum, a nearly week-long affair that will include constituency meetings, a plenary session, interactions between stakeholders and ICANN leadership, and other engaging sessions. I hope you'll make time to join the BC's public meeting and add your voice to our deliberations.

ICANN Org has done its usual outstanding job of organizing a meeting

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schedule and venue that is sure to be as welcoming as possible, and the BC will seize upon the opportunity to collaborate with our community colleagues toward ICANN's mission of providing a stable, secure and resilient domain name system. When you get a moment, take the opportunity to say thanks to ICANN staff for the significant effort that goes into planning an inclusive set of proceedings.

There is no shortage of challenges before ICANN, and this meeting will be dense with discussions and interactions. Further on behalf of the BC, I hope you'll raise your perspectives and thoughts as we debate the important issues of the day.

The BC very much needs your support and input. Our group represents the interests of businesses ranging from the small to multinational, and our responsibilities to our constituency have only grown over time. As challenges arise in ICANN policy work, we rely on the input of our membership in order to be most impactful.

As we embark on our work, don't hesitate to join and contribute. You'll find that your BC colleagues are open and welcoming to your input, and will help you advance your interests within the ICANN sphere. Again, on behalf of your colleagues in the BC, welcome to ICANN76. All best for a productive time in Cancun.

Sincerely,
Mason Cole,
BC Chair

An Invitation to Join Us



We would like to extend a warm welcome to the ICANN Business Constituency (BC). Our focus is to represent the interests of the global business community within the Internet Corporation for Assigned Names and Numbers (ICANN) and to ensure that businesses have a voice in shaping the policies that impact the Internet's operation and governance.

As a member of the BC, you will have the opportunity to engage with policymakers, contribute to policy development, and stay informed on the latest industry developments.

Some of the benefits of joining the BC include:

1. Policy Development and Advocacy:

The BC provides a platform for commercial business users to engage in policy development processes and advocate for their interests. By participating in the BC, commercial business users can help shape policies that impact the Internet's operation and governance, ensuring that their perspectives and needs are taken into account.

2. Networking Opportunities: The BC provides networking opportunities for commercial business users to connect with other businesses and industry leaders. By engaging with other BC members, commercial business users can build relationships, share ideas and best practices, and learn about the latest industry developments.

3. Access to Resources: The BC provides commercial business users with access to a range of resources and tools to help navigate the complex world of ICANN policy and governance. These resources include policy briefings, research reports, and advocacy guides.

4. Representation: The BC represents the interests of the global business community within ICANN, ensuring that commercial business users have a voice in shaping the policies that impact the Internet's operation and governance. By participating in the BC, commercial business users can ensure that their perspectives and needs are taken into account in ICANN policy discussions.

5. Influence: By engaging in the BC, commercial business users can have a greater influence on the development of ICANN policies related to the Internet's operation and governance. By working together with other BC members, commercial business users can have a stronger voice in shaping the policies that impact their businesses.

Commercial business users can engage in ICANN in several ways:

1. Join the ICANN Business Constituency:

As mentioned earlier, the ICANN Business Constituency (BC) represents the interests of the global business community within ICANN. By joining the BC, commercial business users can participate in policy development processes, advocate for their interests, and network with other businesses and industry leaders.

2. Participate in ICANN Public Comment Periods:

ICANN regularly solicits public comments on proposed



Continued: **An Invitation to Join Us**

policies and other developments related to the Internet's operation and governance. Commercial business users can participate in these public comment periods by submitting comments, providing feedback, and engaging in discussions with other stakeholders.

3. Attend ICANN Meetings: ICANN holds several meetings each year where stakeholders gather to discuss policy developments, network and participate in workshops and training. Commercial business users can attend these meetings and engage with others to learn about the latest developments and contribute to policy discussions.

4. Engage in ICANN Working Groups: ICANN has several working groups focused on specific policy areas, such as domain name system (DNS) operations, security, and privacy. Commercial business users can engage in these working groups to

provide input and help shape policy developments related to these areas.

5. Stay Informed: ICANN provides several resources, including newsletters, blogs, and social media channels, that commercial business users can use to stay informed on the latest policy developments and engage in discussions with other stakeholders.

The BC is committed to combating DNS abuse and ensuring the security and stability of the DNS. DNS abuse refers to the malicious or abusive use of the DNS, including activities such as phishing, malware distribution, botnets, and spam. Such abuse can harm Internet users and undermine the trust and integrity of the DNS system.

The BC also believes that it is important to balance efforts to combat DNS abuse with the need to preserve the open, interoperable, and accessible nature of the DNS. The BC advocates for policies that promote a free and

open Internet while also ensuring that the DNS is secure, stable and resilient.

Overall, the BC's position on DNS abuse is one of proactive engagement and collaboration with other stakeholders to develop effective solutions for combating malicious activity in the DNS system. The BC is committed to promoting policies and practices that support a secure and trusted Internet environment while also promoting innovation and economic growth in the digital economy.

We encourage you to join the BC and become an active participant in shaping the future of the Internet. Our membership application process is straightforward, and we offer several membership categories to suit different business needs.

**By Lawrence Olawale-Roberts,
the Vice-Chair for Finance and
Operations to the BC.**

Need for a Better WHOIS System

Late last year, the U.S. Federal Trade Commission—the governmental arm responsible for protecting Americans from unfair trade practices—opened a comment period on a proposed *“Trade Regulation Rule on Impersonation of Governments and Businesses.”* It's no surprise that those who are victims of or are battling online impersonation saw this as an opportunity to highlight the importance of a working domain name registration data system (“WHOIS”)—one that at least would help more quickly track down the bad actors behind impersonation scams. This should be a wake-up call to the

new leadership at ICANN to expect more regulatory proposals if access to WHOIS is not restored for legitimate purposes.

After almost five years of virtually no WHOIS data, the input to governmental authorities about the importance of WHOIS has been accruing rapidly. Yet, hurdle after hurdle has been thrown in front of legitimate WHOIS access.

This is a new moment for ICANN Org, and one it should seize to move down a different path and actually help those being victimized by online impersonation and other scams. Org is under new leadership at the executive

and board levels. The European Union's NIS2 directive has set the stage for clarification of WHOIS data regulation. Now is the time for Org to use its unique position to actually deter further governmental incursion into the multistakeholder model and cooperate with the broader ICANN community to form a new, appropriately liberalized model for WHOIS data usage. It is important for ICANN to once again take up and act for the public interest—the very reason for its existence.

**By Mason Cole, Internet Governance
Advisor at Perkins Coie and BC
Chair.**

The Business of Cybercrime:

Does Malicious Campaign Planning Take as Long as Legitimate Marketing Campaign Planning?



By WhoisXML API - A BC Member, Domain Research, Whois, DNS, and Threat Intelligence API and Data Provider

It has become customary for cybercriminals to ride on famous brands to make their nefarious campaigns work. The release of the world's most-awaited tech gadgets is no different. And given the public attention and techies' innate desire to be first to own the latest gadgets, threat actors will always zoom in on prospective buyers via the most ingenious scams.

WhoisXML API trailed their insights on 2022's most-sought-after tech releases in an effort to help users stay protected. Their investigation sought to determine if cybercriminals take just as long to

prepare their campaigns as legitimate businesses do and key findings include:

- A total of 855 domains containing strings cybercriminals were likely to use in campaigns targeting the most-awaited gadgets' potential buyers were discovered.
- Uncovered 118 subdomains containing strings cybercriminals may employ in campaigns targeting the techies lying in wait for 2022's most-sought-after tech finds.
- Eight of the domains and subdomains containing the top 2022 products have been detected as malicious.

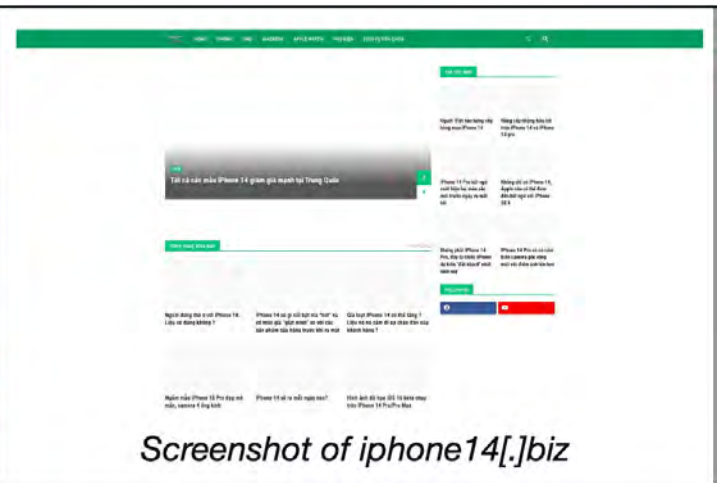
- Threat actors may have spent 3–29 weeks to prepare for their malicious campaign launches.
- The iPhone 14-related domain registration peaked in September, coinciding with its slated launch date.

Fishing for Clues in the DNS

WhoisXML API began their investigation by looking for domain registration-related clues via Domains & Subdomains Discovery. Using their list of 2022's most-awaited tech releases, they identified domain or subdomain strings that threat actors may plan to use for their scams (see table below for details).

Most-Awaited Gadgets	Slated Release Date	Strings
Panic Playdate	18 April 2022	playdateplaydate + console
Valve Steam Deck	25 February 2022	steam + deckvalve + steam + deck
Rivian R1T	January 2022 (for all variants but originally released in September 2021)	rivian + r1t
Rivian R1S	June 2022	rivian + r1s
Magic Leap 2	September 2022	magicleap2
Meta Quest 3	October 2023 (delayed)	meta + quest3
Apple iPhone 14	16 September 2022	apple + iphone14iphone14
Google Pixel Watch	13 October 2022	google + pixel + watchpixel + watch
Apple AR Glasses	January 2023 (delayed)	apple + arglasses
Chevy Silverado E	March 2023 (delayed)	chevy + silveradoe
Google AR Glasses	2023 or 2024 (delayed)	google + arglasses

Continued: The Business of Cybercrime



To determine if cybercriminals spent as much time as marketers typically did on their campaign preparation (i.e., a year before the launch), we looked at the domain registration volume trends for each product a year before their slated releases. For the products originally slated to hit the market sometime in 2022, we began the tracking around two years before the new dates their manufacturers set.

That led to the discovery of 855 domains. Note that obvious false positives like playdate-app[.]io, doggyplaydate[.]ws, and toddlerplaydate[.]com were removed from our list of “playdate”-containing domains given the string’s generic nature. A bulk malware check showed that four of these are currently detected as malicious, namely:

- steamdecktouchtype[.]com
- apple-iphone14[.]in
- iphone14[.]biz
- 25iphone14pro[.]top

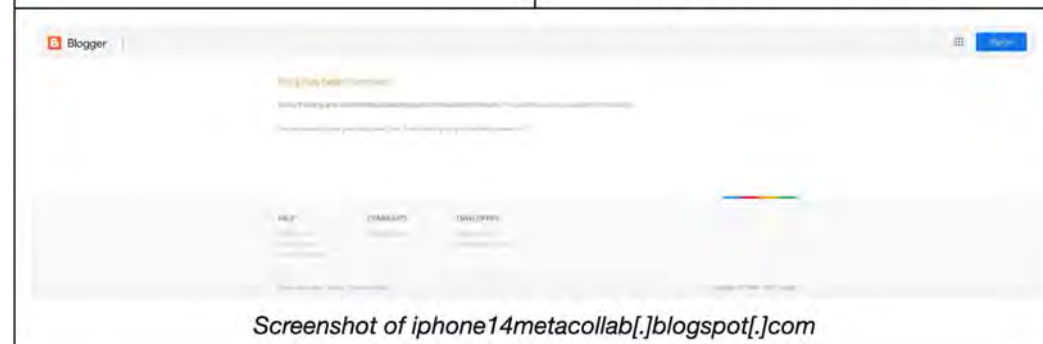
Only two—iphone14[.]biz and 25iphone14pro[.]top—continued to host live content but none had anything to do with selling iPhone 14 based on screenshot lookups nor owned by the

manufacturers of the products named.

It’s also interesting to note that only 41 of the 855 domains containing our predefined strings had unredacted registrant email addresses or were owned by the product manufacturers under scrutiny based on [a bulk WHOIS lookup](#). Specifically, 24 indicated Apple, Inc. or Apple France as their registrant organization and three noted domains@apple[.]com as their registrant email

address akin to domains the tech giant owned.

WhoisXML API followed the same steps for subdomains, leading to the discovery of 117 web properties bearing the strings identified earlier. Of these, four are currently classified as malware hosts—iphone14[.]pwr-lotterie1[.]tk, iphone14[.]jissam[.]digital, www[.]iphone14[.]jissam[.]digital, and iphone14metacollab[.]blogspot[.]com.



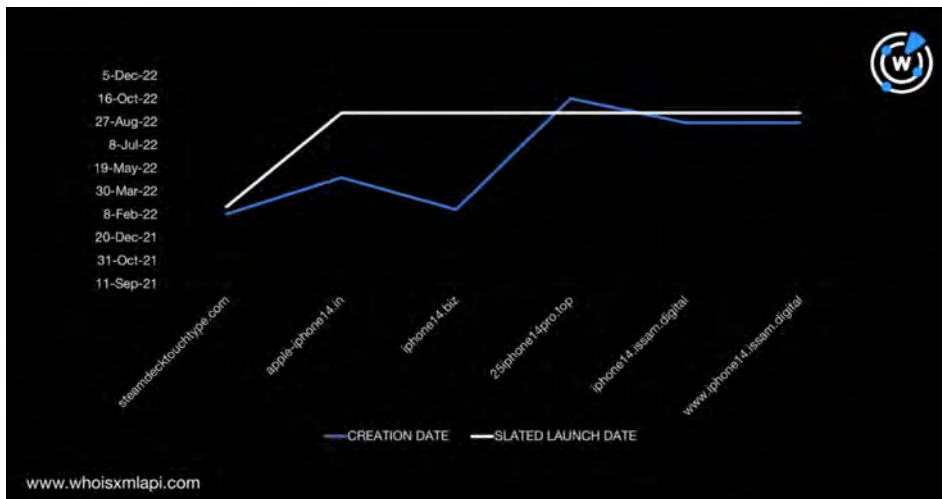
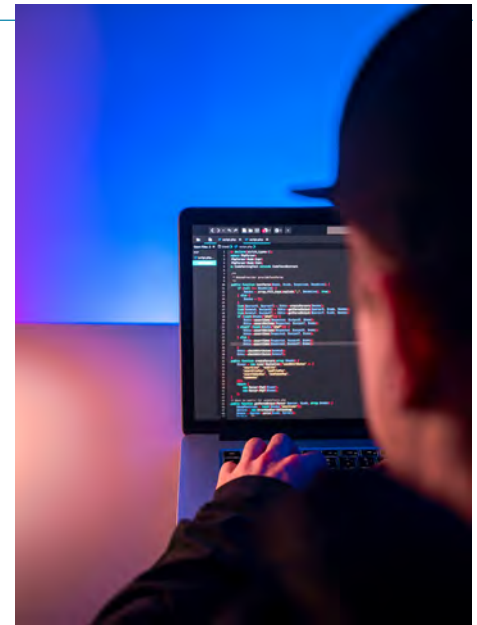
Continued: The Business of Cybercrime

While all four pages remain live, Blogspot seemed diligent in removing the malicious blog from its platform. None of the subdomains were owned by the product manufacturers under study.

To know how much time threat actors spent on crafting their specially designed traps, WhoisXML API took a closer look at the malicious domains and subdomains' (based on their root domains) WHOIS records. The malicious page `iphone14metacollab[.]blogspot[.]com` was, of course, excluded since anyone can create a blog on the platform.

Five of the malicious cyber resources were created between three and 29 weeks before their target products' launch dates. One, however, was created a week after the target gadget's release. Another—`iphone14[.]pwr-lotterie1[.]tk`—didn't have a creation date on record. The more detailed the site, as was the case with `iphone14[.]biz`, it seemed, the longer the preparation took.

The quick answer to our primary question then is that cybercrime may require weeks or months of planning. The more convincing a malicious website wishes to appear for greater



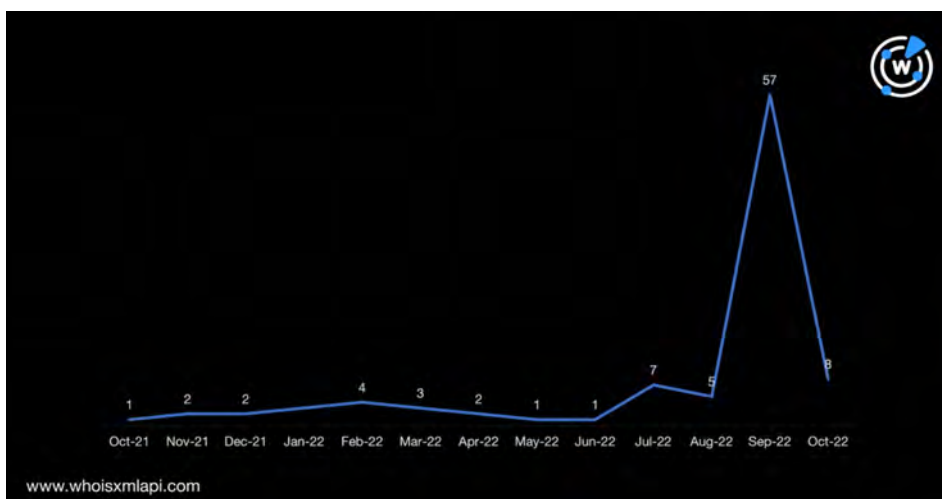
chances of success, the more work and longer prep time required.

In addition, further investigation into the iPhone 14 domains showed that the related registration volume peaked in September, coinciding with the product's launch date. At present, domain registration has slowed down.

Cybercriminals and other threat actors are, as this study showed, aiming to gain the biggest profit. The time and effort they put into their campaigns and malicious sites could be expected to equate to their financial goals.

In the bad guys' case, the better the hoax, the greater the potential gain. The threats fake sites pose, however, is avoidable with the help of diligent WHOIS and DNS intelligence monitoring and consequent threat source blocking.

By **WhoisXML API**, A BC Member, Domain Research, Whois, DNS, and Threat Intelligence API and Data Provider



2022 Domain Name Industry Year in Review

From the eyes of Elisa Cooper, a former Chair of the BC, here are 10 remarkable events that happened in the domain name industry last year 2022. In her words “things are always in flux, and I could never have predicted some of these items”. So here are the top 10 biggest stories from 2022.



10. Domain Name Market Reaches 349.9 Million Registrations

According to Verisign's [Domain Name Industry Brief](#), “The third quarter of 2022 closed with 349.9 million domain name registrations across all top-level domains, a decrease of 1.6 million domain name registrations, or 0.4%, compared to the second quarter of 2022. Domain name registrations have increased by 11.5 million, or 3.4%, year over year.” And if the total number of registrations seems smaller this year, it's worth noting that “all figure(s) exclude domain names in the .TK, .CF, .GA, .GQ and .ML ccTLDs operated by Freenom.”

9. MarkMonitor Acquired by Newfold Digital

In September of 2022, Newfold Digital, a web and commerce technology

provider backed by Clearlake Capital Group and Siris Capital Group, announced their intent to acquire MarkMonitor from Clarivate Analytics. Newfold Digital operates retail registrars, including Bluehost, CrazyDomains, and HostGator. Over the years, MarkMonitor has had a number of different owners—initially venture-backed, the company had been acquired by Thomson Reuters in 2012 and subsequently spun out as part of Clarivate Analytics in 2016. According to their announcement, “MarkMonitor is currently expected to generate approximately \$80 million of revenue and \$35 million of EBITDA for the full year 2022.”

8. New gTLDs from 2012 Round Continue to Launch

More than 10 years after the launch

of the first round of new gTLDs, we're still seeing the launch of TLDs in dribs and drabs. This last year saw .BOO, .RSVP, .KIDS and .GIVING launch. And we're not done yet - we're still waiting for some of the most anticipated TLDs like .MUSIC and .WEB to launch, along with a number of others that are slated to launch in 2023.

7. Changes to the Inter-Registrar Component of Transfer Policy Anticipated

This past year, the Transfer Policy working group proposed significant changes to the AuthInfo code, which will now become the TAC (Transfer Authorization Code). Unlike the AuthInfo code currently used today, the TAC will be created for one-time use only, valid for a period of 14 days, and stored securely by the registry. Other changes

Continued: 2022 Domain Name Industry Year in Review



proposed by the working group include removing the requirement for the Gaining Form of Authorization (FOA) and expanding the reasons for denying a transfer to include “evidence” of DNS threat. Language around notifications to registrants has been updated to allow for presentation flexibility—currently the policy requires that e-mails are sent.

6. Web3 Identities Raise Questions for Brand Owners

Web3 identities sometimes referred to as blockchain domains, are being used as a way to simplify the naming of blockchain wallets. As with all new and emerging spaces, there are risks. And as with the launch of any namespace, there is the potential for brand abuse to occur. Brand owners have recognized that, generally, these new technologies do not currently offer reliable or robust dispute mechanisms. Consequently, some feel that defensive registrations provide the best brand protection strategy, and many have taken that approach.

5. Whois Disclosure System Proposed as Option to Inform SSAD (System for Standardized Access and Disclosure) Recommendations

In September of 2022, ICANN Org proposed a system for providing access to nonpublic registration data related to generic top-level domains (gTLDs). The Whois Disclosure System (WDS) was designed to simplify the process for submitting and receiving requests for nonpublic gTLD registration data for both requestors and ICANN-accredited registrars. The WDS is essentially a logging system with all clarifying questions occurring outside of the system, and registrars are not contractually bound to use the system. That said, if implemented, this system could help to inform the ICANN Board’s consideration of a much more expensive and robust SSAD (System for Standardized Access and Disclosure).

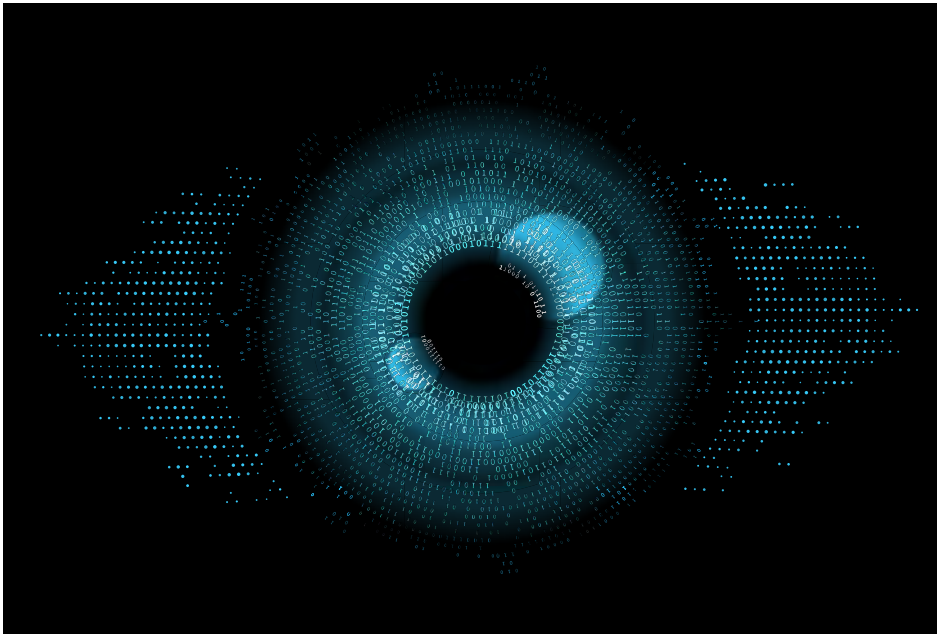
4. DNS Abuse Emerging as Hot Topic at ICANN

DNS abuse is one of those topics that

has been around as long as ICANN itself. But in this last year, the focus on it has grown. In response to concerns raised by the Community, the GNSO appointed a small team to recommend possible next steps to the council. At ICANN75, this small group made four draft recommendations which included requesting a Preliminary Issue Report on the topic of malicious registrations, exploring the role bulk registrations play in DNS abuse, encouraging contracted parties work with DNS abuse reporters to promote and/or improve existing tools and to work with contracted parties to share findings of the small team as it relates to potential gaps in the Registry Agreement (RA) and Registrar Accreditation Agreement (RAA).

3. Registrars Set to Renegotiate ICANN Contracts

In early December of 2022, the ICANN Registrar Stakeholder Group initiated a request for discussions to amend the Registrar Accreditation Agreement

Continued: 2022 Domain Name Industry Year in Review


(RAA). The focus of the amendment is to incorporate baseline contractual requirements to Section 3.18 of the RAA for registrars to disrupt and/or mitigate DNS abuse. The Contracted Parties House (of which the Registrars are members along with the Registries) jointly set forth their agreed-upon definitions of DNS Abuse which include malware, botnets, phishing, pharming and spam.

2. Corporate Domain Professionals Would Consider Moving Registrars

GoDaddy Corporate Domains (GCD) recently conducted a survey sent to over 500 corporate domain name professionals from diverse verticals including retail, manufacturing, financial services, travel, and media. More than half (56%) of survey respondents hailed from companies that own more than 3,000 domain names. Nearly one-third (29%) came from companies with more than 10,000 domain names. The survey found that a sizable 40% of respondents would consider leaving

their current registrar. This rather substantial sign shows that many companies are less than satisfied with their incumbent providers and are potentially open to pursuing a switch in the future.

1. ICANN Closing-In on Round 2 New gTLD Timeline

In September of 2021, after the supermajority approval of the Final Report of the New gTLD Subsequent Procedures PDP by the GNSO, the ICANN Board initiated a 10-month ODP (Operational Design Phase). During the ODP, ICANN Org analyzed the outputs from the final report, developed a high-level business process design using the 2012 Applicant Guidebook as a baseline, and assessed the impact of the next round on ICANN, specifically identifying costs, timelines, staffing and resources. In December, ICANN Org delivered the Operational Design Assessment (ODA). With an assumption of 2000 applications, the ODA stated that an application window could open

Many companies are less than satisfied with their current registrars and are potentially open to pursuing a switch in the future.

in as soon as two years with a cap on the number of applications processed in a single year, or as long as 5 years, depending upon the technology designed and built to support application processing.

So what does 2023 hold in store for us?

With the pandemic seemingly in the rearview mirror, and many returning to in-person work (at least a few days a week), it feels like we are now well into our new normal. Elisa predicts that those waiting for the next round of new gTLDs will begin to pressure ICANN to move more quickly. After all not many ever expected that the length of time between rounds would be 12–15 years.

Apparently, the topic of DNS Abuse will remain a hot one, and that ICANN will continue to look at ways to address concerns. And with an uncertain economy ahead, she predicts that companies with large portfolios will begin actively looking to cut costs associated with domain name management—by both paring portfolios and/or changing vendors.

By Elisa Cooper, Former BC Chair, and VP of Marketing for MaxVal Group Inc.

ICANN Multistakeholder Organizational Chart



ICANN Board of Directors

From Left to Right: León Sánchez-Board Member (At-Large), Katrina Sasaki-Board Member (ccNSO), Manal Ismail-GAC Liaison, James Galvin-SSAC Liaison, Alan Barrett-Board Member (ASO), Chris Chapman-Board Member (NomCom), Becky Burr-Board Member (GNSO), Matthew Shears-Board Member (GNSO), Avri Doria-Board Member (NomCom), Sally Costerton-Interim President and CEO, Danko Jevtovic-Vice-Chair (NomCom), Tripti Sinha-Chair (NomCom), Christian Kaufmann-Board Member (ASO), Harald Alvestrand-IETF Liaison, Sarah Deutsch-Board Member (NomCom), Wes Hardaker-RSSAC Liaison, Edmon Chung-Board Member (NomCom), Maarten Botterman-Board Member (NomCom), Patricio Poblete-Board Member (ccNSO), Sajid Rahman-Board Member (NomCom). For more information on the ICANN Board, [visit here](#).

Country Code Names Supporting Organization (ccNSO)

Alejandra Reynoso (Chair)
Adebisi Oladipo (V. Chair)
Jordan Carter (V. Chair)

Address Supporting Organization (ASO)

John Curran (Chair)
Paul Wilson (V. Chair)

Empowered Community Administration

Jonathan Zuck (ALAC)
German Valdez (ASO)
Alejandra Reynoso (ccNSO)
Manal Ismail (GAC)
Greg DiBiase (GNSO)

Government Advisory Committee (GAC)

Manal Ismail (Chair)
Vice Chairs:
Pär Brumark, Francis Olivier
Cubahiro, Ola Bergström

Security & Stability Advisory Committee (SSAC)

Rod Rasmussen (Chair)
Julie Hammer (V. Chair)

Root Server System Advisory Committee (RSSAC)

Jeff Osborn (Chair)
Ken Renard (V. Chair)

At-Large Advisory Committee (ALAC)

Jonathan Zuck (Chair)
Joanna Kulesza (V. Chair)
Maureen Hilyard (V. Chair)

Root Zone Evolution Review Committee (RZERC)

Tim April (Chair)

Technical Liaison Group (TLG)

Christian Toche (ETSI)
Howard Benn (ETSI)
Reinhard Scholl (ITU-T)
Jie Zhang (ITU-T)
Wendy Seltzer (W3C)
Shadi Abou-Zahara (W3C)
Warren Kumari (IAB)
Tim Wicinski (IAB)

Nominating Committee 2023

Vanda Scartezini (Chair),
Amir Qayyum (Chair-Elect) and
Michael R. Graham (Associate Chair)

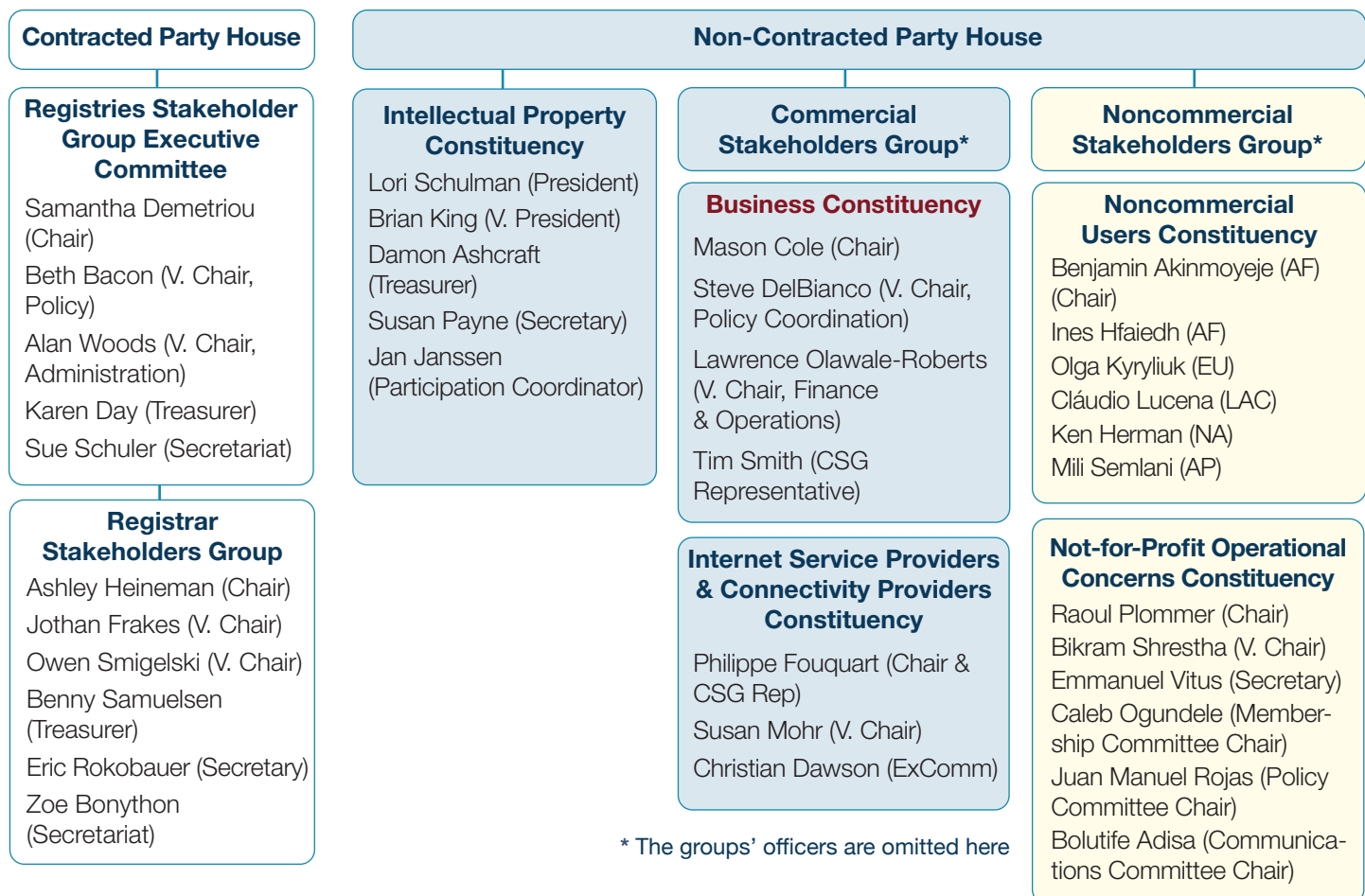
Ombudsman

Herb Wayne

Customer Standing Committee (CSC)

Brett Carr (Chair)

GNSO Stakeholder Groups, Constituencies & Council



The Benefits of BC Membership

The Business Constituency (BC) is the voice of commercial Internet users within ICANN – the Internet Corporation for Assigned Names and Numbers.

Business users rely on a stable and secure Internet and e-commerce experience, one that serves their users and customers on a global basis. Through your participation in ICANN, and in the Business Constituency, your company will make a difference on behalf of business.

BC members contribute as:

- participants on the BC e-mail list to learn about and debate issues
- participants on telephone conferences to reach consensus on key issues
- participants at physical meetings coincident with ICANN global meetings
- issue managers on specific topics
- bridges for information flow between other GNSO constituencies

The mission of the BC

The Constituency fully represents the views of the Internet business user community.

ICANN policy positions are consistent with the development of business via an Internet that is stable, secure and reliable while promoting consumer confidence.

ICANN policy positions derive from broad stakeholder participation in a common forum for suppliers and users.

BC Executive Committee



Chair
Mason Cole



Vice Chair, Policy Coordination
Steve DelBianco



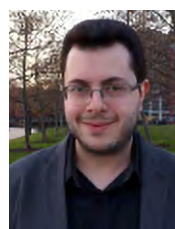
Vice Chair, Finance & Operations
Lawrence Olawale-Roberts



CSG Representative
Tim Smith



GNSO Councilor
Marie Pattullo



GNSO Councilor
Mark Datysgeld

2023 Nominating Committee Members

Large Business Seat

Jordyn Buchanan

Small Business Seat

Vivek Goyal

BC Finance Sub Committee:

Lawrence Olawale-Roberts (Chair), Jimson Olufuye, Chris Chaplow, Jay Sudowski, Yusuph Kileo

BC Credentials Committee:

Zak Muscovitch (Chair), Vivek Goyal, Roger Baah, John Berard, Kate Buckley

BC Communications Committee:

Vivek Goyal (Chair), Yusuph Kileo, Joseph Ambali

BC Onboarding Committee:

Roger Baah (Chair), Mark Datysgeld, Samuel Dada

BC Secretariats



Brenda Brewer



Andrea Glandon

If you would like to become a member of the BC, please contact the BC Secretariat at:
info@icannbc.org
 or simply visit our website and register online:

www.icannbc.org



Join the conversation on Twitter:
<https://twitter.com/icannbc>