

Subject: ICANN Registrar BizCn Bad Privacy Service
Date: December 12, 2013
To: Olivier MJ Crepin-Leblond, ALAC Chair
CC: At-Large Advisory Committee
From: Garth Bruen, Principal of KnujOn and NARALO Chair

Dear Olivier and Colleagues,

I am bringing a matter to your immediate attention which requires action on behalf of the community. Specifically, I am requesting that the enclosed issues be sent to ICANN Compliance by the ALAC Chair that any responses be tracked for time and accuracy. An investigation is required with full transparency to the At-Large community. The facts are presented below.

1. ICANN Registrar BizCn, INC (#471) Employs Invalid Privacy Scheme

The common Privacy Protection service used by BizCn is called Privacy-Protect.cn and displays the following details for Registrant, Administrator and Technical Blocks:

Name: Henry Nguyen Gong
Organization: Privacy-Protect.cn
Street: 26 Rue Jean Reboul
City: Nimes
State/Province: Languedoc-Roussillon
Postal Code: 30900
Country: fr
Phone: +33.0466583875
Email: contact@privacy-protect.cn

The domain name in the contact email address, [privacy-protect.cn](mailto:contact@privacy-protect.cn), cannot receive email. The following is an example of a rejection:

```
I'm afraid I wasn't able to deliver your message to the following addresses.  
This is a permanent error; I've given up. Sorry it didn't work out.  
<contact@privacy-protect.cn>:  
Sorry, I couldn't find any host named privacy-protect.cn. (#5.1.2)
```

The example is from June 2011. As indicated, this is not a problem of the email address but the domain itself. As demonstrated this situation has existed continuously for at least 2 years and four months, being re-verified periodically as below:

```
<contact@privacy-protect.cn>:  
Sorry, I couldn't find any host named privacy-protect.cn. (#5.1.2)  
--- Below this line is a copy of the message.  
Return-Path: <wir@knujon.com>  
Received: (qmail 22145 invoked from network); 31 May 2012 18:45:52 -0000  
Received: from unknown (71.235.69.21)
```

The technical reason for this is that privacy-protect.cn does exist in the DNS, does not have an IP address or “A” record. The domain itself is on “ClientHold” meaning it is not placed in the registry, see below:

```
Checking server [whois.cnnic.net.cn]
Results:
Domain Name: privacy-protect.cn
ROID: 20091005s10001s18845131-cn
Domain Status: clientTransferProhibited
Domain Status: clientHold
Registrant ID: hn1254757178772
Registrant: Privacy-Protect cn
Registrant Contact Email: contact@privacy-protect.cn
Sponsoring Registrar: ǎŽ|é—“ǎ,œǎ—èžé€šǎœ“ç°¿çš’æš€æ
—“ǎŽǎ•†ç>ǎ, -ç½’ç»œæœœ%œé™ǎ...-ǎ,)
Name Server: ns3.cnmsn.com
Name Server: ns4.cnmsn.com
Registration Date: 2009-10-05 23:39:43
Expiration Date: 2013-10-05 23:39:43
DNSSEC: unsigned
```

It would be impossible for the email address in any of the BizCn privacy protected domain records to receive email. The other details in the Privacy-Protect.cn records are equally as invalid, with the phone number and street address being at a minimum unreliable, at most outright false. According to the current 2009 RAA “3.3.1.8 *The name, postal address, e-mail address, voice telephone number, and (where available) fax number of the administrative contact for the Registered Name.*”

These results have been confirmed a team of independent journalists at the Washington Post (see: http://www.washingtonpost.com/business/technology/how-violent-porn-sites-manage-to-hide-information-that-should-be-public/2013/12/06/e0861378-3773-11e3-ae46-e4248e75c8ea_story_4.html)

2. Scale and Duration of Problem at BizCn

This is not an issue of a single or even a handful of domains. According to DomainTools there are **1,272** domains using the Privacy-Protect.cn through BizCn. BizCn was first notified of the issue in June 2011. To be clear this is a situation BizCn has complete control over. According to the current 2009 RAA: “3.7.8 ... *Registrar shall, upon notification by any person of an inaccuracy in the contact information associated with a Registered Name sponsored by Registrar, take reasonable steps to investigate that claimed inaccuracy. In the event Registrar learns of inaccurate contact information associated with a Registered Name it sponsors, it shall take reasonable steps to correct that inaccuracy.*” This is no longer a problem of the registrants, but BizCn.

ICANN has recently issued breach notices to other registrars for “invalid registration information associated with the Privacy Protection Service” and failing to demonstrate “*the Privacy Protection Service is a legal entity operating independently from the registrar.* (see: <http://www.icann.org/en/news/correspondence/serad-to-villalvir-del-cid-18sep13-en.pdf>)” Therefore, this is not a new or unknown problem.

I believe this situation creates safety issues for Internet users, registrants and consumers as well as represents a threat to the stability of the domain name system. In the interests of full transparency and accountability I am requesting that ALAC take this on as a formal matter, log the complaint with At-Large staff, forward the issue to Compliance, and monitor the situation within the acceptable contractual timeframes.

Sincerely, Garth Bruen