

Changes To The .ca WHOIS Privacy Policy

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The Canadian Internet Registration Authority (CIRA), the organization overseeing .ca domain names, changed its WHOIS policy in June, 2008.

Under the revised policy, WHOIS searches will not display registrant, administrative or technical name and contact information for domain names registered by private individuals. In other words, .ca registrants receive automatic privacy protection. WHOIS information for domain names registered to businesses and other organizations is displayed by default unless CIRA approves an organization's request to shield its contact information from WHOIS searches.

CIRA has implemented an on-line message delivery form that allows an interested party to send a message to the administrative contact of a privacy shielded .ca domain name in the event of a domain name dispute. If the dispute is not resolved within 14 days of the on-line message's transmission, the interested party can apply for the disclosure of the registrant's contact information. The interested party must meet CIRA's criteria for disclosure. The following are a few of the criteria is that a dispute must concern:

The infringement of the interested party's registered Canadian copyright, patent or trade-mark;

The infringement of the interested party's Canadian federal or provincial business or trade-name; or

The use of the interested party's personal information to commit identity theft.

CIRA's new WHOIS policy can make proving a registrant's lack of a legitimate interest in a domain name difficult in .ca domain name dispute resolution proceedings (a.k.a. CIRA Domain Name Dispute Resolution Policy, or CDRP). However, CIRA has also amended the CDRP rules to allow a complainant to file a submission addressing the registrant's legitimate interest in the domain name where the registrant's identity is not published in WHOIS.

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