

Requesting Access to Non-Public RDDS Data

As the sponsoring registrar or reseller of certain domain names governed by ICANN, Newfold Digital must permit third parties with a legitimate interest to access masked (non-public) RDDS data (“RDDS Data”) subject to the data subject’s rights under the General Data Protection Regulation (“GDPR”) or other similar privacy laws as applicable.

This policy does not apply to requests for non-public RDDS Data that are made by the person to whom that information relates. It only applies where the person or organization requesting the non-public RDDS Data is a third party.

Our policy is not intended to replace less-intrusive mechanisms (such as obtaining a court order or subpoena) to obtain non-public RDDS Data, and we expect these mechanisms to be utilized prior to submitting any request for non-public RDDS Data.

2. Policy

We will provide the requestor with non-public RDDS Data, only if all the following conditions are met:

- Requests must be submitted through Newfold’s abuse reporting form: <https://www.newfold.com/abuse>.
- The domain name in question must be a gTLD – ICANN rules and our obligations under the Temporary Specification only apply to gTLDs.
- The requestor must state with specificity what RDDS Data is being requested, and must state the lawful purpose for which the information is being requested.
- The requestor must identify themselves with at least their name. This could be a natural person’s name (e.g. Jane Smith), or an organization name is also acceptable. We will verify the requestor’s identity based on the requestor’s email address and any additional information provided in the request. The request should connect the identity of the individual to the lawful basis for requesting the data. If the requestor claims to be an attorney, service provider or otherwise an agent of the entity with a lawful basis, the request should be accompanied by a Letter of Authority or representation affirming the requestor is authorized to act on behalf of the entity that has the underlying lawful basis.
- The RDDS Data must actually be redacted – we will not reply when we are already publishing the full unredacted RDDS Data (i.e. non-EEA data or data relating to a legal person only).
- The request must state a lawful basis for requesting the non-public RDDS Data, including but not limited to “legitimate interests.” Lawful bases include, among other stated purposes: (i) to name the registrant as a defendant in a complaint

under the URS, UDRP, or as a defendant in intellectual property litigation; (ii) to notify the registrant of alleged trademark infringement, piracy, or counterfeit violation relating to the domain, or to correspond with the registrant in relation to such alleged infringement or violation; and (iii) to identify the registrant to take measures in relation to suspected fraud, phishing, or malware attacks. For requests based on “legitimate interests” under Article 6, Section 1(f) of the GDPR, the prejudice to the stated purpose must be weighed against the interests or fundamental rights and freedoms of the data subject, and such requests will be reviewed by our Legal team before actioning.

- The request must show that the non-public RRDS Data is necessary for the stated purpose.

3. How We Respond

We will acknowledge your request within two business days.

4. Insufficient Requests

In order to ensure compliance with data privacy laws, Newfold Digital will not process requests for non-public RDDS Data that do not meet all the requirements specified in Section 2 above. However, due to the novelty of implementing the Temporary Specification, if a request is missing one or more of the requirements above, we may reply to the requestor with specific instructions to amend and correct their request, at our sole discretion.

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