

To: Larry Derkins

Date: 1 March 2024

Re: Request No. 20240201-2

This is in response to your request for documentary information (Request), which were submitted on 1 February 2024 through the Internet Corporation for Assigned Names and Numbers' (ICANN) Documentary Information Disclosure Policy (DIDP). For reference, the Request is attached to the email forwarding this Response.

Items Requested

Your Request seeks the disclosure of “[o]wnership information of Epik LLC including the names of its officers and owners.”

Response

The DIDP is a mechanism, developed through community consultation, to ensure that information contained in documents concerning ICANN, and within ICANN org's possession, custody, or control, that are not already publicly available is made available to the public unless there is a compelling reason for confidentiality. (See <https://www.icann.org/resources/pages/didp-2023-01-24-en>.) This Response was prepared in accordance with the Process for Responding to ICANN's DIDP Requests. (See <https://www.icann.org/en/system/files/files/didpresponse-process-21jan23-en.pdf>).

Your Request seeks documentary information about ICANN-accredited registrar Epik LLC (Epik), IANA Number: 617. As part of its commitment to transparency, ICANN makes available a comprehensive set of materials on its website as a matter of course, including, but not limited to, the following information related to ICANN accredited-registrars: the current Registrar Accreditation Agreement (RAA) (<https://www.icann.org/resources/pages/registrars/registrars-en>), current and past RAA Global Amendments (<https://www.icann.org/resources/pages/registrars/accreditation-agreement/related-materials/global-amendments-en>), list of current and past ICANN-accredited registrars including their IANA number, country/territory, and public contact information (<https://www.icann.org/en/accredited-registrars>; <https://www.iana.org/assignments/registrar-ids/registrar-ids.xhtml>), registrar information library (<https://www.icann.org/registrar-library>), and information on changes to existing registrar accreditation (<https://www.icann.org/resources/pages/updates-2012-02-25-en>).

Your Request asks for ownership information of Epik including the names of its officers and owners. As a preliminary matter, your first request is overbroad in time, and does not attempt to limit the information sought in any meaningful way. To the extent that this

Request is intended to seek documents related to Epik's current ownership and management information that exist and are appropriate for disclosure, they have been published on ICANN's website. (See <https://www.icann.org/en/blogs/details/icann-support-for-registrants-impacted-by-epik-inc-09-06-2023-en>; <https://www.icann.org/en/blogs/details/icann-continues-support-for-registrants-impacted-by-epik-inc-30-06-2023-en>.) Additional information responsive to this request can be found on Epik's website, including information about Epik's parent entity and officers, at <https://www.epik.com/about/odd/> and <https://www.epik.com/about/pressreleases/icann-finalizes-transfer-of-epik-accreditation/>. To the extent that there are additional documents responsive to the Request that are in ICANN's possession, custody, or control, such as documents relating to Epik's change of control request, such documents are subject to the following DIDP Defined Conditions of Nondisclosure, and are not appropriate for disclosure:

- Internal information that, if disclosed, would or would be likely to compromise the integrity of ICANN's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda, and other similar communications to or from ICANN.
- Information exchanged, prepared for, or derived from the deliberative and decision-making process between ICANN, its constituents, and/or other entities with which ICANN cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among ICANN, its constituents, and/or other entities with which ICANN cooperates by inhibiting the candid exchange of ideas and communications.
- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement, nondisclosure provision within an agreement, or separate designation of confidentiality.
- Information subject to the attorney–client, attorney work product privilege, or any other applicable privilege, or disclosure of which might prejudice any internal, governmental, or legal investigation.
- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication that, if disclosed, could be harmful to an ongoing deliberative or decision-making process, or are subject to another Condition for Non-Disclosure.
- Materials, including but not limited to, trade secrets, commercial and financial information, confidential business information, and internal policies and procedures, the disclosure of which could materially harm ICANN's financial or

business interests or the commercial interests of its stakeholders who have those interests. Where the disclosure of documentary information depends upon prior approval from a third party, ICANN will contact the third party to determine whether they would consent to the disclosure in accordance with the DIDP Response Process.

Public Interest in Disclosure of Information Subject to Nondisclosure Conditions

Notwithstanding the applicable Nondisclosure Conditions identified in this Response, ICANN has considered whether the public interest in disclosure of the additional documentary information subject to these conditions at this point in time outweighs the harm that may be caused by such disclosure. ICANN has determined that there are no current circumstances for which the public interest in disclosing the information outweighs the harm that may be caused by the requested disclosure.

About DIDP

ICANN's DIDP is limited to requests for documentary information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, please see <https://www.icann.org/resources/pages/didp-2023-01-24-en>. ICANN makes every effort to be as responsive as possible to the entirety of your Request. As part of its accountability and transparency commitments, ICANN continually strives to provide as much information to the community as is reasonable. ICANN hopes this information is helpful. If you have any further inquiries, please forward them to didp@icann.org.