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DOMAIN EXPIRY, RENEWAL AND DELETION POLICY REVIEW, AUGUST 2009

auDA's Response to Public Comments

auDA received 36 submissions during August/September 2009.

The majority of submissions focused on the three issues raised by auDA.

1. Whether the current 30 day pending delete period for expired domain names (ie. where the registrant has not renewed their domain name) is appropriate.

The majority of submissions supported the current policy or made no comment.

Six submissions argued that the current 30 day pending delete period is insufficient and should be increased. The suggestions for a longer pending delete period ranged from 6 weeks to 3 months.

auDA response:

Public submissions indicate low demand for change to this aspect of the policy. Whilst we acknowledge the experience of some registrants who have not been able to renew their domain name within the 30 day pending delete period, we do not believe that a longer pending delete period would make much difference to the majority of registrants.

Accordingly, we propose to retain the current 30 day pending delete period for expired domain names.

2. Whether the current "domain purge" procedure (ie. where domain names are purged from the registry at a random time between 10.30am and 5.00pm AEST on the next business day after the pending delete period ends) is effective.

Again, the majority of submissions supported the current policy or made no comment.

The submission from 2LD registry operator AusRegistry Pty Ltd recommended that the random purge time be changed to a fixed time, and that the time be published. AusRegistry gave the following reason: "Having the exact time of the domain purge process known to all registrars and fixed each day will reduce the window for unnecessary, and potentially risky (if escalated in scale) and costly transaction volumes from 6.5 hours to an approximately 10 minute period (assuming approximately five minutes before the fixed time and approximately five minutes after)."

auDA response:

The original purpose of the random purge time was to make it harder for people to snap up expired domain names. We recognise that it has not been particularly effective, and in fact may have advantaged people who are "in the know" as opposed to ordinary members of the public.

We therefore propose to implement AusRegistry's recommendation to set a fixed purge time and to publish that time. In addition to the technical rationale put forward by AusRegistry, we believe that this change would help to level the playing field when it comes to registering expired domain names.

3. What action (if any) auDA should take in relation to unofficial domain drop lists, and the domain-catching services being provided by some accredited registrars and other industry participants.

Submissions that commented on this issue were roughly divided between those that argued for no action to be taken, and those that wanted to see this type of activity more directly managed or regulated by auDA.

In the latter category, 7 submissions supported the publication of an official domain drop list, and 3 submissions supported the introduction of a centrally managed domain release/auction process.

auDA response:

We note that many of the submissions that argued for no action to be taken on this issue came from people who currently provide or use domain-catching services. Other submissions pointed out that ordinary members of the public are not aware of, or do not have access to, these services and are therefore at a significant disadvantage. Our experience in handling complaints and inquiries from the public tends to support this view.

We propose to publish an official, authoritative domain drop list. The list would be updated daily and would include the exact date and time that domain names will become available for registration. As with the previous issue, we believe this change would help to level the playing field. It would also help to avoid any confusion or uncertainty which may arise from unofficial drop lists.

We have given consideration to proposals that auDA take a more direct role in managing the release of expired and deleted domain names, for example through a centralised auction process. This would represent a major change to the Australian DNS which we do not believe is warranted at this time. Our expectation is that the publication of an official drop list will enable more registrars and other industry participants to offer drop-catching services, which will increase consumer awareness and choice.

Other issues raised in submissions

Common expiry date for multiple domain names

As part of this policy review, auDA has considered a request from the administrator of the edu.au 2LD to enable a registrant to set a common expiry date for all their domain names, within the 2 year licence period. For example, if the registrant set a common expiry date of 1 July, then a domain name registered on 1 June would expire on 1 July and the registrant would forego the remaining 23 months of the initial 2 year licence period.

auDA response:

We believe this proposal would be of benefit to registrants generally, not just in edu.au, and therefore we plan to implement it across all 2LDs. Once the facility is available at the registry, it will be open to registrars to offer the service to their customers as a way of managing large domain name portfolios.

Changing the domain name licence period

Four submissions suggested changing the current fixed 2 year domain name licence period to allow registrations for between 1 and 10 years.

auDA response:

We feel that the fixed 2 year licence period is well known and understood by .au registrants, and we do not believe there is a case for changing the licence period at this time.

Registrar renewal services

Some submissions commented on renewal services provided by registrars. ISOC-AU suggested that the .au Domain Name Suppliers' Code of Practice be reviewed and amended to deal with renewal notices and other associated services.

auDA response:

As identified by ISOC-AU, the appropriate mechanism to address registrar services is via a review of the Code of Practice. The Code of Practice is not written by auDA, but by a committee of industry and consumer representatives. We note that it has been 5 years since the committee last held a review of the Code, so it would be appropriate for us to facilitate another review in early 2010.

Policy deletes

If auDA upholds a complaint that a registrant is in breach of policy, then the domain name is deleted. One submission argued that auDA should instead transfer the domain name directly to the complainant, to avoid the complainant having to take further action if they are unable to secure the domain name when it becomes available.

auDA response:

auDA's role is to determine whether or not a registrant is in breach of policy; it is not our role to determine whether or not the complainant has a better entitlement to the domain name. If the complainant wishes to have the domain name transferred to itself, then it should lodge a complaint under the .au Dispute Resolution Policy (auDRP).

Conclusion

auDA is proposing to make the following changes to the Domain Expiry, Renewal and Deletion Policy:

- change the random domain purge time to a fixed, publicly known time
- publish an official domain drop list
- allow registrants to set a common expiry date for multiple domain names.

We will facilitate a review of the .au Domain Name Suppliers' Code of Practice by the Code of Practice Committee in early 2010.