



LAW COUNCIL
— OF —
AUSTRALIA

**BY EMAIL: jo.lim@auda.org.au
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Ms Jo Lim
Secretariat
auDA Competition Model Advisory Panel
Australian Domain Name Administration Limited
GPO Box 1545P
MELBOURNE VIC 3001

Dear Ms Lim

Submission to auDA Model Competition Advisory Panel

The Working Party on E-Commerce of the Business Law Section of the Law Council of Australia ('the Working Party') would like to respond to your request for submissions to the Competition Model Advisory Panel.

The Working Party appreciates and acknowledges the rapid technological developments that have occurred in recent years, and the impact that this has had on law and commerce. The Working Party also notes that recent technological developments have significantly improved accessibility, delivery and transmission of information.

However, the benefits associated with recent technological developments, have not been complemented by similar developments in respect of information administration and management. This is evidenced by, amongst other things, the current inability to obtain public information in respect of a company, business, trade mark or domain name from a central database system. Accordingly, the Working Party would like to ensure that significant improvements in respect of information accessibility, delivery and transfer (as it relates to companies, business and domain names, and trade marks) are complemented by consistent improvements in the administration and management of such public information.

The Corporations Law Committee of the Business Law Section of the Law Council is also looking at this issue and is currently examining the potential benefits of establishing a central (governmental) database system that will enable online access to public information about companies, businesses, trade marks and domain names. It is envisaged that a central database facility of this nature will, amongst other things, significantly enhance information accessibility, which will in turn enable individuals and businesses to make more informed business decisions.

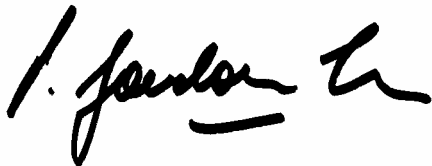
The Working Party considers the lack of public access to public information in respect of companies, businesses, trade marks and domain names to be an important issue for key industry bodies in law and commerce. Moreover, the Working Party believes it is important that any proposed changes to the domain name registration and administration procedures and policies, as contemplated by auDA, adequately address public access to domain name information.

The Working Party notes that the auDA Stage 3 Report for Public Consultation proposes to address public access to registry data pursuant to Proposal 4.3A and Proposal 4.3B. In light of these proposals, auDA's important current and future role in the domain name industry and the need to establish a coherent and reliable Domain Name System (DNS) search mechanism, the Working Party seeks auDA's future commitment to working symbiotically with key private industry leaders and government in the establishment of a central online database service that provides public information in respect of domain names, companies, businesses and trade marks.

Although this initiative is still very much in its infancy phase, it is hoped that auDA will ensure that any changes to the DNS enable auDA (or the relevant Registry/Registrar) to facilitate this initiative which will generate benefits for those not only interested in domain names but commerce generally.

The Working Party would be happy to liaise directly with auDA to progress this initiative. Please do not hesitate to contact me should you wish to meet or discuss any of the issues raised in this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. G. Levy', with a horizontal line underneath the name.

P G Levy
Secretary-General

27 April 2001