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Submission: 2015 Names Policy Panel Issues Paper

Hi Jo,

I'm writing to strongly object to direct registrations under .au, and also to provide feedback on the questions regarding 2LD eligibility and allocation policy rules.

Some of the statements in the Issues Paper make it sound like the 2015 Names Policy Panel is already convinced that direct registrations under .au should be rolled out. However, I note the statement that the Panel has not yet reached a consensus view, and I appreciate the opportunity to submit comments.

I speak from the perspective of an Australian Internet user with a long-standing interest in DNS and domain name registration, and also as a registrant of a .id.au domain name and a member of a community group with a .org.au domain name.

Regards,

Nathan Jones

Comment: Direct registrations in .au

Should .au follow the example of other ccTLDs like .uk and .nz?

No. auDA should prioritise .au's stability and value for registrants over the financial growth of registrars and resellers.

Allowing direct registrations would dilute the brand identity of .au and negatively impact existing registrants, without providing a significant benefit to new registrants.

The fact that other countries have set a precedent is not in itself an argument that we should follow.

Do new gTLDs pose a threat to the ".au brand"?

I don't see gTLDs as a threat to the .au brand at all. They serve a different purpose. I see direct registration as a bigger threat to the .au brand.

As noted in the Issues Paper, companies and organisations are already well served by the existing 2LDs under .au. The Issues Paper also posits that individuals are not well accommodated, in part because id.au is unattractive or not well-known. But is there really a strong desire from individuals for .au domain names that can only be served by direct registration? Or, are individuals simply more interested in registering domains under generic TLDs?

Is there evidence of any market demand for direct registrations?

Decisions about the value of particular namespaces should be made, not based on the sheer number of registrations, but based on which domains are actively used, both by registrants and Internet users:

Are registrants actively using domains they've registered in new gTLDs? If a company registers domains under new gTLDs to protect its brand, but simply redirects them to the better known *companyname.com*, that's not an indication that the company is getting business value from a proliferation of TLDs. It's an indication that the domain name industry is extracting value from the company, with dubious benefits in return.

Are Internet users getting value out of new gTLDs, or just confusion? When was the last time you used a website under .biz, let alone any of the newer gTLDs?

What types of registrants/users would benefit from direct registrations?

Firstly, thank you for asking this question in the context of registrants and users, not supply-side stakeholders. Clearly, resellers, registrars, the registry operator, and even auDA have incentives to increase the number of domain names registered. However, I believe policies should primarily be crafted to serve the interests of registrants and the broader community.

So, who would benefit from direct registrations? Cybersquatters. And maybe people who enjoy registering domain names under multiple namespaces, even though they ultimately all redirect to the one domain (making it a dubious benefit).

Serious businesses and organisations will continue to register and actively use domains under well-established 2LDs, such as com.au and org.au.

Other registrants who just want a single domain, but who can't register under a well-known 2LD (either because of eligibility criteria or because the domain is already taken) are more likely to gravitate towards a gTLD than direct registration under .au.

What policy rules should apply to direct registrations?

The Issues Paper notes: *"A more restrictive policy would necessarily limit the potential for growth and might therefore undermine the purpose of opening up the .au space in the first place. A more relaxed policy might lead to higher risks of cybersquatting and inappropriate registrations, resulting in a dilution of the .au brand and reputation."*

To me, this says it all. The Panel expresses concern that relaxed eligibility criteria might be harmful, but acknowledges that direct registration with restrictive eligibility criteria might not be worthwhile.

In the event that direct registrations are made available, I favour restrictive eligibility criteria and premium pricing, such that registrants under existing 2LDs would continue to enjoy the brand value associated with com.au, org.au, etc., whilst still allowing registrants who do have a desire for a shorter domain with an Australian identity to pay for the privilege.

What issues would need to be taken into account as part of the implementation process?

Others have outlined issues in their submissions. My hope is that auDA will conduct a proper cost-benefit analysis before making any policy changes. If the analysis shows that there will be significant benefits to demand-side stakeholders, then auDA should develop an implementation plan in consultation with a wide range of stakeholders.

Comment: 2LD eligibility and allocation policy rules

Should the domain name licence period remain fixed at two years?

I support the 2010 Names Policy Panel's recommendation to change to a variable 1-5 year period, and see no reason to not to make the shift once the cited revenue implications are resolved.

Should the principles of 'first come, first served' and 'no hierarchy of rights' be retained?

Yes, I believe so, at least for new registrations. I have no strong opinions about the cited proposals for pre-registering soon-to-expire domains.

Should the current 2LD eligibility criteria (ie. restricting com.au/net.au to commercial entities, org.au/asn.au to not-for-profit entities, id.au to individuals) be modified?

I wasn't aware of there being categories of entities able to register in more than one 2LD. I can't imagine it's a big enough issue to warrant tightening eligibility criteria further in order to make 2LDs mutually exclusive. However, I do think it's important to retain focused eligibility criteria per 2LD and not water them down, as that would reduce the value and "brand" of the namespaces.

Is the 'close and substantial connection' rule desirable?

As much as I dislike the practice of cybersquatting, I feel that the 'close and substantial connection' rule is so loosely applied that it serves no effective purpose in reality. The size of the .au domain space is such that the rule is almost unenforceable, so I think it's reasonable to remove the rule, and allow registrants to register any domain name, so long as they meet the other eligibility criteria and trademark policies.

What changes are required to address the new practice regarding business name registrations?

I don't see this as a policy matter, unless wording of eligibility criteria needs to be updated to reflect changes to IDs associated with business names. Registrants should still be required to provide evidence of business name registration, and if necessary, registrars and the registry operator must make changes in order to accept and validate any new form of ID.

Comment: Other 2LD policy rules

The Panel invites comments on the policy rules relating to the reserved list and misspellings.

I agree with the Panel that these policies continue to be relevant and effective in maintaining the integrity of the .au domain space, and therefore do not need to be changed.