

Dear Jo

I would like to contribute to the generic word reference issue.

I have given the initial views of Dr Bruce Moore on the subject and that is quite clear. I think it is the best clear thinking on the subject so far. But, because it is contrary to what I believe is the agenda of MelbourneIT or auDA it is dismissed.

I agree with the use of AUSLIG for place names. Similarly, with generic words, there is a need for a robust and authoritative source. If on one hand we use a government directory such as AUSLIG, then to be consistent we should use ABS ANZSIC concordance for commercial categories. If the exact word (not parts) has not been in it for as long as the word is claimed then the word has to be approved.

Given the different views of lexicography we cannot limit it to one dictionary, if at all. Without detracting from its high standard, the Macquarie is a relatively new dictionary and the Oxford and Webster's dictionaries should be consulted. In the case of technical words, technical dictionaries should be consulted as well. That is, there must be an established consistent usage of the word over a long time. The fact that a word appears in a dictionary, is in itself not a reason for exclusion, as it should be possible to find a dictionary with all words in it, otherwise the word doesn't exist. The use of dictionaries is counter intuitive, although on the surface it seems like a good idea.

As for Yellow Pages, it is not robust in its current application. If you are going to use documents of this type as a reference, then all such sources must be consulted and the exact word (not parts of words) must be in all such sources. Also, the word must have been in the sources for at least the length of time the applicant can claim entitlement to the word. Otherwise you are applying contemporary usage to an long established usage, and that is not robust.

For example, in my case MelbourneIT would have to establish that logistics appeared in the Yellow Pages since 1987 or before to claim YellowPages as an authority to deny the word under that definition. Also, if the word does not appear in comparative directories, then the YellowPages cannot be used as an authority. That is, there must be consistent usage of the word in all such directories for as long as entitlement to use the word is claimed, otherwise the approval cannot be reasonably denied on those grounds.

I suggest we use a point scoring system to establish approval. That is, all criteria are laid down and say the total points is 100, you must get 90 or more points to have the name approved. However, it must not be possible to rig the result as is happening now.

Basically, my position is that it should be based on the degree of common usage across the entire community (not a select group) for the time the word is claimed. If the fact that five years ago trucks started to appear on the streets with logistics painted on the side is relevant. The fact that reliability has been in common usage since Genesis 6:14 -22 is more relevant and not less relevant as the current logic of Melbourne IT. Most people, have an inherently accurate understanding of reliability whereas most people cannot reasonably describe logistics.

But above all, if you have a lawful entitlement to the word (company or business name, etc) then criteria such as generic must concede, as stated by Mr Elz.

At the present time, I think you guys have a solution in mind and you are trying to rig the process to give the desired result that suits you and to hell with any consideration to those of us who are suffering as a result.

Anyway, they are my views for what they are worth, which I don't think is very much in the current "group think" environment.

Regards

Adrian

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I suggest that any companies or businesses that were registered and continuously current on the respective register since incorporation or registration when the .com.au space became commercially and commonly available (I believe that was the early 1990s, say 1 January 1995), can have the word or all of the words approved as their company name (absolutely no abbreviations, extractions, etc) as a domain name. That is, if you were XYZ Pty Ltd incorporated in 1988 and the word XYZ violated some circa 1500 word power test introduced in 2000, you could have XYZ as the domain name, no other characters to be included or deleted. Similarly, if you were XYZ ABC, you could have XYZ ABC, but not XYZ or ABC if there are already companies by that name whether or not they had applied for the domain name. If there was conflict then the rules a Court would use to establish precedence should apply.