

To The PRP,

Please accept the following as my “short and sweet submission” to The PRP’s “Business” Focus Group on the **February 2019 Public Consultation Paper: Reform of Existing Policies & Implementation of Direct Registration.**

To start with, I ask that The PRP please understand the term “Domain Investor” as it appears that many members of The PRP have mistaken this term to mean something else over the past few years.

A “**Domain Investor**” is a person, business, company, entrepreneur who owns more than **10** .com.au domain names. As of this moment in March 2019, this means that **64,000** businesses own more than 10 domain names each, which totals **995,795** “.com.au” **domain names collectively owned**, which equals **35% of ALL “.com.au” domain names in existence.**

Listed below are my thoughts on the various sections of the Public Consultation Paper for your consideration.

- **Section 3 - Reform of Existing Policies**

- **Section 3.1 and 3.2** feature changing policy to a single “Australian Presence” test to all domain names across the board.
 - I agree with these changes.
- **Section 3.3 - Resale and Warehousing.**
 - In section 3.3 where it mentions “2. Strengthen and/or clarify the rule” - The PRP note the following:

“Many members of the Australian internet community provided comment to the Panel that registering domain names for resale increases the cost of doing business, increases the scarcity of names, and that registering domain names for the purpose of resale adds no real value to the internet name space. “
 - I disagree with this statement.
 - I would like The PRP to publish the number of “members of the Australian internet community” who stated these sentences, as I don’t believe ANY member of “the Australian internet community” stated these sentences and it was merely one or two people’s “opinions” from The PRP.
 - In general, the “indicators” listed as being “indicators that a domain name has been registered for resale or warehousing” are ridiculous. As ridiculous as the original “Lottery System” proposed for the implementation of Direct Registrations. All of these indicators need to be scrapped because domain investors and entrepreneurs and businesses up until this point have obeyed the existing rules for over a decade. The rules can not simply be pulled out from under Domain Investors who have obeyed them since 2006 and 2012. That would be unfair and unjust and any attempt to try to wrongly promote these new “warehousing” rules as something a “majority” of the public want, would highly-likely see a class action from a majority of the 64,000 current Australian “Domain Investors” who collectively own nearly one million .com.au domain names.
 - I support **REMOVING the resale and warehousing prohibition rule altogether** on the grounds that the current rules and their administration have not deterred warehousing and resale, and such activities have not undermined the domain space. In fact, quite the opposite has happened. Premium aftermarket sales of generic Australian domain names held by Domain Investors have been highly beneficial to the “trust” and “value” of the Australian ccTLD domain name system. In fact, some of our aftermarket sales have been recognised around the world. In other words, the Australian domain name system is working fine with the current rules in this regard.

- **Section 3.5 - Domain Monetisation**
 - I would like The PRP to publish the number of people who stated “Domain Monetisation is detrimental to the .au name space” as I don’t believe ANY member of the “Australian internet community” has made this statement or any like it. On the contrary, I believe it is the opinion of one or two biased members of The PRP instead, who insist on making these claims for their own self-interest.
 - This entire section needs to be scrapped and Domain Monetisation rules need to remain the same as they have been since 2006 and 2012. Because, domain investors and entrepreneurs and businesses up until this point have obeyed the rules. The rules can not simply be pulled out from under them that have existed since 2006 and 2012 without compensation. That would be unfair and unjust and any attempt to try to wrongly “turn off” the current Domain Monetisation rules as something a “secret-majority” of the public want, would not only surely be found to be an unfounded lie, but would also highly-likely see a class action from a majority of the 64,000 current Australian “Domain Investors” who collectively own nearly one million .com.au domain names.
- **Section 3.6 - Grandfathering Considerations**
 - This entire section needs to be scrapped. Because, domain investors and entrepreneurs and businesses up until this point have obeyed the rules. The rules can not simply be pulled out from under them that have existed and been obeyed since 2006 and 2012. That would be unfair and unjust.
- **Section 4 - Implementation of Direct Registration**
 - The simple answer for Direct Registration Implementation is to **not bring in Direct .AU Registration at all...** There are still many arguments that the timing is not right.
 - But... if, and **ONLY IF**, all 64,000 “Domain Investors” (including ANZ Bank, Apple Computers, Various Law Firms and Medical Services and Courier Companies and Marketing Agencies etc) have been asked their opinion on bringing in “Direct .AU Registrations”, and a **MAJORITY** agree that it needs to happen, then the rules should be very simple as follows:
 - Offer the existing matching [.com.au](#) holder the Direct .AU domain name, free of charge, as long as they make claim to the domain name within three months of initially turning on Direct .AU Registrations. If not claimed by the [.com.au](#) matching domain holder within 3 months, then offer the domain to the [.net.au](#) and [.id.au](#) holders equally on a “first come, first served” basis for 3 months. If after 6 months, no matching .au holder has come forward, allow the general public to register the domain name on a “first come, first served” basis through a public auction process.
 - IT’S THAT SIMPLE, HONESTLY. AND THAT FAIR.
 - Very easy, very simple. Pain free. It doesn’t take a rocket-scientist to figure out how to implement Direct .AU Registrations because **THERE ARE HIERARCHY OF RIGHTS** and there always have been. Even auDA have publicly shown that **THEY** value “[.com.au](#)” as the most important Australian ccTLD on multiple occasions.
- **General Thoughts**
 - There are currently 64,000 Domain Investors who own more than 10 domain names and collectively they own nearly one million “.com.au” domain names. As of 2019, that’s 35% of the total “.com.au” domain names in existence. **EVERY ONE OF THESE PEOPLE NEED TO BE CONTACTED THAT THIS IS HAPPENING** before moving forward. **THIS HAS NOT HAPPENED.**
 - One or two “jealous” people on The PRP seem to think they can *invent* rules in an attempt to “wind back the clock” to the early days of the internet. Domain Investors (who have obeyed the past decade’s “.com.au” rules and the “free market” and “capitalist” society rules we all live in and abide by) will **never allow** their time, effort and investment go to waste.

- I have to say this again in another way, as it's just so true and awesome. Domain Investors have collectively spent multi-millions of dollars creating value and trust to the Australian domain name system. Australian domain names utilised by local Aussie websites and email addresses are seen as "safe" and "honest" by our entire country. There is no chance that a very tiny handful of people in The PRP are going to be able to "pull the rug" out from 64,000 Domain Investors after those same Domain Investors have "played by the rules" that have existed for over a decade. No chance.

- I ask that The PRP restructures all the sections I have mentioned above and re-presents the Consultation Paper to Focus Groups for a THIRD TIME before asking the general public's opinion. Don't let the auDA Board rush this through to be put up for vote with such massive mistakes that will have a long-lasting devastating effect on the Australian domain name system for decades to come. **This version of the Consultation Paper IS NOT READY.** But, before doing any of this, I would ask all at The PRP to consider dropping at least two of your current members who are clearly biased and jealous against Domain Investors. You all know who they are. And you all know they are the reason THIS IS ALL TAKING SO LONG TO WORK OUT. Only once you've done that, those of you who remain will be able to look at your work in a few years' time and know that Direct .AU Registrations were implemented on a *truly fair basis that justly considered the previous decade's time, effort and investment* by those who were FIRST to support, and those that CREATED VALUE and TRUST and BELIEVED in the Australian ccTLD domain name system.