Caroline Fritsch

From:	Sean Fogarty █████████████████
Sent:	Friday, 29 November 2019 10:20 PM
To:	auDA Policy Review
Cc:	Bruce Tonkin; CEO; Caroline Fritsch; Williams, Annaliese; Vicki Middleton
Subject:	[EXTERNAL] - .au Domain Name Leasing
Attachments:	auda-policy-2012-04.pdf

Domain Name Leasing

See attached flyer from Escrow.com being handed out in Sydney https://www.startcon.com/ last week promoting .au **domain name leasing**.

"Leasing Domains How we do it at Epik and how you can too"
https://epik.com/blog/leasing-domains-how-we-do-it-at-epik-and-how-you-can-too.html

https://www.escrow.com/services/domain-name-holding-escrow

You can also find several good interviews on the subject over at http://www.domainsherpa.com/

 http://www.domainsherpa.com/zak-muscovitch-leasing/

https://dnattorney.com/5-domain-name-leasing-legal-tips/

- http://www.domainsherpa.com/rick-schwartz-jointventures-interview/
- http://www.domainsherpa.com/domain-name-leasing/
- http://www.domainsherpa.com/domain-names-rent-lease-or-buy/
- http://www.domainsherpa.com/merve-engine-domainleasing-interview/

"How does domain leasing work?"

- https://www.namepros.com/threads/how-does-domain-leasing-work.1133597/

Domain Name Leasing is a legal right in Australia protected by Commonwealth and International Law IP Australia even has it listed specifically under a **Trademark Class 450233**

- https://www.wipo.int/classifications/nice/nclpub/en/fr/?basic_numbers=show&class_number=45&explanatory _notes=show&lang=en&menulang=en&mode=flat&notion=&pagination=no&version=20190101

NICE HOME PAGE

DOWNLOAD

EDITION-VERSION

11-2019

OTHERS

CLASS INDEX

GOODS

1 2 3 4 5 6 7
11 12 13 14 15 16 1

NCL11-2019 and NCL11-2020 data for "Hierarchical" and "Full" view from 1 January 2020.

Classes   Alphabetical   Class Headings   General Rema

450197 **house** sitting
450202 **inspection** of factories for safety purpose
450206 **intellectual** property consultancy
450234 **kimono** dressing assistance
450233 **leasing** of internet domain names
450210 **legal** research
450221 **legal** document preparation services
450223 **legal** administration of licences
450230 **legal** services in relation to the negotiation c
450235 **legal** advice in responding to calls for tende

auDA's new proposed domain name leasing restrictions / banning are simply absurd and not in line with the rest of the domain name, IP Rights or business world.

Proposals and actions such as this if enacted into .au domain name policy make a mockery of auDA and any auDA Board which would approve it leading to significant legal risk for the organisation and the responsible auDA Directors personally.

At no time ever in the past has auDA banned Domain Name Leasing nor should they. The world has evolved and **Domain Name Leasing** is allowed in all countries and namespaces.

It appears someone at auDA is going backwards wasting time, money and resources on policy matters such as this and also have falsely stated reasons for proposing banning domain name leasing using a false claim example apartments cannot be sublet in Australia when they also can be sublet and sub leased.
https://www.linkedin.com/posts/ugcPost-6587157736222531584-6jno

> auDA your video is False & Misleading again. Your subleasing example video states people cannot sublet their apartment but the fact is people can sublet apartments in Australia by law. Domain Name Leasing is now increasing globally..search google and catch up. auDA cut your often incorrect, unnecessary red tape and use of very poorly written materials especially when it comes to surveys and .au domain name policy. Also note IP Australia trademark "Class 45 Leasing of Domain Names" / Subletting of Domain Names
> http://xeno.ipaustralia.gov.au/tmgns/facelets/tmgoods.xhtml;jsessionid=QjKMmtWggABDNSUBatIJ4tKLJJ2RrSA52WHExpWeXyAA48QhESKN!-427358722

Where are you getting your incorrect information again? auDA Accredited Registrar Godaddy
https://au.godaddy.com/community/Managing-Domains/Is-Domain-Name-Leasing-possible/td-p/6854

https://www.finder.com.au/how-to-sublet-a-property-in-australia
https://m.sublet.com/lecitylist.aspx?state=australia

https://www.tenants.org.au/factsheet-18-transfer-and-sub-letting

https://epik.com/blog/leasing-domains-how-we-do-it-at-epik-and-how-you-can-too.html
https://www.consumer.vic.gov.au/housing/renting/types-of-rental-agreements/subletting (edited)

Sub-letting (sub-tenancy)

Sub-letting (sub-tenancy)

consumer.vic.gov.au

https://www.theage.com.au/national/victoria/entrepreneurs-cashing-in-on-airbnb-as-rooms-are-sublet-by-the-day-20150205-136wbg.html

auDA needs to wake up and catch up!
IBM Case Study

https://www.ibm.com/case-studies/dan-com

- Solution
- IBM Hybrid Cloud
- Industry
- Computer Services

Dan.com

Blockchain transforms the domain name marketplace

To bring greater efficiency and process automation into the domain name marketplace, Dan.com partnered with IBM and IBM Business Partner Unchain to use IBM® Blockchain technology to automate previously manual processes, such as transferring a domain name from one registrar and registrant to another.

Visit us on Facebook Visit us on Twitter Visit us on YouTube

Business challenge

Dan.com wanted to bring more transparency into the domain name marketplace and make it easier for businesses and individuals to find, buy and transfer domains with flexible domain purchase options, such as **lease to own.**

Transformation

Dan.com used IBM® Blockchain technology to automate domain name processes, such as transferring a name to a new user, and to create new services, **such as domain name rental and lease.**

Results

900% increase in processing capacity

through blockchain automation, from 300 to 3,000 transactions per month

Supports new services

for users, such as allowing users to rent domain names directly through their preferred domain name registrar

Supports 600,000 transactions

every half hour

Business challenge story

A fragmented and outdated industry

Finding the right domain or brand can be difficult. "Every single domain name that contains a dictionary word, or that's brandable and pronounceable, is already taken," says Reza Sardeha, Chief Executive Officer at Dan.com. Existing processes for finding and buying a domain name were established in the 1990s, and they no longer work in today's market. "The old market is inefficient because it is run by a handful of companies that don't grow through innovation but rather through consolidation of competitors," says Sardeha. Meanwhile, many new businesses want to create an online presence but struggle to find an appropriate domain name.

One primary problem is that while around 330 million domain names are registered, about 44 percent of those, or 145 million, are not being used. But only about 25 million of the 145 million unused names are available through resellers, brokers and marketplaces. It's relatively cheap to keep a domain, so instead of dropping them, many organizations simply hang on to unused domains. Further, the unused domain inventory is also scattered among registrars that don't engage with the secondary market, making millions of high-quality unused domains even harder to find and acquire. Dan.com wanted to bring more transparency and flexibility into the domain market, **allowing new concepts such as lease to own.**

https://venture.com/

https://domaininvesting.com/venture-launched-domain-name-leasing-platform/
https://venture.com/about

Branding the Next Genera

> 66 I believe that a good domain name is an important success factor in building and

Be a Good Stewa

Have you ever come up with a great brand and then tried to register the
you enquired about the domain you got no response or the owner asked

At Venture, we understand how vital a great brand is to a business. After
unused, the catalyst to change this came from a visit to the Irvine Ranch i
planned urban land. Their theme of good stewardship resonated with us
Startups to unused premium .com brands to create a new type of digital l
better — lease forever, cancel anytime and a unique plan for Startups.

Software is Eating the

> 66 We are in the middle of a dramatic and broad technologica
> software companies are poised to take over swathes of the
> computer revolution, four decades since the microprocess
> the modern Internet, all of the technology required to tran
> finally works and can be widely delivered at global scale.

Brand As a Servi

Sincerely
Sean Fogarty