From:	Roland Bleyer
To:	LRreview
Subject:	[EXTERNAL] - Submission on .au Licensing Rules Review Draft Report — domain monetisation and investor certainty
Date:	Friday, 3 July 2026 3:07:52 PM

Dear .au Licensing Rules Review Policy Advisory Panel,

Please find my submission below in response to the .au Licensing Rules Review 2025 Draft Report.

I am happy for this submission to be published.

Kind regards,

Roland Bleyer

Submission to auDA Licensing Rules Review 2025 — Draft Report

Thank you for the opportunity to provide feedback on the Draft Report.

I am an Australian domain name registrant and long-term participant in the .au domain market. Over many years I have built and managed a significant portfolio of Australian domain names, particularly .com.au and .au names. I have also bought, sold, renewed and held domain names through normal commercial channels, and I have seen first-hand how the secondary market can help Australian businesses acquire better digital names.

My concern with the current review is not that auDA is looking at trust and compliance. That is important. I support a trusted, well-regulated, Australian-focused .au namespace. I also support strong action against scams, phishing, malware, misleading conduct, cybersquatting and bad-faith registrations.

My concern is that some possible changes under Recommendation 2, particularly any deletion of sub-paragraph 2.4.4(2)(f), could unintentionally harm legitimate Australian registrants and domain investors who have operated under the existing rules in good faith.

There is a major difference between DNS abuse and legitimate domain investment. The rules should target the former without damaging the latter.

My submission is that auDA should:

1. retain the current ability for legitimate domain monetisation in com.au, net.au and .au direct;
2. not delete sub-paragraph 2.4.4(2)(f) of the Licensing Rules;
3. avoid retrospective changes that undermine existing domain holdings;
4. distinguish clearly between responsible domain investment and abusive conduct;
5. preserve the commercial certainty and transferability that make the .au namespace valuable.
6. Support for Recommendation 1 — retain domain monetisation

I support Recommendation 1 of the Draft Report: no change to the current approach that allows domain monetisation in com.au, net.au and .au direct.

Domain monetisation is not just pay-per-click advertising. It can include holding, leasing, selling or transferring domain name licences for income. In my experience, this is a normal and legitimate part of the domain ecosystem.

A good domain name is a digital asset. It can be held for a future project, acquired for a possible business, used defensively, redirected, developed, leased, sold or transferred. Australian businesses routinely buy assets before they are fully used. Domain names should not be treated differently simply because some of them are valuable.

A healthy secondary market benefits Australian businesses. Many businesses do not find their ideal name available through ordinary hand registration. The secondary market gives them a way to acquire a stronger, shorter, more memorable or more commercially suitable name.

Without a functioning secondary market, valuable domain names would not automatically become freely available to small businesses. They could be lost through drops, captured by opaque processes, moved into other namespaces, or simply become harder to obtain. That would not strengthen .au.

1. Domain investment is not DNS abuse

The policy issue should not be framed as “domain investors versus trust”. The correct distinction is between legitimate domain investment and abusive conduct.

Scams, phishing, malware, misleading advertising and bad-faith registrations should be addressed directly and strongly. I support increased audits and compliance checks where there is evidence of abuse.

However, responsible registrants should not be treated as suspicious merely because a domain is valuable, parked, for sale, held for future use, monetised, or part of a larger portfolio.

Many legitimate Australian domain investors have supported the .au namespace for years by paying renewal fees, taking commercial risk, preserving valuable names and creating liquidity in the secondary market. That activity should not be reclassified as harmful unless there is actual evidence of abuse.

1. Opposition to deleting Rule 2.4.4(2)(f)

I oppose Option 3 under Recommendation 2, being deletion of sub-paragraph 2.4.4(2)(f).

Removing this pathway would create unnecessary uncertainty for many legitimate registrants, not only domain investors. The “service”, “goods”, “activity” and related allocation pathways can be used by start-ups, future projects, brand owners, marketing businesses, investment entities, brokers, developers and companies holding domains for legitimate commercial purposes.

In the real world, people often secure a domain before a project is launched. A business idea may sit for years before being developed. A name may be acquired because it is brandable, category-defining or strategically useful. A company may hold names for multiple future projects. None of that is abuse.

Deleting this rule could force registrants into unnecessary workarounds, such as registering artificial business names or trademarks merely to support domain eligibility. That would add cost and complexity without improving trust.

It could also create serious uncertainty for existing holders who acquired and renewed domain names under the rules as they stood. That would damage confidence in .au and make the namespace less attractive to long-term Australian registrants.

If the concern is misleading landing pages, scam-like advertising or pay-per-click misuse, the answer should be targeted rules for those problems. It should not be the removal of a broad allocation pathway that legitimate registrants use.

1. Prefer Option 1, or a narrow version of Option 2

My preferred outcome is Option 1: increase compliance checks under the current rules.

I could also support a narrow and practical version of Option 2, provided it is carefully drafted and does not become a disguised ban on domain investment.

For example, auDA could consider a clear safe-harbour framework for domain sale, lease or holding pages. A compliant page could:

- clearly state that the domain name may be available for sale or lease;
- provide accurate contact or enquiry details;
- avoid pretending to be an operating business where no such business exists;
- avoid scam-related advertising, malware, phishing or deceptive links;
- comply with existing DNS abuse rules;
- allow the registrant to hold the domain as part of a legitimate investment, development or future business strategy.

This would address consumer confusion without damaging the legitimate secondary market.

1. No retrospective harm to existing registrants

Any policy change should be prospective only.

Registrants who acquired and renewed domain names under existing rules should not face retrospective cancellation, forced divestment or sudden new allocation burdens unless there is evidence of abuse, bad faith or non-compliance with existing rules.

This is extremely important for confidence. People make long-term commercial decisions based on the rules in place at the time. If those rules can later be changed in a way that undermines existing holdings, the value and credibility of .au is reduced.

Long-term registrants have paid renewals year after year. Many have invested in the .au namespace when others did not. It would be unfair and damaging to later treat those same registrants as a problem simply because the assets they preserved now have value.

1. Preserve transfer rights and market liquidity

The ability to transfer domain name licences is essential to the strength of the .au market.

Australian businesses often acquire domains from existing registrants. Brokers, investors and marketplaces help make that possible. The aftermarket is not a loophole. It is part of a functioning domain ecosystem.

Restrictions that make transfers harder, reduce certainty or discourage investment may push Australian businesses towards other extensions such as .com, .co, .io or .ai. That would weaken .au rather than protect it.

A trusted namespace also needs liquidity. Businesses should be able to acquire good names. Registrants should be able to sell legitimate assets. Investors should have confidence that the rules will not suddenly change against them.

1. Maintain the no hierarchy of rights principle

I support maintaining the principle that there is no automatic hierarchy of rights between different eligible registrants.

A trademark holder should not automatically have superior rights over a business name holder, service provider, earlier registrant or legitimate investor. Existing dispute mechanisms can deal with bad-faith registrations and rights-based disputes.

The Licensing Rules should not be changed in a way that allows later claimants to use policy reform as a backdoor acquisition method. That would create instability and invite strategic complaints.

1. Complaints, audits and due process

I support fair compliance checks, but the process must include proper safeguards.

Any audit or complaint process should include:

- clear reasons for any adverse decision;
- a reasonable opportunity for the registrant to respond;
- objective evidence requirements;
- protection against vexatious or strategic complaints;
- appeal rights;
- consistent and transparent decision-making.

Competitors, prospective buyers or disappointed parties should not be able to weaponise complaints to pressure domain holders into transferring valuable names.

1. Practical recommendation

I recommend that the Panel:

1. adopt Recommendation 1 as drafted;
2. reject Option 3 under Recommendation 2;
3. adopt Option 1, or a narrow version of Option 2 focused on transparency, anti-abuse and misleading conduct;
4. expressly confirm that legitimate domain investment, resale, leasing, holding and transfer remain permitted in com.au, net.au and .au direct;
5. apply any new compliance requirements prospectively, with grandfathering or equivalent protection for existing registrants;
6. preserve the secondary market and transferability of domain name licences;
7. distinguish clearly between legitimate monetisation and DNS abuse.

Conclusion

The .au namespace should remain trusted, Australian and well regulated. However, trust is not improved by treating legitimate investors as bad actors.

I have supported the .au namespace for many years as a registrant. Like many others, I have invested capital, time and renewal fees into Australian domain names under the rules that existed. That should be respected.

The better approach is targeted enforcement against scams, misleading conduct and DNS abuse, while preserving legitimate domain investment, secondary market activity and commercial certainty.

A strong .au namespace needs both trust and liquidity. The Licensing Rules should protect the public from abuse without weakening the legitimate market that helps Australian businesses acquire high-quality domain names.

Yours faithfully,

Roland Bleyer