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**COMMERCIAL INFORMATION & BUSINESS COMMUNICATION**

To: auDA's Chief Policy Officer

Jo Lim [jolim@auda.org.au](mailto:jolim@auda.org.au)

Re: Code of Practice

Gosford the 7<sup>th</sup> of June 2002

Dear Jo Lim,

I would not presume to assist with the drafting of such an important document as the Code of Practice for the domain name industry since, as I have limited personal legal knowledge.

With auDA's role in assisting Australian business, most likely in the not so distant future being stretched to the limit more than any organization in the past, the Code of Practice will be of greater importance than anybody can realize. This is particularly true with respect to the handling of complaints in the industry. Therefore, I would suggest that a procedure be adopted that allows for the reason for complaints to be addressed in addition to resolving the complaint. With every complaint registered, a careful study is absolutely necessary in order to improve practices in such a way to avoid repetitive complaints of the same nature. Otherwise, the complaint department will soon be the biggest department in the whole organization.

Every time auDA loses a challenge to its practices and decisions in court, its reputation and its integrity are diminished. The domain name industry is only in its infant stages. The matter of domain names is guaranteed to become one of the biggest commodities required by business in a very short time. Therefore, the code of practice is of very great importance and the best legal and business minds available should be employed to draft it.

In my opinion, defensive policies designed to deny responsibilities display weakness and prevent improvement. Policies have to be carefully and continuously scrutinized for the benefit of the industry and the public. A Code of Practice that requires thorough study of the bases of complaints will strengthen the industry, enhance consumer confidence and better serve the public interest.

ASIC comment on "domain names" is as follows:

Domain names are the addresses for sites on the internet. Internet Names Australia (INA) administers the registration of com.au domain names. INA undertakes searches on company name, business name and trade mark databases for possible infringements before registering a new

**domain name. To register your trademark as a domain name in Australia, it must be the same as your legal entity (business or company name).**

**A most important statement, this has to be followed to the point by every registrar, to eliminate an ever-growing complaint department.**

**I hope that my comments are of assistance.**

**Respectfully yours**

**Ernest Goldberg**

**\*to understand my concern and prediction I send you attachment to explain. E.G.**

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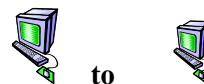
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