

## AUDA Issues Paper

- i.) The issues paper makes no reference to the 2002 generic domain names auction conducted by AUDA . Why is this history not referred to? Has it been forgotten? An issues paper that omits such does itself a disservice, should be withdrawn and re-considered.

That 2002 Auction and its conditions for entry were unlimited and generated revenue for AUDA and should be regarded as having established principles that should not be derogated from.

Thus a “first come, first served” principle for registration is contrary to that 2002 Auction and it should be at the least an exception to the first come, first served concept/principle.

Those who paid for and acquired domain names they considered valuable generic names should either be protected, or if rights are to be removed, then compensated at present day values. To do otherwise is subject to Protest.

Generic names did not have to have an associated Business Name or Trademark to participate in the auction and as such did not need to have “close and substantial connection”, all to the financial benefit of AUDA. If it had been so restricted, prices obtained at auction could not have been the same.

- ii.) A more recent change in rightful registration should not be a reason to deny continued registration.
- iii.) To award or deny the first right to the .au name based on recent change ignores business restructure, and in fact is submitted as being contrary to the title of the “Issues Paper”, which purports to be “Enabling Australia’ Digital Economy and Society” when in fact what is proposed is restrictive. Those who have paid for an acquired ( or subsequently purchased from that first registrant) domain names they considered generic names with a value should be able to have protection for that acquisition.

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