

My submission regarding the Registrant Policy Issues Paper

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au Structure

1. Should the .au Domain namespace be a 'general purpose' domain for all Australians allowing use for any purpose?

Yes, but with Australian Presence rules.

2. Should the net.au namespace be closed to new registrations? If so, should existing net.au registrants be permitted to continue to renew their domain name indefinitely?

Yes, close to new registrations. Yes, continue use until domain name is not renewed.

3. What should happen to the asn.au namespace? Should it be closed to new registrations or retained as a dedicated namespace for associations?

Yes, close to new registrations. Yes, continue use until domain name is not renewed.

4. Should the State and Territory namespaces be used for other purposes? If yes, why and what are the purposes for which domain names should be registered under these namespaces?

No opinion.

Reserved Names

5. Should auDA continue to maintain a public reserved list? Should the public reserved list be published? What process or steps should auDA take before deleting a restricted or prohibited name?

No. auDA should abolish existing public reserved list and not implement a new one.

6. Should auDA be able to reserve names in the public interest? How should the public interest be defined? What names should be reserved in the .au domain namespace? Should the public interest test replace the Prohibition on Misspellings Policy?

No. All names should be available for reservation. Existing Prohibition on Misspellings Policy should be abolished. It only serves to protect corporations (not small-medium businesses) for free.

7. Should the names identified in the discussion paper be reserved as future 2LD namespaces? Are there other names that should be reserved for use as future 2LD namespaces and why?

No opinion.

8. Should there be a requirement for auDA to publish a list of names that are reserved for use by the registry and names that pose a risk to the operational stability and utility of the .au domain? Should there be any exceptions to the publication of names?

No. And especially not generic domain names like “example” or “registry” (as in wedding registry, drone registry, pet registry, Christmas registry).

Eligibility and allocation rules

9. How should the Australian presence requirements be defined? Should trademark applicants and registrants only be allowed to register a domain name that is an exact match to their Australian trademark application or registration when relying on the trademark application or registration to establish an Australian connection?

No. Registration process should be opened up to anyone of any age who has an Australian Presence.

10. What eligibility and allocation rules should apply to the .au domain namespace (direct registration) and the open 2LD namespaces, and why? Should the close and substantial connection rule be retained and why? Should allocation criteria be removed, and the focus be on registrant eligibility? Should domain monetisation continue to be permitted in the com.au and net.au 2LD and at the second level? How should domain monetisers interests be balanced against the needs of the broader Australian Internet Community?

There should be no eligibility or allocation rules for Direct Registration .AU domain names except for Australian Presence.

The close and substantial connection rule should be abolished.

Domain monetisation should definitely remain, unless all eligibility and allocation rules are abolished (except for Australian Presence). In this case, there would be no need for a domain monetisation rule, as people could park domain names or leave them blank if they like, without fear of having an anonymous complaint made against their domain.

11. Should internationalised domain names be trialled at the second level, and under what conditions?

No opinion.

Licence conditions

12. Should a registrant be able to sublease the domain name to an unrelated party? If yes, in what circumstances should this be permitted?

Yes. In any and all circumstances.

13. Where a domain name licence is transferred between registrants, should the transferee receive the benefit of the remainder of the licence period?

Yes.

14. Should auDA be given the power to suspend a domain name licence? When should auDA suspend rather than cancel a domain name licence? What should be the maximum suspension period before a domain name licence is cancelled?

No. Complaints must be made via the complaints system.

Complaints should NOT be anonymous. Complainants names and motive should be made public.

15. For what purposes should auDA be allowed to collect, use and disclose registrant data?

Only for criminal matters as requested by a court of law.

16. Are there any concerns with the current level of information included in the public WHOIS service? Should the technical contact field be utilised for agent and lessee details?

“Registrant ID” should be changed to “Australian Presence” method and how it has been proven. No passport or Drivers Licence information should ever be displayed on WHOIS.

Yes, Technical Field should be utilised and changed to Agent/Leasee details.

MY STATEMENT ON THE NEED FOR DIRECT .AU REGISTRATIONS

I would first prefer that Direct .AU Registrations be taken off the table. I am reversing my previous opinion because I feel misled on how the PRP are planning on implementation. I have publicly written about this on NameBid.com.au(.) If more people than not support abandoning Direct .AU Registrations in this latest submission process, auDA should reverse the decision to implement Direct .AU Registrations altogether.

If more people than not submit they are still in favour of Direct .AU Registrations continuing, then the following rules should be applied, in my opinion, over and above anything else that has been mentioned up until this point:

1. .COM.AU domain name holder should receive their matching Direct .AU instantly and at no cost.
2. There should be no cut-off date, as to when someone may have registered a .COM.AU or any other Australian ccTLD.
3. Eligibility and Allocation rules should be Australian Presence (no close and substantial connection or any other complicated rules).