

30 September 2015

Dear members of the auDA 2015 Names Policy Panel,

Submission on Draft Recommendations – Direct Registration

Thank you for the opportunity to respond to your draft recommendations.

I write specifically concerning the question of opening up the .au TLD to direct registrations, and note with concern that you look towards recommending this. While it is difficult to argue with the fact that the majority of submissions in your previous public consultation were in favour of such a change, I recall that reading the survey responses, a large number of the ‘yes’ submissions were from members of the general public, looking for policy change simply because they would like a direct registration themselves. I do not believe demand from a market for a “cool” domain without understanding the effects of such detrimental change is a good enough reason for it. The arguments of most web professionals—that web operators will have to defensively register in .au increasing costs, trust in the namespace will erode and users will be confused—provide a much stronger case for maintaining the current structure.

If the panel insists on allowing direct registrations, I commend the panel on its current implementation plans—that is, that domains are reserved in some way for existing registrants under the current 2LDs, and such reservation treats all 3LD registrations—whether .com.au or not—equally. It is important to respect that a business who registered smith.com.au in, say, 2014 has *no greater right* to smith.au than an individual or a charity who registered smith.id.au or smith.org.au in 2005.

That said, allowing domain registrations directly under .au would severely undermine the trust provided by the current 2LDs. If direct registrations were to catch on amongst registrants, the general public would have no quick, easy indication as to if they’re really dealing with a for-profit business or a charity, a reliable government source or an individual blogger. Users *will* either be confused due to lack of education on a new structure, or inconvenienced by the possibility of needing to try a few different domain options or an internet search to find a website they might have previously memorised.

The draft paper discussed the possibility of defensive registrations not with concern that a situation is being created that forces web operators to defensively register, but with the view that this would be an inappropriate use of direct registrations! It can be completely expected that entities will, very fairly, want to make it possible for their users to find them as easily as possible. Upon release of direct registrations, many entities do not really have a choice but to fork out to protect their reputation. It is very easy to see what the .au namespace will look like under direct registrations: some entities will pay \$30/yr to have both company.com.au and company.au pointing to the same place. Some will pay just \$15/yr for one domain, but their users will be confused

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and annoyed when they don't get what they were looking for first time. No "value" is added for anyone—except, perhaps, vendors.

I have been particularly puzzled by the suggestion that we should follow the example of New Zealand or the United Kingdom in allowing direct registrations. Most of the .uk namespace, even before direct registrations, was completely open. For example, a for-profit business, local or foreign, could register a .org.uk, as could a scammer from anywhere in the world. New Zealand's namespace has had even less restriction, allowing registrations in academic, commercial, and charitable 2LDs from any body of any nation! We are *uniquely privileged* in Australia to have a domain name structure that has been well-regulated and maintained, being trusted to provide confidence for web users. It would be a shame to follow the example of these namespaces that never had the trustworthiness of .au and waste the work of the auDA to this point.

One of the more convincing arguments I have heard from the 'yes' side is that it would allow registrations by users who do not fit well into existing categories. A better solution here would be to allow registration of *.net.au* domains by any Australian business, organisation, citizen or resident under the current exact match or close and substantial connection rules. This would mean any user who feels they fit into other 2LD categories can register in those specific categories (desirable to promote trust in the .au namespace), but those who do not still have a generic option (after all, websites and email are on the internet) while not being provided with an incentive to avoid the traditional (and overall, well-functioning) 2LDs for a 'catchier' or 'shorter' domain.

The arguments for keeping our current structure are convincing *and fact-based*. Arguments for allowing direct registration have been largely speculative, and the draft paper admits it is too early to determine the success of direct registration in other namespaces. It is suggested in the paper that a "long term view" is adopted. Allowing direct registrations is permanent—*irreversible!* We cannot rush in to allow direct registrations based on what incomparable and unproven namespaces are doing, on the demand of a market that doesn't understand the effects of this decision allowing them their "cool" domains, to cater for users that can already be catered for with some careful reworking of the existing structure and to supposedly create an easier system for users that will end up confusing and inconvenience them. We must not irreparably damage a namespace that has been so well managed for so many years.

Regards,

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