

Second Level Domains Policy Review Submission

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1.

Q: Are the twelve second level domains still appropriate for their communities of interest?

A: For moderated 2LDs, they appear to be largely still appropriate, with the exception of "cri". For unmoderated, there is obviously some lack of use of the appropriate namespace (eg, companies routinely register .net.nz names, many individuals register .co.nz instead of .gen.nz or now .geek.nz and .maori.nz), but none-the-less no other system would be any more useful.

2.

Q: Should any of the open 2LDs be moderated? (.ac, .co, .gen, .geek, .maori, .net, .org, .school)

A: yes

comments: .ac.nz and .school.nz should be moderated to reflect their institutions. Typosquatting in .school.nz could be embarrassing to InternetNZ. As the holder of sex.school.nz, I do firmly believe that these namespaces don't serve a lot of purpose if made open-slather, .org is just as appropriate in that case.

3.

Q: Is there any need for the rationalisation of the current 2LDs?

A: .cri.nz and .mil.nz are of debatable value being moderated and very small.

3.1

Q: If so, what process should be used for the removal or closing of existing 2LDs?:

A: Automatic removal if a namespace remains empty of registrations for x months, voluntary removal of the namespace and names if x% of nameholders agree to its removal.

3.2

Q: Should any such process be included in the 2LD policy?:

A: Yes, it should be clear why and how a 2LD is removed. While it is true it is unlikely to ever occur, it should none the less be something for which there is a clear process to follow.

4.

Q: What criteria (types of criteria and specific examples) should be applied to the creation of new 2LDs?

A: - Non-confliction with existing namespaces (eg, .com.nz should be rejected as it obviously overlaps with .co.nz)

- For unmoderated namespaces, a community must be large and all-present and not merely existing. For moderated namespaces, the criteria depend on its policy of

moderation, but I see it being much more relaxed about the community of interest's size. Moderation policies must be explicit, objective, and reasonably enforceable (eg, content-based moderation is probably out, as it's neither objective nor enforceable).

5.

Q: Is the current process for creating new 2LDs too simple, too complex or about right?

A: too complex

comments: - Reduce the repeated parts of the process, down to:

- + Base criteria check by DNC/InternetNZ
- + Published, submissions
- + Straw poll
- + Assuming it passes poll, final decision by InternetNZ

6.

Q: How much, if anything, should an application for the creation of a new 2LD cost?

A: With a simplified process, and with lower percentage requirements on straw poll, I would support raising the application fee, but the fee is really about covering costs, not as much a barrier (except to truly trivial applications).

7.

Q: Who, if anyone, should be able to block the creation of new 2LDs? If so, why and how?

A: No, it should only be blocked by either failing base principles, or by court order.

8.

Q: Should there be different criteria or processes for the creation of moderated as opposed to open Second Level Domains?

A: As noted above, I believe there are slightly different criteria for moderated vs unmoderated domains. Moderated domains should be tested on their expected volume and moderation policy, unmoderated based on very broad commonality and community, not merely that it exists.

9.

Q: Is the level of public input in the process adequate; excessive; or inadequate?

A: excessive

comments: As noted above, two submission rounds is a little much.

10.

Q: Are the methods currently used to seek public input (submissions; discussion period; straw poll) the best available, or would you suggest other/additional methods?

A: It's about as good as it'll get.

11.

Q: Do you think direct public registrations should be accepted at the second level?

A: no

Comment:

12.

Q: If direct registrations are allowed at the second level, what kinds of transition arrangements would need to be put in place for existing third level registrants?

A: The only sane course of action would be to do what .ca did - nuke the space, and start from scratch. Not only is the registration date data from Domainz incorrect and can't therefore be used to arbitrate between competing names, but the only way to ensure confusion is kept to a minimum is to scrap all existing 2LDs.

13.

Q: What is the best way to deal with any conflicts between existing third level registrants if the second level is opened?

A: Not to have them. I don't think InternetNZ or the DNC wants to end up in court over a three-way battle to "paradise.nz" because there's "paradise.gen.nz" (a good friend of mine), "paradise.net.nz" (the ISP) and "paradise.co.nz" (the rental car company) and I think each one of them as an equal right to the name. There are enough conflicts to end up in the courts for a long time.

14.

Q: Should registration fees be different (higher/lower) for Second Level domain registrations if they are opened directly to the public?

A: No, there should be no registration at two different levels. Either it's all registration at the 2nd level (and therefore the same fees as today), or there's only registration at the 3rd level.

15.

Q: Are there other options around the future of the Second Level that the working group should consider?

A: None really, the choices are simple:

- Status quo
- Status quo with simpler requirements
- No 2LDs

Anything else is simply going to cause more problems than it's worth

16.

Q: Are there any other issues you think the Working Group needs to consider in the course of the review?

A: Much of the "get rid of 2LDs" argument is a solution looking for a problem I don't believe exists. Just because other namespaces operate without 2LDs doesn't make them any more or less correct than those which do.

The choice was made, wrongly or rightly, when the space was set up. The costs to play around with it could be beyond just every business having to reprint and change all their URLs, it could end up in the courts, and send a very clear message that, no offense, a small group of people decided what was best for the community for academic reasons.

Does the namespace work now? Yes it does. Sure, .co.nz is bloated, but .com is as well, and no-one is proposing we dismantle all the gTLDs because of it.

There also seems to be this love of flat namespaces which goes against the effort to get the Internet away from having one. The DNS was implemented specifically to remove the unmanageable flat namespace which existing before it. Why some people want to head back to that as a utopia seems blind to the very good arguments for creating the DNS in the first place.