

From: Edwin Hermann  
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Please find below my submission on the third consultation of "Policy Consultation - .nz registrations at the second level":

### **CONFLICT OF INTEREST (Sections 8.4 and 8.5)**

I assume the conflict of interest referred to in Section 8.5 includes things like:

- the Registrant having (or having had) influence over the process
- the Registrant being (or having been) privy to information about the process that may put them in a position of advantage

If this is correct, then I suggest expanding upon the criteria specified in Section 8.4 to include all dates between 1 September 2011 and the present. The wording could be changed from:

"...Registrants who are either a councillor of Internet New Zealand Incorporated or a director of Domain Name Commission Limited or a director of New Zealand Domain Name Registry Limited (NZRS) or a staff member or contractor of any of those three entities, or were at 1 September 2011, qualify for..."

to

"...Registrants who are either a councillor of Internet New Zealand Incorporated or a director of Domain Name Commission Limited or a director of New Zealand Domain Name Registry Limited (NZRS) or a staff member or contractor of any of those three entities, or were at any time since and including 1 September 2011, qualify for..."

(Emphasis is mine)

### **CONFLICTED NAME PROCESS (Section 10)**

The conflicted name process provides for a number of options (refer Section 10.2) in the case of a Conflicted Name. I would like to see another option, or perhaps as a variation of option 10.2 (d), that enables the Equivalent Name to become a second level domain with restrictions on the registration of certain specified domain names (as nominated by the Registrants of Conflicted Names) underneath the new second level domain. For example:

The Registrants of the [anyname.co.nz](http://anyname.co.nz) and [anyname.org.nz](http://anyname.org.nz) may agree to make [anyname.nz](http://anyname.nz) a second-level domain, but with restrictions such that the following domain names cannot be registered by anyone:

- [anyname.anyname.nz](http://anyname.anyname.nz)
- [www.anyname.nz](http://www.anyname.nz)

The wording of this new option would need to detail how the restricted domain names are to be decided upon (e.g. is a unanimous decision required by all Registrants of Conflicted Names, or can each Registrant of a Conflicted Name nominate a certain number of restrictions?). In my opinion the latter appears to be the simplest and most efficient method of implementing this.

The reason for suggesting the ability to specify such restrictions is that certain domain names (such as the ones shown in the [anyname.nz](http://anyname.nz) example above) may be considered so desirable such they could negate the reasons for offering the Equivalent Name as a second-level domain in the first place. In fact, I would imagine that most Registrants of Conflicted

Names who agree to have the Equivalent Name offered as a second level domain name would not want anyone to register "www" underneath that domain name.

Regards,  
Edwin Hermann