



interactive
advertising
bureau

www.iab.org.nz

Tuesday, 11 March 2014

David Farrar
Board Chair
Domain Name Commission Limited
PO Box 11 881
Wellington 6011

Dear David

Consultation on .nz registrations at the second level (third consultation)

The Interactive Advertising Bureau (IABNZ) has only been made aware of the final consultation process relating to implementing registrations at the second level in the .nz domain name space and would like to raise some concerns.

IABNZ represents more than 100 leading publishers, advertisers and advertising agencies in New Zealand. We promote growth and best practice and are part of an international group of IAB organisations. Our members include both large organisations such as Google, Facebook, Trade Me, APN, and Fairfax through to smaller locally owned businesses. A full list of our members can be found here: <http://iab.org.nz/directory/>

After reading the Association of New Zealand Advertisers (ANZA) submission we share their concerns and repeat them here:

1. *That in the case of conflicted names, preference be given to the oldest registration (continuously registered), thereby recognising tenure. Such an approach would be consistent with trademark law with regard to usage.*

In the case that the oldest registrant did not wish to take up the second level domain name, the option passes to the next oldest third-level registrant, and so on.

2. *If, however, our proposal in point 1 (above) were not to apply then we submit that conflicting names should only be considered where those names were both (or all) registered in advance of DNCL's original proposal. This is important to ensure that no one has had the opportunity to take advantage of the consultation process to register a conflicting name under an alternative third-level domain to the cost of legitimate domain owners.*

IABNZ would like it noted that we feel there has been a major lack in communication to industry bodies such as ourselves throughout the entire consultation process and welcome the opportunity to discuss these issues with the Commission in greater detail.

Yours sincerely

A handwritten signature in black ink that reads "A. Higgins". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Alisa Higgins
General Manager, IABNZ