



MINISTRY OF SOCIAL DEVELOPMENT

Te Manatū Whakahiato Ora

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Joy Liddicoat
Chair
Domain Name Commission
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Dear Joy

Thank you for your letter of 30 May 2012, regarding the proposed registration of .nz domain names at the second level. The Chief Executive, Brendan Boyle, has asked that I respond on his behalf.

The Ministry's responses to the questions put forward in the consultation document are set out below.

Question 1

Should the New Zealand domain name space be extended to allow registration at the second level, for example yourname.nz?

We support the registration of second level domain names, particularly given that the Top Level Domains (TLD) are adopting this approach.

Question 2

Are there any other undertakings that the Domain Name Commission should make while developing / implementing the policy?

We suggest that the Domain Name Commission block names that are similar to the current moderated domains (for example gov.nz or government.nz).

Question 3

Should new second level domains be created to cater for particular interest groups, such as .wine.nz or .sport.nz?

While we have no concerns with second level domains being created for interest groups, we do question how these are selected or defined. We note this has a number of challenges associated with it, such as where a brand name is a generic name which could cause confusion.

Question 4

Should new moderated second level domains be created to cater for domain names that require a special protection, such as .bank.nz?

Some second level domains, such as .government.nz or .gov.nz should have the same moderation protocols that currently apply to the closed second level domain names. We do note that it is not clear who would manage these, and where the decision for second level domain names being moderated would come from.

Question 5

Should the registration of some names such as .com.nz or .gov.nz, be prohibited at the second level to minimise potential confusion? What names, if any, should be prohibited?

As in our response to question 2, names similar to current moderated domains should be prohibited to avoid confusion.

Question 6

Do you agree with the rationale for the Sunrise Period that would enable existing .nz domain name holders first chance to register names at the second level? Why?

The main concern is how domain name hijacking is handled in these situations. We would suggest that the groups who hold the domain name under the closed second level domain names are given preference.

Specifically we have an issue where someone has registered studylink.co.nz and we have studylink.govt.nz. Our reading of the proposed Sunrise Period clause is that if both parties want to secure studylink.nz, then consent of both parties would be required to determine who gets the new second level domain name.

Question 7

Who should be allowed to register a domain name at the second level when there are competing registrations at the third level?

It is important that Internet users have confidence that they are transacting with the right agency. Therefore, the main issue here is how to know who really has the legitimate use of the name, as opposed to those who are domain name hijacking.

Question 8

Assuming only persons with conflicting third level domain name may apply, how should that conflict be resolved? By consent? Or some other mechanism?

In the first instance we feel that the person who has the legitimate use of the name should be allowed to use it, particularly if they have held the domain name under the current closed second level domain name protocol.

Question 9

Should the Domain Name Commission consider extending its Dispute Resolution Services for a limited period to cover particular sub-domains when considering whether a name registered at the second level infringes a complainant's rights?

It is sensible that the Domain Name Commission consider extending its Dispute Resolution Services for a limited period to cover particular sub-domains when considering whether a name registered at the second level infringes a complainant's rights.

Question 10

Is the approach outlined in the proposed amended policy in Appendix C appropriate? Why?

The proposed amended policy appears sound, and the two year period for handling conflicts is reasonable.

Question 11

Are there any other comments you would like to make relating to this consultation?

Thank you for the opportunity to review and to comment on the proposed changes.

It is our intention to continue to use the .govt.nz domain name as the primary for our service lines, and will register the second level in most cases that are relevant to the Ministry (for example .msd.nz, .workandincome.nz, .cyf.nz, .studylink.nz).

Thank you for the opportunity to respond to the proposed registration of .nz domain names at the second level.

Yours sincerely



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Ministry of Social Development