

Proposal to Nominet UK for creation of a Personal SLD

Author: Version 1.0 by Alex Bligh, versions 2.0 and 3.0 by Lesley Cowley

Version: 4.00

Date: 24/10/01

This document is Copyright © 2001 Nominet UK. Reproduction in original or modified form without express written consent of Nominet UK is expressly prohibited.

A. Introduction

For many years, it has been suggested that a Personal SLD should be created within *.uk*. The origins of this proposal far predate Nominet. However, there have not, until relatively recently, been clear guidelines, criteria or policy for the creation of new SLDs, nor procedures for proposals or applications to create them.

This document is a proposal to create a Personal SLD within *.uk*.

The SLD would be operated by Nominet UK, and thus hold the same non-profit-redistributive model as Nominet does itself. Registrations in *me.uk* (the proposed SLD name) would be on a first-come, first-served basis. Further proposals cover cost recovery on transfer and allow Nominet to soft-start such an SLD.

This document is not submitted for the personal advantage of any individual, but rather for the benefit of the UK internet community.

B. Definitions

‘Personal SLD’ refers to the prospective Second Level Domain of *.uk* envisaged by this application.

‘Natural Person’ has the same meaning as in law, meaning a human being (as opposed to a ‘person’ which in law may also include other legal entities, for instance companies).

‘Policy’ refers to Nominet’s policy on the creation of new SLDs.

‘Procedure’ refers to Nominet’s procedure for the creation of new SLDs

‘Rules’ refers to the Rules for *.uk*.

‘Personal SLD Rules’ refers to the specific rules for the Personal SLD.

C. Draft Charter

It is proposed that the Personal SLD is given the designation *.me.uk*¹. The purpose of the proposed SLD is to provide a name-space for potential registrants, where a registration within the SLD is likely to designate a particular individual (a Natural Person) with an association with the UK, just as registration in *co.uk* tends to designate a commercial entity with an association with the UK, and registration in *.org.uk* tends to designate some other organization with an association with the UK.

Any legal entity (being a Natural Person, company, partnership or other legal entity) shall be eligible to register with the Personal SLD, provided that the registration complies both with Nominet’s rules, and the Proposed Rules for the Personal SLD.²

D. Statement of Compliance with Policy Rules

The community of interest served by the SLD is Natural Persons, specifically those who have an association with the UK. This is a large community of interest, as it potentially includes all UK citizens, plus a number of other Natural Persons who are not UK citizens.

The SLD is felt to be necessary, as there is no current SLD in *.uk* which best serves the interests of individuals, who are neither commercial organizations (viz. *.co.uk*) nor organizations (viz. *.org.uk*).

Currently, individuals who wish to register a domain name within an SLD in *.uk* are forced to register in either of these two domains, neither of which give a correct indication of the type of registrant, or alternatively to register as a sub-domain of a domain already registered (by some third party, such as an ISP), which is invidious both as it makes the name less attractive, and because of portability issues should the registrant wish to terminate their relationship with their ISP.

A Personal SLD has been mooted many times before (most frequently when no procedure for consideration of new SLDs existed); whilst this is not in itself conclusive proof of the necessity of a new SLD, it is perhaps a good indicator both of the likelihood of necessity, and of its popularity with the community at large. Whilst it is difficult to estimate the number of registrations within the Personal SLD is unknown, it is likely to be large, perhaps to the levels of several thousand per day.

The new SLD complies with the Policy. Policy Rules 1 & 2 are general rules. Each subsequent policy rule is taken below, in turn.

Policy Rule 3

3. The purpose of an SLD is:

3.1. To act as a mnemonic for the Domain Name System; and

3.2. To assist identifying the category of eligible registrants in the Domain Name System ("Registrants"); and

3.3. To facilitate the location of Internet resources in the UK.

The name of the Personal SLD currently proposed accurately reflects what an individual might call him or herself ('me'). It is believed that *.me.uk* reflects individuals at least to the same degree as *.co.uk* reflects commercial entities. Alternative suggestions such *.per.uk* or *.pd.uk* also to some extent reflect individuals, but it is felt that they are inferior.

Whilst, as with *.co.uk* and *.org.uk*, any legal entity would be able to register in the Personal SLD, the SLD will aid in identifying the category of eligible registrants (as Natural Persons, as opposed to organizations etc.), as both the Personal SLD Rules, and the name of the SLD, will encourage Natural Persons to register, and, in general, discourage other legal entities – this approach has worked reasonably well for *.co.uk* and *.org.uk*.

Policy Rule 4

4. It is intended that the number of new SLDs created shall be limited to minimise potential confusion in the marketplace. The unnecessary creation of an SLD

diminishes the value of the existing namespace in which users have already registered.

The point is worth repeating that creation of the SLD is felt to be necessary, as there is no current SLD in *.uk* which best serves the interests of individuals, who are neither commercial organizations (*viz. co.uk*) nor organizations (*viz. org.uk*).

Whilst every proposal for a new SLD advocates increasing the number of SLDs by at least one, readers are urged to bear in mind two points:

Firstly, that the community of interest in this SLD is not only large, but also not properly served (see above). Many other potential SLDs (for instance regional SLDs) have constituencies which, whilst not served by any single existing SLD, are (largely speaking) served by a combination of existing SLDs. However, this SLD is rare in that it serves a community of interest outside the charter of any existing SLD.

Secondly, that the diminution of value of existing namespace will be small, being limited to those users who have registered a personal domain name within another name space. It is arguable that such registrations are in any case outside the charter for those spaces, and thus such diminution should not be considered.

Policy Rule 5

5. Any new SLD must be:-

5.1. beneficial to users, or potential users of the UK namespace and the Internet community as a whole ("the Internet Community"); and

5.2. an appropriate use of limited resources.

The new SLD will be beneficial to users of the UK namespace by allowing a large and well-defined community of interest (Natural Persons) the ability to register domain names within the Personal SLD. This will also benefit the Internet Community as a whole and it is felt that there will be a new influx of registrants.

It is believed the argument *viz-a-viz* use of a limited resource has been fully addressed in answer to Rule 4 above.

Policy Rule 6

6. No SLD shall be created if its uses and functions are wholly or substantially encompassed by the charter of any single existing SLD.

The uses and functions of the Personal SLD are not incorporated in the charter of any single existing SLD. Moreover, the uses and functions are not incorporated in the charters of any combination of existing SLDs. Natural Persons, who are the proposed community of interest, are not included within the charter of any existing SLD.

Policy Rule 7

7. A new SLD shall not normally be permitted where a new SLD with a wider charter would better serve the interests of the Internet Community.

It is harder to think of a much wider charter than 'serving Natural Persons' without serving the entire internet community, which would not require the usage of SLDs at all. Therefore it is understood the proposal meets this rule.

Policy Rule 8

- 8. There may only be two types of SLD:*
- 8.1. Third Party Delegated and*
- 8.2. Nominet Operated.*

The proposal is that this SLD shall be operated by Nominet.

Policy Rule 9

- 9. If an SLD is Third Party Delegated, control of the operation of the SLD will be contracted by Nominet to a third party ("the Third Party Registry").*
- 9.1. An SLD will only be delegated to a Third Party Registry where the Third Party Registry is able to demonstrate it is recognised as a suitably neutral and impartial body by a significant number of potential Registrants in the SLD, and that it can comply with the Policy.*
- 9.2. A Third Party Registry must act in the interests of the Internet Community as a trustee of the delegated SLD*

As the domain is proposed to be Nominet operated, this rule is not applicable.

Policy Rule 10

- 10. If an SLD is Nominet operated, Nominet shall retain day-to-day management of the SLD.*

Nominet shall retain complete (including day-to-day) management of the Personal SLD.

Policy Rule 11

- 11. There will be a predisposition towards Nominet Operated SLDs.*

As the domain is proposed to be Nominet operated, the predisposition documented by this rule is met.

E. Outline of Proposed Personal SLD Rules

The Personal SLD rules will be an objective, transparent and non-discretionary, in that they in essence constitute a First-Come First-Served (FCFS) system. However, various minor modifications have been made, in order to:

- Encourage registrations by Natural Persons, rather than corporates
- Discourage domain name speculation, the results of which, it is felt, Natural Persons would be at a particular disadvantage.

- Prevent a ‘gold-rush’ phenomenon, where all the name-space goes to legitimate, but extremely early registrants, and large amounts of system capacity are required for the first few days of registration
- Cover the costs of transfers, as it is felt that these will potentially be more expensive than with other existing SLDs.

All Registrants in the proposed SLD will be bound by Nominet’s Terms & Conditions for the registration of Domain Names, and Rules for the *.uk* Domain and its Sub-Domains, in both cases as amended from time to time. In this instance the Rules will thus, by reference, incorporate the Rules for the Personal SLD.

The First-Come First-Served system allows Nominet to operate, and to be seen to operate, the Personal SLD in a neutral manner that confers no benefit on one Registrant above that which it confers on any other.

Personal SLD Additional Rule 1 – Predilection for registrations by Natural Persons

A1.1 There shall, without exclusion, be a sufficient demonstration of an abusive registration if the registrant is not a Natural Person, and cannot demonstrate that they registered the domain name with the agreement at the time of a specific Natural Person, and that the domain name was a reasonably faithful representation of that person’s legal name.

Personal SLD Additional Rule 2 – Ability to recover costs for transfers

A2.1 Except as listed below, the charges for registration in the Personal SLD shall be the same as within *.org.uk*, unless otherwise subsequently determined by Nominet in the manner of its normal process for changes in charges.

A2.2 Nominet reserves the right to make a charge for effecting a transfer of registration.

It is felt that transfers are likely to be more costly to process than in other SLDs due to the difficulty in verification of individuals. This charging policy also (in part) helps address the problem of domain warehousing⁴.

Personal SLD Additional Rule 3 – Ability to provide a soft start

A3 Nominet reserves the right to charge higher registration fees than would normally be the case for a limited introductory period of not longer than 6 months duration.

It is felt that on opening the new SLD, there might be a large volume of initial applications. This holds two risks: Firstly, that very early applicants may benefit, at the expense of the public at large. Secondly, that the load might be so large as to cause Nominet’s internal systems problems.

Therefore, there will be an introduction period of not longer than six months duration from the go-live date of the new SLD. During this period, the standard tag holder registration fee will not apply to the SLD. The direct registration fee will be unchanged. During the introduction period the fee charge per registration will reduce each month until the end of the period (or sooner if determined by the Nominet UK Council of Management) as follows:

Month 1 £50
Month 2 £45
Month 3 £40
Month 4 £30
Month 5 £20
Month 6 £10

It is believed that this mechanism will discourage large-scale speculative registrations and result in acceptable volumes for the Nominet operational systems. At the end of the six month period (or sooner if so determined), the registration fee paid by tag holders shall revert to the standard Nominet fee.

During the start up period, tag holder credit limits will be strictly policed. Tag Holders will not be permitted to cancel (and receive credits notes for) more than 10% of domain names registered.

Effect of First Come First Served Model

If a Mary Bloggs of Newcastle registers marybloggs.me.uk, then it will naturally become unavailable should Mary Bloggs of Cambridge subsequently wish to register it. This is in the nature of FCFS systems. Domain names such as marybloggs2.me.uk, marybloggs-cb.me.uk would be available to subsequent registrants.

The system does not attempt to differentiate between who might be the ‘most valid’ Mary Bloggs.

This means there is likely to be an ‘aftermarket’ in vanity domain names created. It is envisaged that speculators may attempt to register large numbers of domains with popular combinations of names. It is an open question as to whether this speculation is undesirable. It is clear that it is unlikely that intellectual property is being infringed if only common names are used – this seems to the author little more undesirable than (say) the DVLC auctioning vanity number plates.

Footnotes

- 1 Other options include pd.uk, per.uk, though these are, in the author’s opinion, inferior.
- 2 Thus it may be concluded that whilst a registration in the Personal SLD may be made by an entity other than a Natural Person, such a registration would (to the rest of the world) tend to indicate the registration was connected with a Natural Person. Bona fide uses of this would, for instance, allow a famous individual’s promotions company to register a name in such a manner. Both co.uk and org.uk are examples of existing SLD’s where the charter gives an indication of the type of registrant, but where there are not specific rules to prevent registration by others.
- 3 Alphanumeric is taken to be the 26 characters a-z (case insensitive), the numbers 0-9, and the dash character.
- 4 Though it is unlikely to help with ‘vanity names’ which may command far more than any transfer fee.

[ENDS]

