

## Proposed DRS default transfer process

We are proposing that in undefended DRS cases, the complainant should have the right to a transfer of the domain name registration on payment of a fee of £200 (plus VAT).  
Please read our consultation paper for full details of this proposed default transfer process and then answer the questions below.

This document contains respondents between 85 and 85 inclusive.

**1. What do you think about our proposal for a default transfer process?**

- I agree with the proposal
- I don't mind one way or the other
- I disagree with the proposal

**2. Please give your reasons for why you feel this way about the proposal**

Reducing the cost towards a potentially innocent victim must be a good thing, though there is another way to cover costs.

The timescales involved in a DRS default transfer need to be outlined - I suggest 2weeks for attempted contact with registrant (lets assume inclusion of telephone, fax, registered letter, SMS - not forgetting that registered letters are not so reliable as they used to be, and hope that registrations/nominet accounts might in future allow for 2 email addresses to allow for the occasional problems of DNS, domains and email, flooding of ISPs, and so on) + 2 weeks suspension, followed by a period of 4 weeks for possible "set aside" disputation by the original registrant after transfer. Exceptional circumstances (hospitalisation?) allowing.

The fee charged ought to be sufficient to deter excess pointless and/or difficult to substantiate cases - cases without evidence & detailed submission ought to be rejected.

I am confused why, the previously free DRS application process is proposed to cost just £10, whilst the new default transfer, in likely uncontested and/or no-response cases, without complexity, are proposed to cost £200 - that is a huge disparity. I would rather pay £0.25 on each domain renewal by way of insurance, these monies being accounted separately by Nominet in order to see that annual DRS costs are suitably covered.

Perhaps higher domain prices can provide a fund to act as 'insurance' to cover such 0.001% disputed domain cases, and combined with a standard starting fee of £25 - might suffice to ensure all DRS applicants are serious, and a refundable charge, again £25, be made for transfer of domains in uncontested, no-response cases. That refund coming 1 month after domain transfer, unless that transfer is met with a complex counter dispute; this based on the philosophy, ...why should an innocent party suffer large costs? Ditto, initial response should be £25, this being refunded if the initial complaint is shown at once to have been speculative, opportunistic, or manipulative.

So, my bright idea is to increase the price of domain registration a fraction to help fund the legal side of disputes; insurance works in this way, ensuring that those unlucky to find themselves 'damaged' can cope with the costs. This might also lessen other negative practices, namely domain name speculation, by increasing the renewal fees on large portfolios of unused domains.

In fact, as regards the negative affects of domain speculation not least on the number of DRS cases, an annual or quarterly database search on Nominets database could easily find those registrants with more than, say, an arbitrary 25 domains, and see that of these, any holding domains simply for speculation purposes, would be charged a suitably large annual 'speculators' fee, say £25?, this for the right to be given any say should a DRS dispute arise; and inevitably these bulk domain speculation portfolios must give rise to a disproportionate number of disputes given that they needlessly withhold domain names from relevantly named organisations and individuals keen to use them but unable to afford the absurd (dotcom-bubble sized) speculation prices being asked.

**3. Please give us your contact details**

Name

Alastair Wilson

Company Name

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Email address