

## Using the Dispute Resolution Service for .uk domain names online survey

Submit date : **Feb 11, 2007**

Question 1: Please give us feedback on our proposals that the DRS should include:

- (a) protection for words which have a distinctive character as a result of the use made of them.
- (b) dictionary words which are protected by registered trade marks or good will.

**registered trademarks only**

Question 2: Please give us your feedback on our proposal that the DRS should include the following as examples of things that are not necessarily evidence of abuse:

- a general offer to resell a domain name
- sale of traffic (i.e. visitors to the domain name)
- registering many domains

**agree with this list**

Question 3: Please give us feedback on our proposal that the DRS should include a statement that, where the evidence is finely balanced, the weaker the rights that the complainant has, the less likely it is that abusive registration or use will be inferred.

**seems fair and reasonable**

Question 4: Please tell us which payment option you would prefer and why: no change; a small upfront fee; or loser pays?

**Yes, keep it at: NO CHANGE. Up front fee is unnecessary change to what is a fairly priced and structured process. As for losing party pays - how ridiculous, that would simply allow big companies to bully consumers - a backward step and one that would prove "a tool of abuse" in practice. When someone wants to buy a domain they simply assess the price of registration and cannot be expected to budget for a future fee payable to a bully with a bigger budget.**

Question 5: How would you enforce any system of refund (outlined in option 3)? Which section of the community would you imagine would most benefit from a refund system?

**not applicable - it would be an insane policy to introduce.**

Question 6: Do you have any comments about the proposals to change aspects of the procedure, payment, drafting, appeals, expert decisions, abusive registrations or miscellaneous issues?

**keep it as it is - it's not broken so why fix it?**

Question 7: Do you have any other changes you would like to see within the DRS, or topics within the DRS that you wish to comment on? In particular, if you have any views about any of the following topics which have been the subject of discussion, please let us know:

- Length of submissions and word limits.
- The impact of Internationalised Domain Names, if introduced.
- Whether experts can find a registration abusive for reasons not spelled out in the

complaint.

- Whether there have been any practical problems with the treatment of 'Without Prejudice' material.
- Whether experts should be able to represent parties in other disputes, and if not how to keep the quality of experts high.
- Whether the detail of the DRS can be taken out of the contract and updated more regularly.

**disallow/penalise entrapment by those complaining. i have read that those complaining often enquire if a domain is for sale, when there is no evidence that it is. then, upon a positive reply to their disingenuous approach, they then use that as evidence of abuse when compiling their drs case**

Please give us your contact details

Name **Elaine**

Company Name