

Board Response to PAB Resolutions

PAB Resolutions at Meeting 61

1. Lock States

The PAB resolved to recommend to Nominet that:

Nominet should implement a “Please notify me if my registrar doesn’t renew my domain name” lock. This causes the system to act as though the DNR flag is not set and a reminder email will go to the registrant to notify them that the domain name is due for renewal. The lock can only be set and removed by the registrant.

Nominet should implement a Phishing lock to allow a registrar to lock a domain name that has been used for phishing. This would prevent the domain name being moved to another registrar and could remove the name servers or redirect the domain to a standardised information page. It will be clearly stated to registrars that this lock is only to be used in cases of phishing and that abuse will be severely punished. This lock will be reviewed after six months and usage will be carefully monitored during this period.

The Board welcomes the recommendations and the phishing lock was implemented on the 5th May 2009. It considers that the phishing lock should have wider applicability to include domain names being used in association with other criminal activity and invites the PAB’s comments on extending the lock to include this.

2. Reserved Names

The PAB resolved to recommend the following to Nominet:

- 1) The PAB recognises that the registration of any .uk SLD (whether run by Nominet or a third party) at the third level could lead to confusion, and should continue to be prevented.
- 2) Registration of the same *domain name* at the 2nd and 3rd levels is standard registry practice and need not be prevented. Any issues can be addressed through the DRS system.
- 3) The PAB recommends that the registration at the third level of new SLDs applied for under the new SLD process before the application for that SLD has completed be prevented (if available); making such alterations to its Rules as appropriate.
- 4) The PAB recommends that Nominet should make any other names currently reserved under Rule 5.9 not covered by the recent discussion on two letter domain names available for registration, excluding “com”; making such alterations to its Rules as appropriate. There should be a special approach to releasing domain names with a staged sunrise period as with two letter domain names.
- 5) The PAB recommends that Nominet does not have to block registrations for any new TLDs which are announced by ICANN (or any replacement body which controls the creation of new TLDs); making such alterations to its Rules as appropriate.

The Board thanks the PAB for its recommendations and has asked the Executive to incorporate these proposals in the assessment of the procedures for releasing 2 letter domain names.

3. Dispute Resolution Service – Summary Decisions

The PAB requested that Nominet look into ways of explaining the basis for summary decisions.

The Board notes the comment from BERR about the need to protect the wider stakeholder interests. BERR has previously commented publicly on this issue.¹

The Board has requested that the Executive draw the PAB's feedback to the DRS Experts Review Group to consider the practicalities of explaining the basis of summary decisions in the light of the comments on the need to protect legitimate interests.

4. Domain Availability Checker

On the basis of a vote in favour by the majority of members, the PAB requested the suspension of the changes to the DAC for further review and asked Nominet to provide a briefing paper on the new mechanism.

The Board reminds the PAB of the need to protect the .uk database. As a result, it has decided:

- *To implement the time delay DAC in response to the needs of registrars with large numbers of customers*
- *To make several changes to the service in order to enhance the performance of the real-time DAC. These changes will be:
 1. *The real time DAC will be available on dac.nominet.org.uk on port 3043*
 2. *The registered flag will be limited to a Y/N response*
 3. *The suspended flag will be removed*
 4. *The registration status field will be removed**
- *To implement a revised set of changes to the DAC Terms and Conditions.*

¹ See for example David Hendon's comments at the November Registrar's Conference, "Similarly, continued attacks on the dispute resolution service – a mechanism put in place to protect rights holders from abusive practices in the industry, and in itself a pretty limited effort to show the industry cares about consumer protection – reflect badly on the industry self-governance model."