

.ltd.uk and .plc.uk Registration Rules

Purpose of Document

1. This document looks at how the .ltd.uk and .plc.uk registration rules could relate to the current naming rules in use for company names. Currently, following the PAB advice in July 2008 (“Until new rules are put in place to match the new Regulations, it should not be possible to register names based on company names containing characters not in the DNS.”), companies with a company name that includes characters that cannot be used in the domain name system are not allowed to register a .ltd.uk or .plc.uk domain names.
2. Following its discussions in 2008, the PAB recommended¹ that, in the registration rules for .ltd.uk and .plc.uk domain names (recommendation A):
 2. There should be a clear and obvious relationship between the name of a limited company and its domain name, so that anyone seeing the name can determine which company it is. This should be algorithmic rather than requiring human judgement.
 3. There should never be the possibility that two different companies could be entitled to the same name.
3. In the Company and Business Names (Miscellaneous Provisions) Regulations 2009², Schedule 3³ defines when a “name [is the] same as another in the registrar’s index of company names”. Application of these rules to .ltd.uk and .plc.uk would ensure that two companies would not be entitled to the same name. However, we need to apply consistent rules for the treatment of characters not used in the DNS.

Application of the Company and Business Names (Miscellaneous Provisions) Regulations 2009

4. The application of Schedule 3 of the regulations (reproduced at Annex 1), if adopted in the registration policy, would align the domain name with the company name. Indeed, the Companies House application of these rules should automatically mean that a registered company name is unique when translated into the DNS by applying the same rules for characters that cannot be represented in the DNS.
5. Adoption of these rules would imply:
 - a. Signs and symbols in the list at Schedule 3, paragraph 3(2) should be spelt out using characters available in the DNS. This covers the characters &, +, £, €, \$, ¥, % (percent), and @. This would mean that (for example) “@” would always be spelt out as “at”
 - b. Punctuation and some other characters (*, =, #) are ignored. Punctuation is listed in regulation 2(2)(c) (full stop, comma, colon, semi-colon or hyphen) and in table 2 of schedule 1⁴ (copied at Annex 2), which includes the punctuation /, \, and different brackets. As an example, Highway/61 would be seen as the same name as Highway 61 or Highway61 and the company names could not co-exist.
6. The rule at Schedule 3, paragraph 3 requires the characters in 5.a. above to be separated by a space from the rest of the name (Schedule 3, paragraph 3(1)(a) and (b)). Paragraph 9 then

¹ www.nominet.org.uk/digitalAssets/34391_Board_response_to_PAB_resolutions_at57.pdf

² www.opsi.gov.uk/si/si2009/uksi_20091085_en_1

³ www.opsi.gov.uk/si/si2009/uksi_20091085_en_3#sch3

⁴ www.opsi.gov.uk/si/si2009/uksi_20091085_en_2#sch1

deletes spaces. (In all cases, a name can fail a post-registration "too like" challenge.) As an example:

Imagine company names Stormy Monday, Stormy @ Monday and Stormy@Monday, all of which could be eligible company names under the terms of Schedule 3 of the regulation. Application of the rules in schedule 3 gives:

- i. **Stormy Monday**, on application of paragraph 9, is treated as the same as the name **StormyMonday** (the registered company name could be either of these forms);
 - ii. **Stormy @ Monday**, on application of paragraph 3(2), would be treated as the same as the name **Stormy At Monday**. Application of paragraph 9 also means that it is the same name as **StormyAtMonday** and **Stormy@Monday**;
 - iii. In the case of **Stormy@Monday**, using ii. above, the regulations identify that Stormy @ Monday is the same name. (Note: there would be potential confusion if the "@" were ignored as Stormy Monday and Stormy@Monday could in theory both exist.
7. The application of the Regulations to the .ltd.uk and .plc.uk rules should, so long as signs and symbols are consistently spelt out as in schedule 3 paragraph 3(2), mean that no two companies would be entitled to the same domain name. However, the .ltd.uk and .plc.uk rules should require characters to be spelt out in the way that the regulation identifies *whether or not the sign or symbol was separated by spaces from other parts of the name*. Signs or symbols should not be ignored (other than those identified as punctuation and the characters *, =, #).

Recommendation

8. The PAB is invited to consider whether the .ltd.uk and .plc.uk rules should be aligned with the Company and Business Names (Miscellaneous Provisions) Regulations 2009 (and subsequent amendments to the regulations).
9. If the PAB decides to recommend alignment with the regulations, it is invited to recommend that where a company name contains a sign or symbol not used in the DNS and included in Schedule 3, paragraph 3(2) the character should **always** be spelt out in the way that the regulations identify as being "the same as".
10. Following its 2008 recommendation, the PAB might wish to consider further the policy implications associated with the application of registration rules and the need for retrospective action.

The Company and Business Names (Miscellaneous Provisions) Regulations 2009

SCHEDULE 3: NAME SAME AS ANOTHER IN THE REGISTRAR'S INDEX OF COMPANY NAMES

1. In determining whether a name is the same as another name appearing in the registrar's index of company names the provisions in this Schedule are to be applied in the order set out in the Schedule.

2. Disregard any word, expression or abbreviation set out in inverted commas in Schedule 2 where it appears at the end of the name.

3.—(1) Taking the name remaining after the application of paragraph 2, regard each of the words, expressions, signs and symbols set out in inverted commas in any of the paragraphs of sub-paragraph (2) ("relevant matters") as the same as the other relevant matters set out in that paragraph where each relevant matter—

- (a) is preceded by and followed by a blank space; or
- (b) where the relevant matter is at the beginning of the name, where it is followed by a blank space.

(2) The words, expressions, signs and symbols are—

- (a) "AND" and "&";
- (b) "PLUS" and "+";
- (c) "0", "ZERO" and "O";
- (d) "1" and "ONE";
- (e) "2", "TWO", "TO" and "TOO";
- (f) "3" and "THREE";
- (g) "4", "FOUR" and "FOR";
- (h) "5" and "FIVE";
- (i) "6" and "SIX";
- (j) "7" and "SEVEN";
- (k) "8" and "EIGHT";
- (l) "9" and "NINE";
- (m) "£" and "POUND";
- (n) "€" and "EURO";
- (o) "\$" and "DOLLAR";
- (p) "¥" and "YEN";
- (q) "%", "PER CENT", "PERCENT", "PER CENTUM" and "PERCENTUM"; and
- (r) "@" and "AT".

4.—(1) Taking the name remaining after the application of paragraphs 2 and 3, disregard at the end of the name the matters set out in inverted commas in sub-paragraph (2) (or any combination of such matters) where the matter (or combination) is preceded by the following punctuation or symbol in inverted commas—

- (a) a blank space;
- (b) a full stop; or
- (c) "@".

(2) The matters are—

- (a) "BIZ";
- (b) "CO";
- (c) "CO UK";
- (d) "CO.UK";
- (e) "COM";
- (f) "COMPANY";

- | | |
|-------------------------|--------------------------|
| (g) "EU"; | (x) "WALES"; |
| (h) "EXPORTS"; | (y) "ALLFORION"; |
| (i) "GB"; | (z) "CWMNI"; |
| (j) "GREAT BRITAIN"; | (aa) "CYM"; |
| (k) "GROUP"; | (bb) "CYMRU"; |
| (l) "HOLDINGS"; | (cc) "CYNHEILIAID"; |
| (m) "IMPORTS"; | (dd) "CYRDDAU"; |
| (n) "INTERNATIONAL"; | (ee) "DALIADAU"; |
| (o) "NET"; | (ff) "DU"; |
| (p) "NI"; | (gg) "GRWP"; |
| (q) "NORTHERN IRELAND"; | (hh) "GWASANAETHAU"; |
| (r) "ORG"; | (ii) "MEWNFORION"; |
| (s) "ORG UK"; | (jj) "PF"; |
| (t) "ORG.UK"; | (kk) "PRYDAIN FAWR"; |
| (u) "SERVICES"; | (ll) "RHYNGWLADOL"; |
| (v) "UK"; | (mm) "RYNGWLADOL"; and |
| (w) "UNITED KINGDOM"; | (nn) "Y DEYRNAS UNEDIG". |

5. Taking the name remaining after the application of paragraphs 2 to 4, disregard the following matters in any part of the name—

- (a) any punctuation set out in regulation 2(2)(c) or in column 2 of table 2 in Schedule 1; and
- (b) the following symbols set out in inverted commas—
 - (i) "*";
 - (ii) "="; and
 - (iii) "#".

6. Taking the name remaining after the application of paragraphs 2 to 5, disregard the letter "S" at the end of the name.

7. Taking the name remaining after the application of paragraphs 2 to 6, disregard any permitted character after the first 60 permitted characters of the name.

8. Taking the name remaining after the application of paragraphs 2 to 7, disregard the following matters or any combination of the following matters set out in inverted commas where they appear at the beginning of the name—

- (a) "@";
- (b) "THE" (but only where followed by a blank space); and
- (c) "WWW".

9. Taking the name remaining after the application of paragraphs 2 to 8, disregard blank spaces between permitted characters.

The Company and Business Names (Miscellaneous Provisions) Regulations 2009

SCHEDULE 1: CHARACTERS, SIGNS, SYMBOLS AND PUNCTUATION

Table 1

<i>Characters, signs and symbols</i>				
A	B	C	D	E
F	G	H	I	J
K	L	M	N	O
P	Q	R	S	T
U	V	W	X	Y
Z	&	@	£	\$
€	¥			

Table 2

<i>Type of punctuation</i>	<i>Punctuation mark</i>
Apostrophe	' , ,
Bracket	() [] { } < >
Exclamation mark	!
Guillemet	« »
Inverted comma	“ ” ”
Question mark	?
Solidus	\ /

Table 3

<i>Signs and symbols</i>
*
=
#
%
+