

Expired Domain Tasting

Background

In August 2006 [1] Nominet took industry-leading action to prevent domain tasting “a practice of registering domain names, assessing revenue generation potential and, if they create an insufficient return, deleting the domain names before the registry requests payment”.

The current Nominet policy on cancelling domain name registrations can be found on the Nominet website at: <http://www.nominet.org.uk/registrar/fees/#cancel>

Similar action was taken by ICANN (gTLD namespace) in December 2008 with the introduction of the Add Grace Period Limits Policy [2].

Though both of these policies were hugely successful [3] in preventing domain tasting during the initial registration of a domain name, the policies failed to deal with domain tasting by registrars at the end of a domain names life cycle.

Expired Domain Tasting in .uk

In the gTLD namespace the practice of “expired domain tasting” was identified as a problem as far back as 2007 [4]. Today the practice is now prolific with many of the top ICANN registrars taking part [5]. Domain names within the gTLD namespace are now not only parked by the registrar as soon as the domain expires but are auctioned off at sites such as: www.namejet.com

To make the practice legal, registrars now ask their customers to agree to the practice in their general terms and conditions. For example, see eNom's Registration Agreement section nine [6].

However in .uk the process is slightly different and more complicated as there are two main obstacles:

1. Domain names can't be unilaterally transferred to a registrar and auctioned off [7].
2. Once a domain name is suspended the name servers no longer resolve [8].

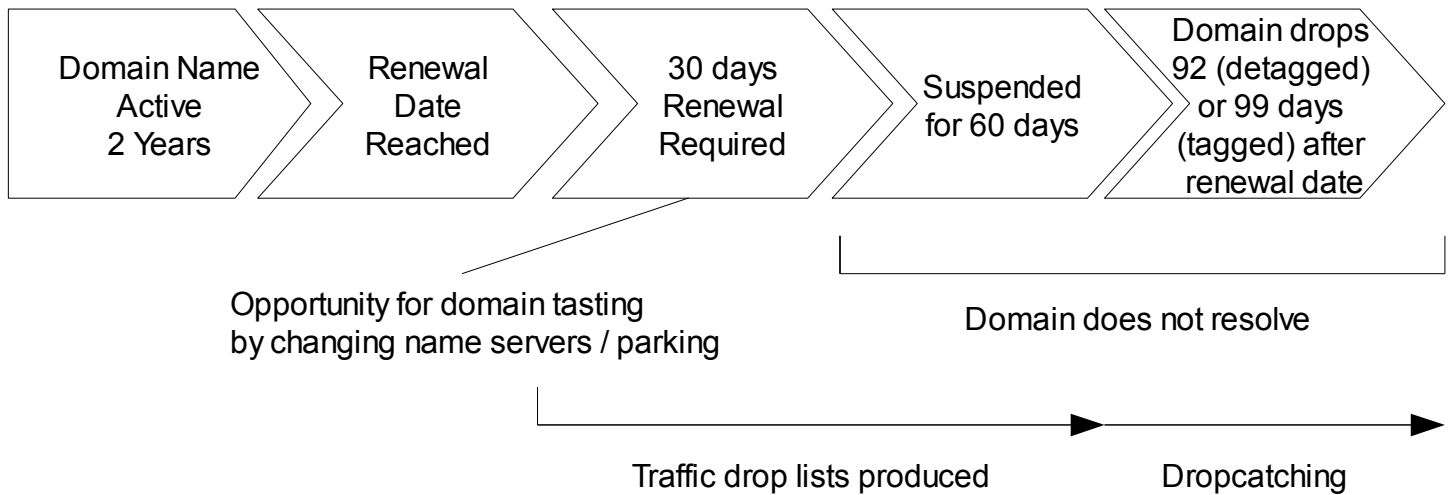
Therefore there is only a short opportunity (the first 30 days after the renewal date) in which the registrar can change the name servers on a customers domain to:

- Monetize the traffic on the expired domain to bring in an extra revenue stream.
- Or to taste the traffic on the expired domain and build a valuable traffic “drop list”.

The exact number of Nominet registrars partaking in this practice is not yet known. However, reports of some top registrars doing it do exist [9]. Maybe Nominet could be asked to produce monthly statistics on the number of domains that change name servers within the first 30 days after the renewal date?

Life cycle of a .uk domain

This diagram shows the current life cycle of a .uk domain and the opportunity for registrars to taste the traffic on expired domains:



Policy Questions

1. Is expired domain tasting by registrars detrimental to registrants and other stakeholders?
2. Should a registrar be allowed to change the name servers on a customer's name after it expires? Are there any other reasons why they may need to do so?
3. Should expired domain tasting be controlled or prevented?
4. Is there a technical solution to the problem such as preventing domains from resolving during the first 30 days a .uk domain expires? What affect would this have on registrants whose websites stop working straight away?
5. Is there a legal or best practice solution such as including in the Good Practice terms that a registrar should not change the name servers of a customer's domain name? What affect would this have on registrars and their revenue?

References

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- [2] ICANN 17 December 2008 - Advisory: Add Grace Period Limits Policy
<http://www.icann.org/en/announcements/announcement-17dec08-en.htm>
- [3] ICANN 12 August 2009 - The End of Domain Tasting - AGP Deletes Decrease 99.7%
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- [4] ICANN 25 March 2007 - How the Marketplace for Expiring Names Has Changed: Why names aren't released and what is the impact on consumers and other interests? Are registrars becoming domain name portfolio owners?
<http://www.icann.org/en/meetings/lisbon/transcript-tutorial-expiring-25mar07.htm>
- [5] Domain Name Wire February 9th 2009 - NameJet now has three of top four domain registrars on its platform
<http://domainnamewire.com/2009/02/09/tucows-inks-expired-domains-deal-with-namejet/>
- [6] eNom Registration agreement –
9. EXPIRATION OF A DOMAIN NAME REGISTRATION
<http://www.enom.com/terms/agreement.asp>
- [7] Nominet transfer policy
<http://www.nominet.org.uk/registrants/maintain/transfer/>
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<http://www.nominet.org.uk/registrants/maintain/renew/>
- [9] Acorndomains 09-06-2009 - UK Reg/Fasthosts and 'DomCollect'
<http://www.acorndomains.co.uk/domain-name-registrars/53404-uk-reg-fasthosts-domcollect.html>