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United Kingdom

Com Laude responses to the consultation on the release of two letter, one character and other reserved .uk domain names

Do you agree that two letter domain names should be released for registration in co.uk, org.uk, net.uk and me.uk as recommended by the PAB?

Yes, this is an excellent idea. These are highly desirable domains which individuals and companies will be very happy to own. However, it is very important that Nominet takes steps to release these domains according to a phased programme, which will allow trade mark and rights holders to obtain domain names corresponding to their intellectual property before they are released for general registration. To release them on an open market with no phased registration programme could enable those parties with automated systems to obtain the majority of the available domains, which they could then sell for large profits at a later date, thereby devaluing the .uk brand.

Do you agree that one character domain names should be released for registration in co.uk, org.uk, net.uk and me.uk as recommended by the PAB?

Yes, this is an excellent idea. These are highly desirable domains which individuals and companies will be very happy to own. However, it is very important that Nominet takes steps to release these domains according to a phased programme, which will allow trade mark and rights holders to obtain domain names corresponding to their intellectual property before they are released for general registration. To release them on an open market with no phased registration programme could enable those parties with automated systems to obtain the majority of the available domains, which they could then sell for large profits at a later date, thereby devaluing the .uk brand.

Do you agree that existing country codes under ISO 3166-1 such as fr, de, es, us etc be released for registration in co.uk, org.uk, net.uk and me.uk as recommended by the PAB?

This issue requires consideration and should be decided upon by Nominet in view of their relationship with other members of the ccNSO. However, we would generally agree with their release, provided they were released according to a phased registration programme made up of a trade mark sunrise and subsequent Landrush.

We outlined the technical reasons why com.co.uk, org.co.uk and net.co.uk should not be released. Do you agree with these exceptions?

We agree that these extensions should not be released, both for the technical reasons detailed and also to avoid confusing internet end-users.



Do you agree that existing generic top level domains (e.g. biz, info) should be released for registration in co.uk, org.uk, net.uk and me.uk as recommended by the PAB?

We agree that these domains should be released; although there is a risk of confusing internet end-users, the impending launch of ICANN's new gTLD programme means that several terms which are already registered as .uk domains will become gTLDs themselves. Beyond those reserved for technical reasons, as above, we see no reason to distinguish between existing gTLDs and those which will be launching in the coming years.

Do you agree that existing .uk second level domains (e.g. co, org, ac, me, ltd) should also be released for registration in co.uk, org.uk, net.uk and me.uk?

We agree that some existing second level .uk domains should be released for registration. However, we would suggest considering reserving those which are currently highly restricted second level domains (such as gov) to avoid any confusion or security issues.

Do you agree that "uk" should continue to be reserved from registration in co.uk, org.uk, net.uk and me.uk as recommended by the PAB?

We agree that this should be reserved for registration as to release it could cause confusion.

We propose to take the same approach for two letter, one character and the other previously unreleased domains (e.g. pro.co.uk). Do you agree with this proposal?

We agree with this proposal.

The PAB recommended a two stage release process: a first round for holders of registered trademarks, and a second round for names not taken by rights holders, open to holders of unregistered rights. Do you agree with this recommendation?

We agree with this recommendation and think that it is important that Nominet are seen to honour intellectual property rights. As a domain Registrar specialising in dealing with intellectual property owners, we have experience of both first-come, first-served launches and those where IP rights are given protection and find the latter to be far preferable for our clients. We believe that not holding the initial trade mark stage may damage Nominet's reputation and, in turn, the reputation of the .uk domain. We would suggest that there be two stages to the initial trade mark sunrise; the first for holders of registered UK trade marks and the second for holders of registered trade marks in other jurisdictions. This would then be followed by an open, first-come, first-served Landrush. Applications made under Sunrise should be validated against trade mark registers.

The PAB recommended a cut off date for qualifying rights for IP rights holders. They suggested 1996 and 2002 as possible dates. What do you think would be a suitable cut off date?

We would suggest 2002 as the more suitable cut off date of the two, although this could be later. It is important that the cut-off date predates the beginning of any public discussion of the launch of one and two character names (thereby avoiding situations where parties registered expedited or inexpensive trade marks matching the terms they wish to apply for).



We propose that initially commercial organisations should have priority in.co.uk and charities and not for profit organisations should have priority in org.uk. Do you agree with this approach?

We agree with this approach.

We propose to hold a sealed bid auction for domain names where rights holders are competing, and for domain names not taken up by rights holders. Do you think there is a fairer way to allocate the first registration of these domain names?

We have experienced various ways of allocating domains where multiple parties have applied for them. An auction does provide an equal opportunity for all parties to participate. Although we have no strong preference over whether it is sealed or open, the nature of the auction does require further consideration. If running a Dutch auction for Landrush names we would suggest doing the same for rights holders to increase perceived fairness.

We propose to hold a Dutch auction for the general release ("landrush") of domains not taken up by rights holders. Do you think there is a fairer way to allocate the first registration of these domain names?

See above

We plan to run this whole exercise on a cost recovery basis, and any surplus funds generated from auctions would be donated to Nominet Trust, a charitable organisation established by Nominet with the objects including the education, relief of financial hardship and protection of children in the area of the Internet and information technology. Do you agree with this approach?

We agree with the suggestion that surplus funds should go to the Nominet Trust, which is an incredibly good trust providing valuable assistance.

Do you have any other comments or suggestions about the proposed release of these domain names?

We value the opportunity to contribute. Thank you.

Sarah Hayward
7th June 2010

ENDS