

Issue group brief: Domain expiry policy

Purpose of the paper

This paper sets the context for a discussion on the principles and policy that govern the treatment of domain names once registration expires.

The period of time between a domain name registration expiring, and it being deleted from the register is known as the 'expired period'. We want to ensure that our policies can better support a thriving and innovative industry while promoting the interests of all stakeholders.

We are seeking feedback from stakeholders on the principles of the expired period and the treatment of expired and deleted domains, with a view to exploring how these principles can support Nominet's vision to:

be a leading force in making the Internet a trusted space, which everyone can be part and has a positive impact on people's lives;

and our mission to:

make a positive difference to our stakeholders driven by their needs and to fulfil our public purpose

The purpose of the discussion is to develop an over-arching set of policy principles that enable registrars and registrants to benefit from greater clarity and certainty as to their reasonable expectations regarding expired domains. These discussions may be challenging, but we hope that an open and forward-looking dialogue on the policy will enable stakeholders to benefit from a level playing field and will help Nominet support a competitive and innovative industry.

The current renewal process is outlined below as background for stakeholders who may be unfamiliar with the process.

Background

Following publication of the issue proposal titled 'Expired domain tasting', we received feedback drawing attention to a number of other related issues. These were about how a domain name is treated during the expired period. The issue proposal also referenced the practice of creating lists of domain names due to expire (drop lists), that help the practice of re-registering expired domain names.

The Secretariat has now broadened the scope of the original proposal with a view to seeking a high-level policy discussion on the principles and purpose of the expired period. The issue group may therefore wish to consider the inter-related practices of post expiry domain name auctions, the registration of expired domains, the secondary market and back-ordering, as well as expired domain tasting.

The current renewal process

A .uk domain name is registered for 2 years and subject to renewal every two years after that. Before the domain name is due for renewal, the registrar will usually contact the registrant (their customer) to check whether the registrant wishes to renew the domain name for a further two years. If the registrar does not confirm to Nominet that the registrant wants to renew the domain name, the process is as follows:

- 0 days = Date of expiry – we send a renewal reminder via email to the registrant

- 23 days = We send a suspension warning to the registrant via email to advise that the domain name will be suspended if it is not renewed
- 30 days = If the domain name is not renewed, we send a suspension notice by email to the registrant. The domain name is then suspended. This means that the domain name stops working: people cannot access any website at that domain name and any email using that domain name will not be delivered
- 83 days = We send a final reminder via email to the registrant
- 90 days onwards = The domain name is deleted and becomes available for re-registration by anyone else

At any point in the above timeline the registrar can renew the domain name for the registrant and the suspension will be lifted. Nominet actively encourages all registrants to renew directly through their registrar.

Alternatively, if a registrant is certain that they no longer require the domain name, they can instruct their registrar to mark it as 'renewal not required'. In these circumstances, we send one notice to the registrant by email informing them that the renewal fee is outstanding, but no further renewal reminders will be sent. If the renewal fee is not paid, the domain name will be suspended and deleted in the normal way.

Practices that may be relevant to expired domains or the post-expiry period (provided as background to the discussion)

Expired domain tasting

Expired domain tasting happens in the first 30 days of the renewal process – from the point that the registration expires, to the point that it is suspended. On the date of expiry the registrar changes the name servers of the domain name and points the domain name to a parking page hosted by them. This enables the registrar to measure traffic (how many times someone tries to access the webpage through the domain name), and helps them to find out whether there is a value attached to the domain name.

Some registrars change the name servers after the domain name has expired to serve as a warning to their customers that the renewal fee is outstanding. They may also cease hosting if the hosting contract has expired.

Domain name auctions

Some registrars auction a domain name that has not been renewed by their customer during the 90 day expired period. How the registrar handles an approach to renew a domain name during this period will vary between registrars. The winning bidder of the auction organises for the domain name registration to be transferred to them.

Changing registrant contact details

On the date that the domain name expires, some registrars delete the registrant details and record their own details on the Nominet database. As Nominet renewal reminders to the registrant are sent to the email address recorded against the domain name, the registrant potentially does not receive these.

Dropcatching

In 2007 a paper presented to the Policy Advisory Body (PAB) defined dropcatching as:

Dropcatching is the process of using automated systems to register expired domains within a fraction of a second of their being cancelled by the registry

Many registrars have developed the technical systems to enable them to 'dropcatch' or re-register domain names that have been deleted from the Nominet database within a very short space of time. We have also developed systems to enable registrars to check whether domain names are available to register (Domain Availability Checker).

Most registrars involved in dropcatching will either sell the domain name on to a third party or develop a pay-per-click site to generate revenue. Others market services which offer to dropcatch the domain name on behalf of their customer once it has been deleted from our database. In many cases customers can 'backorder' a domain name they would like to register if it is deleted from the register and becomes available for re-registration. The registrar will then attempt to register the domain name once it becomes available.

Secondary market

Buying or re-registering domain names for the purpose of selling or developing them has become known as the secondary market. A competitive secondary market has been established within the .uk domain name industry. Within this market there are registrars and registrants who maintain a portfolio of domains that they can subsequently auction or sell. Others develop the domain name and generate revenue from it by placing pay-per-click advertising on a web page accessed through the domain name.

Request for feedback and questions

We would welcome comments from all our stakeholders on the policy and principles of the expired period and the treatment of expired domains as a whole.

We have outlined some questions below which you may wish to consider when submitting feedback on this brief, but you should not need to confine yourself to these.

1. What should the principles of the expired period be?
2. What should Nominet's and the registrar's obligations be to the registrant in the renewal of domain names?
3. Many registrars will have provisions in their terms and conditions which outline what the registrar will do when a domain name expires. What type of notice and level of transparency should registrants reasonably expect where specific practices are undertaken in the expired period?
4. In the context of encouraging innovation within the industry, how should Nominet's policies support the development of new business models whilst ensuring registrants' expectations are met?
5. What further background information would it be helpful for Nominet to provide to the issue group members to assist their discussions?