

Feedback on Consultation on Second Level Domain Registration in .uk

Author: Stephen Wilde

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The feedback is shown in this way, as it is hopefully easier to read than the consultation editable PDF, where it is not possible to format the text of your response.

This feedback relates the Nominet .uk proposal made on 1st July 2013.

About You (section 2)

Name: Stephen Wilde

Position: Managing Director

Organization: YourUk.org.uk

Email: Stephen@YourUk.org.uk

Telephone: 0179436072

Address Line 1: Stornoway Park

Address Line 2: Jermyn's Lane

Address Line 3: Ampfield

Town: Romsey

County: Hampshire

Postcode: SO51 0QA

YES – I would like you to keep me informed of this consultation

YES – I would like you to keep me informed of future .uk policy and .uk policy events

Organization type: Not for profit

Sector: Providing help for those that want to know about .uk domain names

YES – I do hold a UK domain name in .me.uk .org.uk and .co.uk

YES – I'm a Nominet register through another company owned Really Useful Domains Ltd

TAG – WILDE

YES – I am happy for Nominet to publish my responses with my name and organization only.

General comments (page 6):

If you wish to submit any general comments rather than comment on each individual section please feel free to provide them in the space below.

Overview

I do support the introduction of .uk, but not as put forward in the current Nominet proposal.

.uk should be introduced only if the collateral damage to existing registrants can be eliminated and with full and proper research and consultation due to its impact on the UK economy before any release.

Studies, surveys, technical work and research should be undertaken to ensure the case for .uk is solid before any release, as it is vital to get it right given the costs of getting it wrong are so high for the UK digital economy. These reports should be published and made available to the wide range of UK stakeholders in the internet.

The prime UK domain name extension .uk should be used to help further the UK economy and .uk should be given automatically to the holders of .co.uk (account for 93% of all UK domains), the .org.uk domains will be able to continue on in a structured and thought out naming structure as will .sch.uk and .gov.uk.

I favour .uk being 100% linked to .co.uk ownership and being issued for free (no extra cost to the current .co.uk renewal fee) and all security and trust matters being dealt with at the UK namespace level and none at an individual domain extension level. That means exactly the same features for all domains ending in .uk, so no one extension is seen as superior in any way to the others, as this by inference would mean the others are less secure and trustworthy, with all the problems that would bring to the owners of the existing 10,000,000 UK domains.

The reasons given by Nominet why .uk is needed now are too vague and mix up issues with solutions; it is simply not good enough to say “we need .uk to keep us relevant”.

The consultation process is flawed in that it does not reach out to a wide enough range of stakeholders and makes no effort at all to show any possible side effects or consequences of introducing .uk domain names. If the consultation had included such negative issues created by .uk, then Nominet may have received feedback on how to solve or address those problems.

The lack of independent studies and research being published on all aspects of the .uk proposal is worrying considering the benefits seem to center around Nominet and the registrars rather than the existing registrants, which will also be the largest group, maybe up to 95% of the people who actually register .uk.

Overview (continued)

As the .uk consultation has been poorly executed then there is every chance that if Nominet decided to go ahead with .uk domain names, that a judicial review could be set up to look into the process as Nominet have said themselves “.uk would be the biggest change to the .uk namespace since it began.” Such a review would hold up the creation of .uk for many years.

My fear is with the lack of feedback volume on this consultation, Nominet will spin this as people agreeing with their .uk proposal which Nominet states is based on prior feedback. This would be a gross distortion of the truth.

General comments (page 6) continued:

Case for .uk?

In your introduction Nominet state "It was clear from this feedback that there was support for registrations at the second level but that the original proposal could not proceed."

Although I support .uk in principle, where is the support for .uk apart from Nominet itself and some main stream UK registrars, I have not seen it in the meetings I have attended or the feedback or media articles I have read so far?

I have read both feedback documents from last year's .uk consultation; however it should be noted that the Nominet website does not link or mention the Nomensa summary of the feedback from the last .uk consultation, only its own summary.

During the previous consultation, I attended several Nominet arranged round table meetings, the meet Nominet day and attended the Nominet registrar meeting. I have also followed and read any published media or blog relating to the .uk proposal that I came across, as well as being active on domain forums trying to understand the issues. I have tried to go to as many .uk Nominet events that I was allowed to attend on the current .uk consultation.

In all of those documents, reports, articles, webinars, blogs and meetings I have *not* come across a "wide support for .uk". The most often made request was for a business case for .uk and for Nominet to publish any studies or research in this area, but these requests have been ignored previously and sadly during this second proposal, they have still not been provided despite being again requested. The reply to this often made request can be best found in the Nominet blog which states "Our consultation is not a vehicle for us to put forward a business case."

"Clear from the feedback that the original .uk proposal could not proceed"; yet there was a Nominet Director's vote on whether to proceed and the details of that vote have never been made public, so nobody outside 10 people knows how close we came to having .uk from the first proposal.

A major reason given by Nominet why .uk is needed now is to combat the threat as they see it from the arrival of 1,000 new ICANN domain name extensions

I do not, however, agree that the threat from the new domain name extensions is real – to reducing the use of UK domains for their purpose as a home for content. The action on .uk is certainly confusing the domain buying market place by adding to the uncertainty, which is not the way to solve it, if it was really a problem.

The new gTLD's should not panic the UK namespace into a course of action that will do long term harm to itself.

General comments (page 6) continued:

Ignoring Feedback

In your introduction you state “We have made significant changes in order to try and address the concerns raised and strike a better balance between the needs of different stakeholders.”

In the feedback summaries it does not mention any feedback received at all, not one person, suggesting that the “oldest registration” is the fairest way forward. Yet Nominet have adopted that method as your way of dealing with existing registrants, which Nominet so ignored and showed such contempt for in your previous .uk proposal.

Also Nominet have chosen a particular interpretation of “first come first served” as the basis, as you would have expected either;

- The first tld that registered as a UK domain even if it expired and was re-registered (as you are trying to go back in time and fix the issues retrospectively)
- The domain that has been owned longest by the current registrant.

Yet, although the previous proposal was not designed to gather alternative proposals, a significant number expressed the view that “grandfathering .co.uk” as the prime UK tld to ownership of the equivalent .uk should be used; yet this was ignored as the way forward nor was it even mentioned as an alternative release mechanism in the current .uk proposal.

Also as it was stated by Nominet that .uk was for business, not many people would have felt the need to express that view in the consultation: so no feedback would be found on this viewpoint. It shows Nominet cannot therefore just rely on the feedback as a way forward.

Regarding security in the feedback, it was clearly confirmed in the feedback summaries that existing registrants did not want .uk to have added security or features that created extra trust in isolation to the rest of the other UK domain names: as this would undermine consumer confidence - that somehow if the .uk is more trustworthy then the other UK domains by inference must be less trustworthy. Yet the first point of your key elements of .uk is making .uk more secure and trustworthy:

“Enhanced checks on data supplied for all registrations. The process would ensure that the named individual resides, or the named business trades, at the specified address. This *aims to enhance consumer trust* in the registration process and the data on record” and “This would attract registrants to a domain we are making trusted, safe and relevant.”

This was further demonstrated in the Nominet webinar on 13th September when .uk was described as more trusted due to its feature of address verification feature. I fear this stance would carry through if .uk was launched to aid marketing and take up of the domain; despite the obvious harm it would do the trustworthiness of the existing 10,000,000 UK domains.

General comments (page 6) continued:

Who did Nominet consult with?

In your introduction you state “The consultation process was the largest ever carried out by Nominet with a substantial number of responses which helped us understand what was important to our stakeholders”. The process was flawed as Nominet made little effort to contact a wide range of stakeholders; and certainly not in any volume. Nominet did not even contact all of its registrars on this important matter, only the ones on a nom-announce notification list: Nominet will not release the number. Yet Nominet did email all UK registrars about its own award ceremony, not quite so important in my opinion.

The vast majority of those responding to the previous .uk consultation were strongly related to the domain industry and it appears that approach has not changed with the current .uk consultation.

Although Nominet looked at emailing all current UK registrants about the .uk consultation they failed to, after receiving in-house legal opinion that it may be spam. They have also received an independent legal opinion but will not publish the brief provided and the advice received.

Nominet did not exhaust other options such as advertising or contacting more stakeholders with other methods or even contacting a sample survey. No mention on Whois or the millions of renewal reminders Nominet have sent out since the .uk consultation was announced; all of these being mentioned in the feedback on the previous consultation as ways to gather more feedback from a wide range of stakeholders.

There was no mention of .uk consultation on the agreatplacetobe.co.uk website which is owned and run by Nominet.

In a recent blog Nominet’s CEO states “that the .uk proposal is the biggest change to the .uk namespace since it began”. I whole heartedly support that view. Yet Nominet have not made the effort to create awareness among a wide range of stakeholders and explain to them what it really means; with the potential problems and how they would be tackled, how it would work and what the UK namespace would look like in a post .uk world.

General comments (page 6) continued:

Security

Nominet mention “development of a new Security Road Map for the entire .uk namespace” (18/06/2013). Now 3 months later nothing and over two months since the .uk proposal was launched the roadmap has not been provided, so nobody can see how it would fit together.

After watching the only Nominet webinar .uk on 13th September, I had a glimpse into the future .uk world; it comes across in the question I raised to Nominet after the presentation;

“What came across in the presentation is how more secure .uk is going to be than the existing UK tld’s.

In the prior consultation there was very strong and reasoned argument by many that existing .co.uk and .org.uk would be seen as less secure because .uk would be seen as more secure.

Appreciate it is not to the same extent as the previous proposal but more secure is more secure.

Without the security road map announced in June being published to date, it is difficult to see that Nominet have not fallen into the same trap again?”

By saying that .uk will be more trustworthy Nominet are acting *against* the interests of the existing 10,000,000 registered UK domain names. Also future investors in names will look at how Nominet, the organization promoting trust, undermined the current value of the prime UK tld, .co.uk, with .uk. Who is to say next time Nominet will not release .com.uk and do it again, or create another .uk set of domain names with spaces or release .gb or .eng?

It was fully explained in the previous .uk consultation feedback, how the confusion between .uk and .co.uk would lead to a wide range of security and trust issues and problems including but not limited to;

- Phishing attacks
- Miss-directed emails
- Scams
- Cyber-squatting
- Fraud
- Traffic leakage
- Identity theft and misuse of names to endanger children
- In appropriate use of domain names by competitors or SEO companies

Yet Nominet have not addressed any of those potential problems in its background notes or current .uk proposal.

The solution to these security problems is to link ownership 100% between .co.uk and .uk and allow only one as prime and the other redirect at a registry level.

General comments (page 6) continued:

Lack of answers from Nominet and mindset

My feedback and alternative solutions are not as complete as I would like to have provided as Nominet did not answer many questions raised about their proposal. Many of my questions were said to be outside the scope of the .uk consultation (and some maybe were), and related to what they might do if .uk was introduced. I argue that those questions should be answered; as to make an informed decision on .uk, Nominet we need to see what will be done to reduce the problems created by it.

The data requested was often needed to help build more fully formed and accurate alternative proposals on a wide range of areas such as the release mechanism, demand, security, budget models that Nominet said itself it was seeking.

The data and information sought to improve the consultation I requested could have been made publicly available as I sought no advantage of any sort from those requests, only the good of the UK namespace, that Nominet are tasked with protecting.

Nominet not answering questions and concerns fits with the issue of Nominet's fixation on growth, renewal rates and being relevant on the world stage. These positions are all inward facing to Nominet not for the benefit of the public purpose, although I accept there is a limited linkage between these opposing positions.

When the number of limited companies being registered at companies house fell due to the recession, they did not create a new product of "corporation" to make up for the decline in their fees; they probably reduced the scale of their operation and cut their costs, yet were still able to provide a quality service to existing and new clients. All organizations have to get used to changing growth patterns and changes in consumer demand, Nominet should adapt to less growth.

When the BBC was faced with the pricing decision when they launched their iPlayer, with others such as itvPlayer charging, should they charge? They decided to look after their customers by not charging. Nominet should follow that example: it would not in my opinion change the profit made if Nominet gave all .co.uk owners the equivalent .uk for free, as any small costs would be offset by improved retention and new domains registered.

It is admirable that Nominet donate £6,000,000 per year to charity (25% of gross income) yet that should not now be built into the Nominet business model as a must do objective forever, especially when they are losing sight of the needs of their existing owners of over 10,000,000 UK domains .

Section 4 – The proposal

This proposal seeks to strike a better balance between the differing needs of our stakeholders and respond to the concerns and feedback raised to the initial consultation. We have ‘decoupled’ the security features from the proposal to address concerns regarding the potential creation of a ‘two tier’ domain space and compulsion to register in the second level. We have set out a more efficient registration process to enhance trust in the data and put forward an equitable, cost effective release mechanism.

4a. No – I do not agree with the proposal to enable second level domain registration in the way you have outlined.

4b. Reasons why:

.uk

I would really like to see the business case made and published for .uk and see it backed up by studies, surveys and research. Even though I’m for .uk, I agree with the majority that a business case should be provided and the argument for .uk should be won by proof and persuasion not simply a feeling that it might work out and rail-roading it through.

There is also a misleading approach by Nominet, stating that changing over to .uk would be easy. Those that know anything about Search Engine Optimization (SEO) will tell you that for some sites it would take over a year of planning and a lot of time and cost to change all the links inbound to your website, to avoid a loss of rankings and traffic from those links. Nominet simply cast the issue aside by saying follow Google advice on changing your website address, a much too simplistic and dismissive answer to the subject.

If .uk was introduced it may create peer pressure to change from .co.uk to .uk as otherwise users may feel they are left behind; but they may not be prepared or financially strong enough to deal with the huge costs that can be incurred rebranding domains from a .co.uk to .uk. It could be argued it is the business’s choice of whether to move but if .co.uk has the perception of looking old and out of date compared to the new shiny more secure .uk a lot of business would succumb to that commercial pressure to move. From Nominet’s blog:

“Since the consultation began, we have been also asked whether we can prove that second level registrations will help .uk combat the launch of gTLD’s. I’m sorry to disappoint, but there is no ‘proof’ that this will work, any more than there is proof that it won’t – there are too many variables to have a credible, conclusive projection at this stage.”

To me that is not enough reason and proof. Risk launching .uk on a hunch with massive negative aspects about .uk that are never addresses by Nominet.

Security

Nominet statement “In response to the strength of feeling from our first consultation, we are tackling security differently. Moving forward, our approach has changed in two ways. Firstly, we have de-coupled security features from the second level domain proposals and will tackle this as part of a broader security roadmap that benefits the whole namespace.”

Nominet have not decoupled security at all. It is stated in proposal key points “This aims to enhance consumer trust in the registration process and the data on record.” So making .uk more trustworthy: it does not matter that in the small print some .co.uk and .org.uk owners can have their address verified and looked up, as such on Whois; the damage would be done in the headline for selling .uk.

Nominet refuse to show exactly how they would be able to keep .co.uk relevant at agreatplacetobe.co.uk with a superior .uk available, or how the .uk will be marketed and presented on that website.

Having different owners of .co.uk and .uk was raised in the previous consultation feedback, yet the current proposal does not acknowledge it as an issue and does not show any measures Nominet would introduce to deal with the problems created.

The collection of a verified address is not required and will not add any more security to the UK namespace or .uk. In fact it will be detrimental, as if people somehow believe the marketing talk that .uk is more trusted and secure, they may rely on that and make an online transaction only to find it is fraudulent. The address has verification but that would not stop crime and does nothing to improve real security! It only provides a misguided and false sense of security.

Nominet do not currently police or monitor in any way their own policy on “opt addresses” that it is non-trading website; that would improve consumer confidence yet Nominet do nothing.

We have the prospect of a security nightmare with different owners of .co.uk and .uk: phishing attacks, misdirected email, scams, cyber-squatting; with Nominet not even acknowledging they would be issues and not even trying to address or debate them.

Nominet website states the main security is provided by not allowing the same string to be used twice: is there any registry on the planet that allows that? Sometimes I feel that Nominet oversteps the distinction between domain name and website content security.

Also please see comments I made in General section at the beginning under the heading of security.

Cost

There should be zero cost for .uk as the equivalent .uk domain should be given to all .co.uk owners for free, with matching expiry dates. However, I will feed back on the proposal as is.

.uk cost is stated as “A competitive price point, with a proposed wholesale fee of £5.50 per year or £4.50 per year for multi-year registrations.” Yet it is also stated elsewhere it is only to recover costs but no breakdown or support of these costs is provided.

No supporting data has been provided to justify this cost. Especially as the current 2012 Financial Statements of Nominet show a surplus of profit on ordinary activities before taxation of £4,290,000: more impressive when you realise that profit is after deducting a donation of £6,000,000 to Nominet Trust. That means if the number of domains dropped by 50% under the current pricing model Nominet would still make a profit.

For comparative purposes of what is competitive, the current cost of .co.uk and .org.uk is only £2.50 per year for multi-year registrations. So to be competitive with your own current product you seem to think 200% of current price is the right level to set the price.

Nominet will not release any forecasts of what the introduction of .uk under its proposal would mean, or deal with the uncomfortable question whether that extra surplus of up to £25,000,000+ per year will be included in the Director, Management and staff bonus calculations. This area has not been disclosed and by itself should warrant an independent review of the consultation, feedback and decision making process.

We can only assume without the answers from Nominet that the extra cost would relate to the verification of an address and obtaining UK addresses for overseas registrants, as Nominet have stated it should recover those costs. But as they are identifiable against a registrant and a sub-set of registrants those costs should be recovered from those identifiable parties rather than spreading the cost unfairly to all domain owners.

So if it costs say £15 to verify an address, charge each unique registrant the cost of being verified and make it clear on your policy how often this should be done, so it is sustainable, fair and transparent.

To obtain a UK address from an overseas registrant, if it costs £25 then charge each unique registrant rather than all overseas registrants a different price.

The consultation requests ways of dealing with registrants that also own at the third level and have many domains and only one address. Solutions apart from reducing the base price of .uk or changing the entire pricing model and charging the registrants for the two costly security items as described above would be too complex and fraught with extra administration due to different expiry dates.

Cost (continued)

If there would be any charge for .uk at all, then the cost of .co.uk and .org.uk should be drastically reduced to a level where the Nominet surplus is no greater than it is now, with care not to charge in the overlap period and deal with those that have taken up the Nominet offer and paid in advance for 10 years.

To be fair on pricing and acknowledge cost recovery on a relevant basis, I would look to create a totally different pricing model for the UK namespace; the numbers are based on my best guess, as Nominet would not supply the underlying data required to make a pricing model;

Domain renewals charges p.a. would become:

One string £3

Any identical string £1

Transitions and adjustments would need to be brought in for existing advance payments and non-coterminous expiry dates for same strings and system build for where different domains are with different registrars.

This would also benefit existing registrants that currently protect their main UK domain.

It would also produce an extra surplus for Nominet and benefit many of the existing and future registrants and encourage multiple registrations of the same string.

This policy is aimed at being fair, easy to understand when polished and easy to administer, once certain one off adjustments are made.

Another alternative would be to rebate portfolio owners owing over say 100 UK domains as too difficult to do change renewal billing at source.

Then a separate charge to a registrant for security matters whatever they are to be, whether that includes address verification, which should be removed from .uk for the security reasons already stated.

Also I believe the transfer fee should be scrapped to nil as it is a barrier to the free movement of UK domains and Nominet recovered the costs of its online system many times over.

Nominet should be building up reserves if they believe the 1,000 gTLD's will adversely affect their renewal and new registrations to a major extent; as if .uk does not get introduced they will potentially have a black hole in their budget. Understandably to some degree Nominet will not reduce any numbers from their 2013/2014 budget which has just received board approval. Nominet have decided in their September board meeting to gift Nominet Trust with £6,000,000; money which they might have more prudently added to reserves in the face of such uncertainty as they see it.

Release Process

Opt-in or automatic rights?

The process is an 'opt in' process and I feel, due to the difficulty in contacting the owners and decision makers of the 10,000,000 plus UK domain names, a large proportion of those will not be aware of .uk and its importance to them. Also is a factor is that 9% of UK domains are held by non UK residents which adds an extra complication.

When you look at the advice at a greatplacetobe.co.uk that owners of domains should acquire the same string to protect their online presence, as .uk is arguably a better domain than .co.uk, it would make sense to acquire the .uk in all instances, it was ever released. Even the people I have met who are vehemently opposed to the release of .uk, admit if it was released they would have to acquire the equivalent .uk domains to protect themselves.

Nominet have stated in the proposal they will contact (email was confirmed in a conversation with Nominet) all UK registrants about the .uk launch but will not confirm whether this is actually legally possible and backed by an external legal opinion that such an email would not be spam. They also have not planned whether it would be one email per domain or one email per registrant, some of which own tens of thousands of domains.

Nominet will not commit or share any outline plan of how it would overcome the problem of getting the message to so many registrants. For a comparative of effort on the current .uk proposal, Nominet have issued one press/media release about the .uk proposal and consultation.

Also, importantly, Nominet refuse to state how many times they will email and what extra effort they will undertake to deal with bounced emails and those not registering an interest. So it is not possible to make an accurate estimate of how many registrants will be affected by not knowing; but I would guess it will be the owners of millions of UK domains that will not become aware of the rights to any .uk.

Although effort has been made to make the release fair and provide a time window, the result will only be fair if all the registrants know and understand it; to do that fully would be very expensive. At the moment only those closely connected to domains are aware of the .uk proposal and will take up their .uk rights, but they also realize many will not and will probably be able to register maybe 1 million .uk prime domains within the first hour of them being made available.

In the recent DRS case this week of Paramount.co.uk in which Paramount studios (the one with the mountain logo) was offered Paramount.co.uk for £120,000. Under the current release I would predict that this would be common when the owner of a .co.uk finds it does not own the equivalent .uk.

My conclusion to this is major issue is that the UK holder of an existing tld (by whatever criteria) should be automatically provided with the equivalent string .uk and made the registrant of the .uk.

Release Process (continued)

Who should get the rights?

As to who should have those rights, I do not agree in trying to rewrite release history with all the problems that would produce. I believe the .uk should be provided to the .co.uk registrant for the following reasons:

- Nominet put forward a good case for .uk being for business in its prior consultation
- .co.uk is the current prime UK domain tld
- .uk will be the prime UK internet address
- Nominet should not sell the prime UK internet space twice
- .co.uk is 93% of all UK domain names (if you take out the domains that .co.uk register at .org.uk and .me.uk level to protect themselves the figure would be even higher – sorry Nominet will not release the figures)
- .org.uk domains are proud to be .org.uk and they help identify what purpose they serve, in being not for profit; so there domain will still work as it does now

.uk should be for business as stressed in the previous .uk consultation; please read prior .uk consultation from Nominet website - sorry you may find it appears to be “available on request” only.

Nominet’s advice at agreatplacetobe.co.uk regarding protection of your domain can be seen in 10 top tips for choosing your domain name. No.6 Protect your name: if you can, register several similar domain names. For example, if you have ‘yourname.me.uk’ you could register ‘yourname.co.uk’ and ‘yourname.org.uk’ so no-one else can come in later and capitalise on your success.

That advice would be important to .co.uk owners with the introduction of .uk, will it be pushing that message? If so, it will be advocating a mirror image of .co.uk at the .uk level, so there is no real gain for registrants, just a lot more renewal costs which they will be forced to incur.

As stated in the first section, there was no support for ‘oldest registration’ in the summary of feedback; yet the large amount of feedback about ‘grandfathering .co.uk’ has been ignored in the second proposal and not even shown as an alternative option, to those that may not understand the business of domains.

My alternative proposal would be easier to administer and not create the problems of pre-nom domains, those where the time of day the domain was registered, domains released in the short auctions, future DRS and legal actions by those that did not obtain .uk and possible legal action against Nominet itself.

Release Process (continued)

Who should get the rights? (continued)

The background provided as to why “earliest continuous registration” was the fairest method was that there are around 500,000 matched domain strings in the UK namespace. Despite several requests for information last time and this time no data has been provided. However, the only other fair method mentioned is grandfathering .co.uk to the equivalent .uk, so if we look at the exaggerated number supplied that is

- 500,000 matched domain strings (may look unfair with 10 million names)
- Only 250,000 domains
- Remove the matched owned domains, down to 175,000
- Remove the domain were the .co.uk is the oldest and the number is down to *less than 50,000* a number which does not look so big, compared to the current 10,000,000 UK domains.

As the “Oldest UK registration gets first chance”, up to 250,000 .co.uk domain holders will be unlikely to obtain the equivalent .uk under the current proposal including:

Hotmail.co.uk Dreams.co.uk Windows.co.uk Food.co.uk Sky.co.uk ee.co.uk
audible.co.uk freelancer.co.uk independent.co.uk gap.co.uk instyle.co.uk Art.co.uk
DayNurseries.co.uk Unwins.co.uk ITS.co.uk Adams.co.uk Bes.co.uk
FlowersDirect.co.uk Custard.co.uk Build.co.uk TopMail.co.uk TheBelfry.co.uk
Benedict.co.uk Smiles.co.uk Tamba.co.uk Pims.co.uk Planet.co.uk Prospects.co.uk
PopupStands.co.uk PaydayLoans.co.uk oba.co.uk RadioCity.co.uk Alli.co.uk

to name but a few, accepting the number will be much less than 250,000 maximum.

The above listed websites are amongst the most viewed in the UK.

Nominet has encouraged business over the last 20 years to buy a .co.uk; many of those would have been previously registered UK domains, so they would not always qualify as the oldest continually registered domain. So they will lose out even though they have invested in the .co.uk domain space as encouraged to do by Nominet.

But to eliminate the other problems associated with introducing .uk, such as security concerns, the ownership of .uk should be 100% linked to .co.uk, so it is not possible to have two separate owners. In addition, although the registry could redirect .co.uk to .uk and vice versa for websites and emails, only one should be allowed as the active or prime tld. With this it would be easy to set up, release and it would be at no cost to the owners of .co.uk domains as Nominet itself would incur little cost in setting it up. It would be up to the .co.uk registrant when and if they moved over to .uk.

It would be interesting to know how many of the new domains UK domains are registered by existing registrants compared to new owners, I would guess the number to be 5%, making exiting registrants even more important in the consultation process.

Section 5 Address

We believe that validated address information and a UK address for service would promote a higher degree of consumer confidence as well as ensure that we are in a better position to enforce the terms of our Registrant Contract. We propose that registrant contact details of registrations in the second level would be validated and verified and we would also make this an option available in the third levels that we manage.

5.a Please tell us whether you agree or disagree with the proposed registration requirements we have outlined, and your reasons why. In particular, we welcome views on whether the requirements represent a fair, simple, practical, approach that would help achieve our objective of enhancing trust in the registration process and the data on record:

As previously stated, this would be open to abuse and misrepresentation by Nominet, sellers and registrars as a reason to show that .uk is more secure and trustworthy. Even if described fully the effect would be to imply that .uk is more trusted than the other UK domains namely .co.uk and .org.uk and this would create a lot of problems for those existing domains and consumers. The address features should be removed from any release of .uk.

Any areas like this should only be included in an overall security plan for the whole of the UK namespace; it was made clear at the last consultation that that was the wish of existing registrants. It was also made clear in a Nominet statement they accepted security should be separate from any one domain extension, yet they still added this feature to .uk.

To improve trust in the Whois, please provide evidence that the address is an issue.

Also please provide how many times Whois is access directly from the website: please not an inflated number which use DAC and other automated systems which do not provide the address.

I would like to see more monitoring by Nominet of websites for trading activity and change the 'opt out' status when appropriate.

I would like to see display of an email address of the registrant in the Nominet Whois, as done by all main Whois look ups on other domain name extensions. With the safeguards added to avoid the harvesting of such email addresses for spam or other purposes.

If Nominet wish to change the contract with existing .co.uk registrants please go about it via other methods such as court action to change the terms, which has been done before successfully. Rather than forcing .co.uk owners to obtain .uk and catching them with new terms under a new .uk agreement.

10% of overseas registrants of the UK namespace, currently reside outside of the UK, it would be sending a signal that UK is closed to overseas business if a UK address for service is required.

It will be strange to see the suspension of .uk domain held by people currently residing in Scotland, if they become independent and refuse to supply a UK address for service.

If this is being done because of government pressure, ask them to change the law.

Section 6 Release Process

The release process prioritises existing .uk registrations in the current space by offering a six month window where registrants could exercise a right of first refusal. We believe this approach would be, the most equitable way to release registrations at the second level. Where a domain string is not registered at the third level it would be available for registration on a first come, first served basis at the start of the six month period or at the end of this process, if the right of first refusal has not been taken up.

6.a Please tell us your views on the methodology we have proposed for the potential release of second level domains. We would be particularly

As already explained there are massive flaws in an “opt-in” system: please see above for alternative “automatic” mechanism and the reasons why it is more appropriate.

As Nominet will be aware from the expired / catching industry and the various releases that have happened with existing domain name extensions such as .eu., there are organizations that will run endless code and algorithms looking for visited websites, generic, high search term and various other parameters for quality .uk domain names that have not been registered and will within minutes of the release register those names. There will be no quality names not currently available as free to register as .co.uk that will exist to be registered as new .uk domain names.

I have dealt in the previous section with fairer 100% linking of ownership of every .uk with the equivalent registered .co.uk. This solution would also be quicker, easier and more practical than the proposal currently being explored. It would also have the added advantage of eliminating the security concerns of different owners of .co.uk and .uk equivalent strings.

6.b Are there any categories of domain names already currently registered which should be released differently, e.g. domains registered on the same day, pre-Nominet domains (where the first registration date may not be identified with certainty) and domains released in the 2011 short domains project?

Under the 100% linking of c.o.uk ownership, none of these problems would occur.

If Nominet were to go ahead with the current .uk proposal:

For pre-1996 domains (pre-nom), there is a date in the DAC for the registration date. Use that and contact all those matching domains and advise them of your dates and request if they have evidence that the date is wrong they should provide it; for those circumstances you would need to involve all other matching string domain holders. Use the same mechanism as the rest of the domain release. Plus show the date in the Whois rather than describe as pre-nom, although for legal reasons you may wish to add a disclaimer.

Regarding same day, if you have the time of day it was registered use that and publish it on the Whois. If no time known, assume .co.uk older. Use the same mechanism as the rest of the domain release. Contact all same date domains that have different registrants to advise them of the situation.

For the 2011 short domain project you refer to, which will not be known by anybody outside the domain industry, Nominet will therefore be unlikely to obtain an objective view from any outsiders.

Regarding the short 1 and 2 letter and number domains that Nominet auctioned off in 2011. As it arranged the .me.uk domains to be auctioned first, it has made a problem for itself; but surely this must be a special case, if Nominet go ahead with the current proposed release mechanism. I would allocate .uk to .co.uk, after seeing that in 95%+ of cases they paid the most for the equivalent domain or alternatively whichever tld paid most for the equivalent string.

6.c We recognise that some businesses and consumers will want to consider carefully whether to take on any potential additional costs in relation to registering a second level domain. Therefore we are seeking views on:

Whether the registrant of a third level domain who registers the equivalent second level should receive a discount on the second level registration fee;

Developing a discount structure for registrants of multiple second-level .uk domains;

Offering registrants with a right of first refusal the option to reserve (for a reduced fee) the equivalent second level name for a period of time, during which the name would be registered but not delegated.

Please tell us your views on these options, or whether there are any other steps we could take to minimise the financial impact on existing registrants who would wish to exercise their right of first refusal and register at the second level.

Have dealt with these issues earlier in the feedback.

If you take the suggested 100% matching .co.uk and .uk there will be no discount or cost apportioning issues and it should be done at no cost as Nominet will incur very little cost to implement this solution.

I have argued previously the extra cost for addresses should not be incurred at .uk level and if you continue to press ahead with that address cost element it should be borne by the registrant separately not spread over all domains.

There are difficulties with un-matching expiry dates and it is simpler not to have such an expensive domain price.

The reduced charge for a period where the .uk would not be registered but delegated is simply a method of providing domain portfolio holders with a carrot not to attack the current proposal, as they were so vocal during the previous .uk consultation.

If .uk is introduced, to keep profit to the same level, I suggest that a radical re-think and review of the pricing model, to start of the alternative proposals I would offer;

£3 p.a. for one UK domain

£1 p.a. for any other UK domain with that matching string

Adjustment being made to ensure the new pricing system was completely fair and easy to administer.

Section 7 Reserved non-Government names

We propose to restrict the registration of <.uk.uk> and <.com.uk> in the second level to reflect the very limited restrictions currently in force in the second level registries administered by Nominet. In addition, we would propose to reserve for those bodies granted an exemption through the Government's Digital Transformation programme, the matching domain string of their .gov.uk domain in the second level.

7.a Please give us your views on whether our proposed approach strikes an appropriate balance between protecting internet users in the UK and the expectations of our stakeholders regarding domain name registration. Can you foresee any unintended complications arising from the policy we have proposed?

It is difficult to understand why Nominet, without being requested by the non-Government departments themselves and not even contacting them about it, should put them ahead of existing registrants.

This appears from the outside as buying favour with Government and other quasi organizations in some closed circle of "scratch my back".

I find it alarming that Nominet neither contacted the non-Government departments concerned nor the UK registrants that would lose out due to their names being unilateral special cases.

On looking through the published reserved list, I identified many names where the equivalent string Nominet wanted to provide for the various organizations as a .uk was available as .co.uk and/or .org.uk which is meant for not-for-profit organizations and suggested as a plan "B" they registered those domains, in case the feedback was they should not be allocated in the way Nominet propose. To date those .org.uk domain remain unregistered.

No mention has been made of any compensation to those holding equivalent UK domains, and although I do not hold any, I find that heavy handed and just not British or fair!

I would propose that those departments are left to sort out their own domain requirements and Nominet should be pushing them towards .org.uk as they are established for not for profit organizations.

If any .co.uk or .org.uk is held by another party that any of those on the reserved list should be entitled to they should be directed to Nominet arbitration or DRS if that fails or take the advice on agreatplacetobe.co.uk of go and buy the required domain.

Section 8 General Views

8.a Are there any other points you would like to raise in relation to the proposal to allow second level domain registration?

Nominet should reduce the cost of transfer of ownership of UK domains, which have currently the equivalent of 4 years registration. This would improve the flow of domains to those who want to set up real websites and improve the digital economy.

Nominet should consider a UK replacement for the SSL certificates as that currently takes billions of £'s from the UK economy.

Nominet should publish its long overdue roadmap for UK namespace security.

Consideration should be given to opening up .net.uk to allow more registrations. Although no case has been provided for the UK namespace running out of names, it would sit well with .org.uk, .co.uk etc .as a general UK domain for unspecified needs.

Nominet did not announce any changes to its policy team for putting together the current .uk proposal, despite them coming out with the previous .uk proposal which was totally discredited and clearly did not consider existing stakeholders or the security problems their .uk proposal would have created.

I hope Nominet review all the feedback in the New Zealand consultation: there are some similarities in the situation of .co.nz and .nz and maybe lessons can be learnt from our antipodean cousins.

Some might say the confusion caused with so many gTLD's are being released is exactly when country tld's can show how they are dependable, recognizable and useful they are.

The way Nominet have handled both .uk consultations has reduced UK domain renewals. They are not solely responsible for the decline which is often to do with changes in EMD. SEO, trends and slow after sales market but Nominet have certainly contributed to a reduction in the number of UK domains registered.

Nominet should provide a list of all new domains registered.

Nominet should provide a list of all domains expiring.

Nominet should make it easy to look for registered domains with a keyword in to allow checking for copyright / trademark and business name infringement. This should be free not the £500 p.a. now charged.

Hopefully due to the importance of .uk, all matters raised by people completing the feedback will be included in the summary document provided to the Nominet Directors, who are going to use that to consider what conclusion to make on this vital matter of .uk.

As in the previous .uk consultation this statement was made in the summary, showing this was not the case last time.

“Some responses were highly detailed, spanning several pages of prose. These responses could not (due to practical considerations) have had every specific point covered in full for the analysis in this document.”

8.b Are there any points you would like to raise in relation to this consultation?

I do not believe Nominet have acted on the points made during the first consultation about providing information to support their own views and positions.

Despite Nominet saying at the end of the London round table (10th July 2013) they accepted they needed to be transparent and promises to be so, I have seen the opposite; a total lack of transparency and a reluctance to engage and answer legitimate questions about the .uk proposal.

It is, of course, Nominet's right to hide behind "we are only gathering views and are not willing to share our views" but I feel that has been the wrong approach.

It is a pity that Nominet ...

- Did not even go to the same efforts they did in the prior .uk consultation.
- Did not add any potential side effects or negative aspects of introducing .uk in the proposal or background.
- Did not provide a non-jargon .uk proposal for those not familiar with domains and the issues involved.
- Did not publish reports, .uk business case or data to help formulate views.
- Did not produce details of the .uk round table meetings held. Good to publish the names of those who actually attended and the areas and points discussed.
- Did not contact all UK registrars to inform them about the .uk consultation rather than just those on a limited distribution list.
- Did not contact by email all participants to the last .uk consultation, when the current .uk proposal and consultation was launched and have not done follow up emails or reminder about the deadline getting closer.
- Did not contact all UK registrants (or a statistical sample which would have provided a valuable insight) to inform them about the .uk proposal and consultation and inform them what it meant to them.
- Only issued one press release about the .uk proposal and consultation.
- Only created one Nominet Blog on the .uk issue.
- Created no awareness tweets on .uk or the feedback deadline
- Did not place any adverts to obtain a wider awareness of the consultation.
- Did not mention .uk or the consultation on the Nominet websites agreatplacetobe.co.uk or nominettrust.o rg.uk or knowthenet.org.uk

It is a pity that Nominet ...

- Did not add any mention of .uk or the consultation to any of the millions of renewal, invoice and statement emails it has sent out since the consultation was launched.
- Did not publish the feedback as they were submitted rather than waiting until releasing in November, as they are doing with the .nz consultation in New Zealand.
- Accepted questions/comments on Nominet blog from at least 5 different people, yet refused to publish them for 8 weeks.
- Did not provide better and more prominent direct links in the website navigation from Nominet's home page to the .uk proposal and consultation, considering its importance for over 2 months.
- Held only one webinar, held only 10 days before the end of the consultation.
- Did not provide an easy to use tool to determine who would be entitled to a .uk domain under the proposal, despite stating they were working on one on 10th July 2013 meeting, when I raised the subject after sending them emails about it earlier.
- Did not provide a coversheet option with attachment as they did for the registrar agreement, to more easily allow email submissions, where the feedback is not in order of the consultation document.
- Did not provide any forum for debate online or offline on the subject of the UK namespace, the new gTLD's and .uk which should have been open to the wide range of stakeholders. The only time it appears this is being done is the Nominet dinner with the top 20 UK registrars.
- Will accept any feedback that just says 'Yes' to .uk, without requiring them to state why, whether it is they fancy registering shop.uk for £5 or Paramount.uk and selling it for loads of money.
- Will accept a 'Yes' to .uk, without them having to answer how the potential problems associated with .uk will be overcome.
- Will accept a 'Yes' to .uk from anybody who stands to gain thousands of pounds on a single domain as they will have the rights to the .uk from owing a .me.uk.
- Did not publish more .uk problems, so people who are for .uk could provide solutions to those problems.
- Did not post any more Questions and Answers on its website since the 23rd July, despite saying it would review the situation at its .uk webinar.