

Host - Andrew Stirling (DSPANZ): G'day everyone. Welcome to Webinar Week. My name's Andrew Stirling. I'm hosting today on behalf of DSPANZ. I am a Director for DSPANZ.

Before we get too far into proceedings, let me acknowledge on behalf of DSPANZ, the first Australians and throughout Australia and recognise their continuing connection to land, waters and culture.

We're very lucky to be joined today by Steph Viljoen who's the General Manager Licensing Framework Compliance and Privacy Officer at .auDA Administration.

Steph is an experienced dispute resolution expert having worked in industries like agribusiness, finance and telecommunication, delivering large scale projects including an NBN Co Telstra land access rollout. Steph's role is to establish appropriate complaints handling and dispute resolution processes to provide for conciliation or address of grievances on matters associated with the administration of the .au ccTLD. Also to promote principles of competition, fair trading and consumer protection.

What we're gonna do today is we're going to watch an 18 minute video about .au and how you can register your interest for a domain. Then we'll switch over to Steph for live questions. So as we go through the video, please put your questions into the chat box. I think I'll add the link to the video for your information but Maggie, if you could start the video, that would be great. Thank you.

Video starts playing

Rosemary Sinclair: Before getting to .au direct, I'd like to provide a little bit of context about the .au domain of which of course .au direct is the newest member of our namespace suite.

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Rosemary Sinclair: The .au domain is now the ninth largest country code top level domain in the world with over 3.6 million domain names under management. We've moved ahead of Italy and sit just behind France. The .au domain name system or DNS, as we like to call it, all day every day handles on average up to 3 billion queries each day. These queries are people accessing the websites of essential government services, Australian businesses and community organisations, sending emails, studying online, making medical appointments. All the things that we do as we live our daily digital lives. The volume and essential nature of the DNS shows why .au was designated critical infrastructure by the Australian Government. And, to keep pace with technological change and community expectations, we need to keep innovating.

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Rosemary Sinclair: Which brings us to the focus of today's webinar. auDA's purpose is to unlock positive social and economic value for Australians through an open, free, secure and global internet. To support that goal, in March this year, we launched .au direct Australia's newest namespace. The benefits of .au direct are that it allows the registration of shorter, more memorable domain names and provides registrants with a choice of new names that in themselves are easier to type and display on mobile devices. Importantly, anyone who has an Australian presence or who can establish a connection to Australia, such as an Australian trademark, is eligible to register for a .au direct name. These rules are designed to give greater flexibility while maintaining the integrity of the .au domain that is so important to all of us and keeping .au domain as recognisably Australian. So that means .au direct is available to a wide range of potential registrants including businesses who want to create a micro site for marketing or other purposes. Micro businesses taking their first foray from an online marketplace to their own established web presence. Associations establishing a new presence. And individuals who want to use their own name for branding or business purposes. The new namespace option complements existing namespaces such as .com.au and .net.au.

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Rosemary Sinclair: And since launch, we've seen more than two hundred thousand .au direct registrations. This growth remains strong with .au direct registrations now making up almost 15 percent of new registrations in the .au domain. We've seen strong take up by all sectors including businesses and not-for-profit groups and we're excited to see the new and innovative ways this namespace is used to drive economic and social value for Australia.

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Rosemary Sinclair: .au direct, which appears as orange on this chart, is now the third largest namespace in .au having overtaken .org.au. We expect that it will overtake .net.au in popularity and size of names registered sometime later this year. As you can see, .com.au remains Australia's most popular namespace at nearly 3.1 million registrations. We don't expect that .au direct will overtake .com.au as it is designed as a complementary namespace.

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Rosemary Sinclair: Drilling down a bit further into .au direct. .au direct now makes up nearly six percent of total .au domain names under management. That is six percent of

the current 3.6 million .au domain names. Comparing this on a global scale, .uk and .nz both launched direct namespaces in 2014. These namespaces now stand at 14 and 20 percent of their total names under management. Given this comparison, we're pleased with the progress and growth of .au direct after only four months and consider that that recognition that the community sees good value in the new namespace. Now of course we didn't get here overnight.

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Rosemary Sinclair: The journey of .au direct follows a long and considered consultation with the community along with a number of awareness raising activities. The process began in 2015, and between 2015 and 2019, we held four public community consultations and surveyed 97,000 .au registrants. The feedback received was overwhelming in favour of proceeding with the launch of this new namespace. We've also had very close engagement with government, industry, small business and media stakeholders as well as our registrar partners all since the early stages and throughout the process. And we've been really pleased with the help that our stakeholders have given us in raising awareness via their channels and networks, some of which you can see on the slide.

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Rosemary Sinclair: Since announcing the intention to launch in August 2021, auDA has also undertaken significant awareness raising including a national awareness campaign which started in February this year. The campaign continues to run on TV, radio, billboard and digital channels. You might have seen some of our content on TV during the Commonwealth Games and other prime time slots this year. We have billboard signage at prominent locations around the country such as the Flinders and Swanson Street intersection in Melbourne and Sydney Airport. In addition to this, there are a range of radio ads on stations around Australia and digital channels including Facebook, YouTube and Spotify. Our accredited registrars have also undertaken their own awareness campaigns and engaged in direct communications with individual registrants.

Overall, it's been a seven year journey of awareness raising and consultation which continues today. We've been really pleased with the high rates of take-up of .au direct but we're still looking at other ways we can reach interested stakeholders to raise awareness of the benefits and options of a .au direct. So please reach out to the auDA team if you've got any suggestions for other channels that we might use. We'd be really pleased to hear from you.

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Rosemary Sinclair: Let me now pass over to Bruce who will take you through the priority allocation process. This process allows registrants of .au names, licensed before the launch of .au direct, priority to apply for the matching .au direct name. Bruce will take you through the key details and criteria for this process. And after his presentation we'll be really happy to take your questions, so please continue to put them in the Zoom Q&A tab. Over to you Bruce.

Bruce Tonkin: Thank you Rosemary.

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Bruce Tonkin: So as Rosemary has mentioned, the process for providing priority to existing registrants of .au was developed through a community process in sort of 2017-2018. One of the questions there was how long would we keep the priority allocation process and the period which got the most community acceptance was a six-month period from the 24th of March to the 20th of September.

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Bruce Tonkin: Just a reminder, this is the key dates. The priority period ends on the 20th of September and any names for which there's been no application will be released on the Australian time on the 4th of October. And that translates in UTC time for international people which is the 3rd of October at 21:00 UTC time.

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Bruce Tonkin: So that the process to apply for a matching .au name is typically a two-step process. The first step is to get a priority token. So, for every name in the registry as of the 24th of March, a unique pair of codes was created, which we call the priority token, consists of a contact ID starting with "m" and a password basically starting with the letters "Au". You'll need that password to be able to apply for your name with any of the registrars. And you can retrieve that password by going to the priority.auda.org.au page, typing in your domain name and an email link will be sent to you where you can retrieve your token. If your email address is not up to date in the registry, then simply go to your registrar and update the email address at the registrar and then you'll be able to retrieve your token.

Once you have the token, you can take that to your current domain name provider which could be a registrar or a reseller of a registrar. If your current reseller doesn't support .au direct, then you can use any of the registrars that are listed on our website at getyour.au and the bottom of that page has a large list of registrars that can provide support.

And then finally, if you want to verify that your application has been processed, then you can check the priority status at the priority status tool link.

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Bruce Tonkin: So it's the process and we're always available to assist you if you're having trouble with that process.

We've noticed recently there's been a few announcements put out by various bodies sort of suggesting that you need to register .au direct to prevent cyber crime. I thought it was worthwhile just providing some actual statistics on cybercrime and .au. And the reality is that in the .au namespace, we have a very low rate of cyber crime internationally. If we take the request that we've had from police forces in Australia, those requests relate to .002 of names. We also take DNS abuse feeds and this is feeds from a range of international service providers that report names that have been involved in phishing or malware or email spam and those feeds basically relate to .03 of names in the registry. So these are tiny percentages. They're barely measurable. And with respect to the DNS abuse feeds, most of it is not deliberately malicious registrations. It's actually mostly hacked small business websites and so the best thing that small businesses can do to protect themselves against cyber crime is actually to make sure that the software they're running on their website is the most up-to-date version.

The reason why we have such a low level of cybercrime in .au is that we have four levels of protection. The first level is that registrars must validate all registrations before they are registered and that basically validates that the person applying for the domain name has a genuine Australian presence. It could be that they're a registered business or a registered incorporated association or they provide a form of ID such as a driver's licence or passport. auDA also does checks every day after registration. We look for patterns where we know that there are deliberate attempts to register names in breach of the rules and we catch, typically banking scams, in those daily post registration checks. Thirdly we pay for DNS abuse feeds from about 20 different organisations around the world and check those each day for any names that include .au names. And then finally, we have a robust complaints process where anybody can raise a complaint and we will process that complaint. It's very rare that those complaints relate to cyber crime. Usually the complaints are on the basis that somebody has a name that the person complaining would like to have.

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Bruce Tonkin: The other area that some people may hear about is that it's important to register their domain name and .au to protect their brand. The first point here is that the

way the .au namespace is designed is so that multiple organisations can have domain names that match their name in the namespace.

So if we look at ABC as an example. abc.net.au is the TV station. abc.org.au I believe that's a religious group. abc.edu.au is an educational organisation. And abc.id.au where ABC is the initials of an Australian citizen. These names have existed in the namespace for many years and neither of these names cause any issue for the other registrants. And so by opening up .au direct we're really opening up an opportunity for organisations that have not been able to register a name in com.au particularly and they're able to get a good name in .au that matches their organisation's name.

When considering protecting your brand, and this is particularly those that have had .com.au names for many years, this is a priority order of things you might want to consider. By far the best way of protecting your brand is actually to register a trademark with IP Australia. That gives you legal protection under Australian law, gives you access to dispute resolution under our dispute resolution policies for .au names, and we get about about 30 of those disputes a year again really low percentages, but it also, more importantly, gives you access to international dispute resolution in .com and other namespaces.

The next area that you would consider would be registering in .com. That has no eligibility or allocation rules. Obviously a lot of people can register in .com from around the world so if you're trying to protect your brand, try and obtain your name in .com. .co for Columbia, again, often not many people realise it stands for Columbia. Most people see it as an abbreviation for .com. Again, has many registrations and people will try and register brands there. .net.au is a well-established alternative to .com.au. And then finally, you can also register clearly in .au direct.

Generally what I would advise people, if you feel that the brand that you've had in .com.au that you felt the need to protect it in .net.au, then it's probably a good rule of thumb to protect your name and .au direct. But, by and large, we think cyber crime and brand protection are not the main reasons to register in .au direct. The main reasons are that you can get an additional name that's shorter, it's ideal for a short email address. I use bruce@auda.au for example as a short email address. And ideal for if you're advertising on billboards and other media where the shorter name can be helpful.

Video ends

Host - Andrew Stirling (DSPANZ): All right. So we've hit the end of the pre-recorded video, so got Steph here to ask some questions live.

I might get us started Steph. The former lawyer in me jumps to the worst case scenario, I guess, the risk mitigation straight away and I think Bruce, in his presentation, the tail end of that said there might only be 30 complaints a year or so about brand protection. But I'm wondering what happens if someone does register a name that infringes on a trademark and sort of does that in a malicious way to try and redirect?

Guest Speaker - Steph Viljoen (auDA): So we have a really well established, we call it the .au DRP process, which is the .au Dispute Resolution Process and it's a process that's available to all trademark holders. So in the process, it actually sets out that you lodge a complaint with an international, completely independent organisation, it's either through WIPO, which is based in Geneva, or with the Resolution Institute which is based locally in Australia. And you lodge a complaint with them, supply them with the evidence that basically states that you have more rights to the name because you have the trademark, it's an established legal entity, it's an established legal trademark as recognised by IP Australia. And, as Bruce said, we have about 30 of those coming through on an annual basis now. And, I would say, almost every single time there's an established trademark, that person actually gets the domain name at the end of the day. And the other plus point of going through the established .au DRP process is WIPO can actually assign rights to a domain name. So auDA can't assign rights. So if you have a domain name and I've infringed on your IP rights, I can't go to auDA and say, well you have to give it to Andrew because you can't go to auDA and say you have to give it to me because I've got the trademark. But WIPO and Resolution Institute can actually instruct auDA to assign rights for those specific domain names to the actual IP holder. So that's the plus point of actually going through that established process. And it's been around for a really really long time. It's been around for almost 15 years. So it's well tested, it's got all the cogs in the right place so it actually works really really well.

Host - Andrew Stirling (DSPANZ): Good. How long does that take?

Guest Speaker - Steph Viljoen (auDA): It usually takes about a month for the allocation because...

Host - Andrew Stirling (DSPANZ): Oh, that quickly?

Guest Speaker - Steph Viljoen (auDA): Yes. Well it depends on how complex it is because if you're a really well established brand it's quite easy to show that you have that presence. But if you're not that well established, sometimes it takes a bit longer to collate that information and get it through to the independent party to review. As I said, there's specific set timelines that they actually have to adhere to. So they give you an allotted timeline to give your evidence in your case. So it's like a mini case that you put together and you give that to them. They assess that. They say yes it meets all the requirements or no we need additional information and then sometimes it can take a little bit longer when

there's additional information required. But usually the turnaround time is between 30 and 45 days.

Host - Andrew Stirling (DSPANZ): Yeah, gotcha. So I guess that extra context sits behind the rationale for not suggesting people rush out and secure the .au direct name.

Guest Speaker - Steph Viljoen (auDA): Correct.

Host - Andrew Stirling (DSPANZ): Yeah. Gotcha. Might be different for the Qantas's and...

Guest Speaker - Steph Viljoen (auDA): Oh, yes. And usually if you have a Qantas or a Coca Cola or an Amatil or a News Corp or somebody like that, they're usually with corporate registrars and these corporate registrars have account managers that specifically work with those clients because they don't have one or two domain names. They've got hundreds of domain names and not just in the .com.au or the .net.au space. You know, Qantas has .com, they've got .co, they've got a whole bunch of different and these corporate registrars, international corporate registrars, actually manage the whole portfolio.

Host - Andrew Stirling (DSPANZ): Ah, yes.

Guest Speaker - Steph Viljoen (auDA): Yes, they are very quick out of the blocks if there's an infringement.

Host - Andrew Stirling (DSPANZ): I expect so.

Chris has asked a question, Steph, is there any expectation that other domain names are retired over the coming years?

Guest Speaker - Steph Viljoen (auDA): No, we're not going to retire any namespaces. The reason why .au was established is we found, especially through COVID, that there was a lot of entrepreneurs that would have wanted to start a business, but they don't have an ABN and they don't make that threshold of earning \$70,000 or more a year to get an ABN and want to lodge BAS statements and all of that. They just want to give it a go and see if it actually works or not.

So that's why .au has actually been established to be that open free marketplace where people can actually see if their business is going to work and then take it further if they want to. We are not anticipating in actually retiring any of the other namespaces we have. They each have a specific requirement and a reason why they're there. For example .id.au, that is for individuals and people with hobbies and nicknames and things like that. So we have a lot of gamers that have their handles registered in .id.au because they don't

qualify for .com and .au was not there at that stage. So they've gone down the .id.au space. Got a lot of families that use .id.au for their personal emails. So each and every single namespace has their specific niche criteria and we don't see that being retired soon.

Host - Andrew Stirling (DSPANZ): So the expectation is that everything will continue in parallel?

Guest Speaker - Steph Viljoen (auDA): Yes.

Host - Andrew Stirling (DSPANZ): That's interesting. Do you kind of see the .au as being a lower barrier to entry and almost a point of experimentation that people would then go and if that worked, if their business takes off, then they go and apply for another domain name?

Guest Speaker - Steph Viljoen (auDA): Well, they don't have to because as I said, we specifically created .au so that you just have that eligibility criteria. So if you're an Australian citizen, you meet the eligibility criteria. Where, if you look at .com and .net and .org and .asn, all the other namespaces, there's an allocation component attached to that. So if you want to .com.au, you have to be an Australian citizen or have an Australian presence, but you have to have a company registration and that company registration, the name needs to relate to the domain name. So I can't have tables.com.au and I sell water bottles because there's no allocation. But if I had tables.com.au and I sell chairs, there's an allocation because it's a product that actually kind of coincides with, you can't have a table without chairs. So that's where the difference comes in. As I said, it's specifically created to be that free open market space.

Some people will build their brand around the shorter name and they will just keep it. Other people might decide, okay, gosh, I've got a good brand, I need to do a bit of defensive registration and they will go into other namespaces, but again, it's a choice. I think that with .au coming into its own, people will kind of see it as a stand alone namespace and that you don't have to register in every namespace to make sure your brand is protected. It will actually have its own rights.

Host - Andrew Stirling (DSPANZ): Yes. Has anyone got any other questions? Please feel free to add them into the chat. Otherwise I'll just ask another of...

Guest Speaker - Steph Viljoen (auDA): There's one thing that I would like to mention and remind the people on the call. Our priority allocation actually closes on the 20th of September. So if you have a .com.au, .net.au, .asn.au, .org.au or an .id.au, that you have priority allocation category 1. That means you registered it before February 2018. Please put in your application because on the 20th, all of those applications stop. We go into a

two week hold period and then if you have not applied for your name, it will be released on the 4th of October. So you don't want to be in that conundrum situation where you forgot your register and now all of a sudden your name is in the public space and somebody that has no relevance to your company, or to your domain name, all of a sudden picks up your domain name. So please, if you do have priority allocation, put in an application as quick as possible.

I don't anticipate that this will happen to a lot of people, but there will be people that have forgotten or that put it on their to do list and they didn't get around to it. That's why we try and remind as many organisations, as many peak bodies, as many membership organisations to speak to their customers and say, please apply for your .au. Just put in your application. There might be a conflict and there might be other people that have the rights to it as well, but at least you've got your hat in the ring. It's much better to say, okay, I'm going to put my hat into the ring than not being in the game at all.

Host - Andrew Stirling (DSPANZ): Yeah fair shout. Has anyone else got a question they might like to contribute? Otherwise, we'll wind things up.

Guest Speaker - Steph Viljoen (auDA): The other thing that I just wanted to remind everybody is I know that most people that have registrars, I'll answer that one now, will go to their specific registrars to go and register, but you don't have to take up the name with your required registrar because I know there is some discrepancy in price sometimes. Please go to our website and look at the accredited registrars and get your .au and you'll see that there's different prices. So if you're not 100% sure and you don't want to spend a lot of money, go and look around and see, go and get the cheapest one, you know, if you're not 100% sure. Just pay for a year and see how it goes.

So the question is, what happens if you apply for a name that is registered as .com.au however they have not applied for the .au priority and the name does not relate to the business name or is IP protected?

So if it's IP protected, that name will not be released to you because the owner of that name will be notified that that name is actually in contention. So they will automatically have the right to exercise their IP rights. It might be that not everybody takes it up because we do have quite a large number of trademarks registered in IP Australia and a lot of those are overseas registrars or registrants for domain names and they can exercise their rights. So there might be a little bit of a delay in that but they have the right to exercise their IP rights.

And then there was a further follow up of that. Will the .com.au owner receive notification that someone else has requested a .au? And then what if they don't have IP rights?

So how it works with the priority registration is, as I stated, if you have registered your name before February 2018, you are the only person that can actually exercise your right to that name. You're a category one application. So you would have gotten an email from your registrar saying you are a category one, would you like a .au? If you don't exercise that right, you actually have to decline it. If there is a priority two applicant, so say Andrew has andrew.com.au and I have andrew.net.au, but I registered .net after February 2018, Andrew declines andrew.au, then I will automatically get that .au. But it's only for people that already have a registration at this stage. Any new registration automatically, so if there's no andrew.com.au, I can automatically register andrew.au immediately, right now, today. But if there is an existing .com, .net, .asn or .id.au, the category one gets first go at the apple, then it's the category two but the category one actually has to decline that application, then it will only go to the category two applicants. I hope that makes sense.

Host - Andrew Stirling (DSPANZ): So did I hear you right? If you have a trademark, that you'll be notified if someone makes a .au?

Guest Speaker - Steph Viljoen (auDA): You don't get notified by our auDA but a lot of the registrars have actually notified their clients in their own communications with their clients saying, you know, you've got a trademark, you can exercise the IP rights. Depends on the registrar and how much information they have on the actual registrants.

Host - Andrew Stirling (DSPANZ): Okay. So there's not...

Guest Speaker - Steph Viljoen (auDA): There's no set standard that says, you have to notify somebody. There's no rule that says that. But we've encouraged our registrars to compile as much information as possible to give it to the registrants so that they're really well informed.

Host - Andrew Stirling (DSPANZ): Sure.

And then Chris has asked a question here about any potential link to company registration, especially with the modernising business registry checks that are coming into place. Is there any checks like that on...

Guest Speaker - Steph Viljoen (auDA): There's not really a check like that at this stage where you can do a link. I know that we have a booklet that is part of the registration, when you register for a company name or a company ABN or an ACN, that says the minute you register for your ABN/ACN, register your domain name. There's no full company check to say, okay, is the name registered? Is there variant of it? There's nothing like that at this stage. I think at this stage there's a lot of reliable electronic databases out there, but they don't actually talk to one central spot at this stage, which would be fabulous.

Host - Andrew Stirling (DSPANZ): Wouldn't it be good. But no checks that the person, if they're trying to register the name, that they're actually a director or...

Guest Speaker - Steph Viljoen (auDA): No, not at this stage. The only way that you can do that is through an ASIC extract at this stage. And that's what we do when we have ownership disputes. We actually request ASIC extracts or we pull out an ASIC extract and then we do a verification because we do a natural ID verification as well.

So if you and I are in an ownership dispute and you're the director of the company, auDA gets the ASIC extract, they see Andrew's the director, they ask Andrew for his ID, they verify the information, that information is verified through the DVS, which is the Department's Verification Services, so that information is not held at auDA, it's done through an independent government body. We get a yes, Andrew actually does exist and he lives at this address or this is the address that's attached to the ASIC registration, then we will allocate the name to you or change the email address that you can have ownership of that domain name.

Host - Andrew Stirling (DSPANZ): The last question that I have, and others you're getting your last crack at the title here, Steph, unless you have something additional you'd like to add, is around the question of cybercrime and phishing and those types of scams. Bruce seemed pretty confident on that front and, perhaps you could just expand a little on what he had to say there.

Guest Speaker - Steph Viljoen (auDA): So currently, DNS abuse, we call it DNS abuse, which is the Domain Name System abuse, is actually really, really low in the domain name business. If you look at Telstra's data in relation to scams via mobile, that's a lot lot higher and by email, it's a lot higher than what you actually get from a domain name.

We do get people that actually spoof domain names but by doing a validation check and actually checking if they are warranted to utilise that domain name, we can shut that down immediately.

So what happens with the phishing attack, we get notified by our various feeds of, say there's a phishing attack on auda.org.au, we contact the registrant on the domain name, say listen, we've been notified of a phishing attack. We suspend that domain name for 48 hours for you to fix up your phishing and we actually give you advice on how to fix that up.

Host - Andrew Stirling (DSPANZ): Oh really?

Guest Speaker - Steph Viljoen (auDA): Yes. So we give you some advice in relation to how to fix that up. Once it's fixed, we check it again and then we bring it up again. So the quicker you fix your phishing attack, the quicker you're up again because we're conscious of the fact that there's reputational damage around, you know, being phished or there's been spam. Spam is a little bit difficult, but it's more malware and phishing attacks, we take them down immediately, get you to fix it and then we bring it up again. So it's in our interest as the administrator of the domain namespace and it's in the registrant's interest, the licence holder of the domain name, to fix that problem up as quick as possible. And as I said, we give you guidance, we give you pathways of actually getting that problem fixed up as quick as possible so we can bring you up and you can be compliant again.

Host - Andrew Stirling (DSPANZ): Excellent. Well thank you, Steph and thank you everyone for attending. Steph, I found that discussion really informative and I'm sure there'll be a few extra questions. If there are any, you can send them to hello@dspanz.org. We'll definitely get those over to Steph for you.

The session was recorded today. We'll make the session available to all DSPANZ members and a link will be sent to any non members who were registered.

Later today, I've mentioned we're part of Webinar Week, later today we've got another webinar at 2pm. We're going to have the Assistant Commissioner at the ATO Elly Stinchcombe to talk about DPO partnerships. Make sure you log on at 2pm if you're interested.

So thanks again Steph. I found that really informative and interesting and I'm sure everyone who attended took something valuable out of it. So thanks everyone.

Guest Speaker - Steph Viljoen (auDA): No problem and I'm just going to get the last plug in.

If you need any additional information, just go to www.auda.org.au. We've got lots of blogs, we've got lots of newsletters, we've got lots of information in there. If you can't find it, happy for you to log an inquiry and one of my staff members will actually answer that for you as quick as possible.

Host - Andrew Stirling (DSPANZ): Perfect. Thanks everyone.

Guest Speaker - Steph Viljoen (auDA): Thank you. Bye.