

Public Consultation

Proposal to introduce a Secondary Market within the .IE Namespace

Allowing the domain holder to sell the right to use a .ie domain

July 2016



This consultation document has been issued by the Policy Advisory Committee of the IE Domain Registry Limited (IEDR), in its capacity as adviser to the board of the company in relation to policy matters. IEDR is the active registry operator of the .ie country code top-level domain (ccTLD) for the island of Ireland.

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In 2014, the IEDR established a Policy Advisory Committee (PAC) to consider, and provide, advice on policy change requests concerning Ireland's Internet top-level domain, .ie. *(A link to the list of all members can be found in Appendix II).*

The Policy Advisory Committee operates in line with the PDP and consists of stakeholders with a vested interest in the .ie namespace and its policies. This Committee meets on a regular basis to discuss any proposed policy changes and, where consensus exists, to implement the policy change; the PAC works to find the most appropriate release mechanism for such changes.

At the inaugural meeting of the Committee in February 2015, a policy change request was submitted proposing to allow existing .ie registrants, who no longer wished to use their domain, to sell it to another party through a secondary market by altering Section 3f of the IEDR Registration Terms and Conditions *(See Appendix III for the policy change request).*

Through discussion, consensus for the policy change was found to exist amongst the PAC members, and in line with the PDP, a Development Group was established which was charged with reviewing the policy change in greater detail, and to determine how it could be practically implemented.

1.2 Current Process

Resale of the right to use a .ie Domain

Under a secondary market, it would be formally permitted to sell the right to use a .ie domain name; a process which is currently strictly prohibited by the IEDR in order to deter instances of "cyber-squatting", whereby domains are registered in bad faith under anti-social online practices for the purpose of re-selling for profit.

The IEDR, in its role of managing and protecting the .IE namespace, has worked to restrict these activities by ensuring .ie domains are **only** used by parties with a valid reason for wanting them, and accordingly, all applicants are required to demonstrate the validity of their claim when applying for a .ie domain.

Furthermore, the current IEDR policies only allow for domain holder changes or re-assignments in specific circumstances, e.g. -

- Where it is clear that the sale of the domain is part of a wider commercial transaction, such as a re-organisation, restructuring or business asset purchase.
- Where the current holder is no longer using the domain, and wishes to cancel their registration (without any exchange of funds to the new holder for the right to use the domain).

If it becomes apparent during a .ie domain name re-assignment that funds have been exchanged solely for the transfer of the domain registration, the IEDR reserves the right

to refuse such re-assignment requests, and to potentially revoke the right to use the registration from the current holder.

1.3 Why is this change being proposed?

Benefitting from the value of a .ie Domain

As one of the safest namespaces in the world, .IE is known for its safety through traceability for consumers. Furthermore, through the requirements associated with obtaining a .ie domain, users of the .ie namespace are assured of dealing with parties:

- whose identity has been verified by the Registry,
- who have a genuine trading connection to Ireland, and
- who have also demonstrated a valid reason for using the domain they hold.

As such, users of the .IE namespace can do business / interact online confident that they know who they are dealing with, and that the .IE namespace is trustworthy, transparent and safe.

Accordingly, it has been proposed that .ie registrants, who no longer require the use of their current .ie domain registration, should be able to benefit from this intrinsic value associated with holding a .ie registration, and should further be able to sell the right to use it to another party, provided that the new holder can also demonstrate compliance with the Registry's policies.

Consumer Demand

In recent years, it has come to the attention of the IEDR that a small proportion of .ie registrants are currently engaging in unauthorised sales of .ie domains, selling the right to use their existing .ie registration to another party, and circumventing the current restrictions by misusing the IEDR's domain holder re-assignment process to transfer the domain to their buyer. As such, it is agreed that there is a need to address this ongoing issue.

In light of this, multiple stakeholders in the .IE namespace, including accredited .ie Registrars, PAC and the IEDR, have acknowledged that there is a need to review the current restriction, so that the resale of the right to use a .ie domain could be formally permitted, in order to provide an approved structure through which these registrant transfers can be conducted, and which also incorporates appropriate **consumer protection mechanisms**.

Other Registries

In response to the growing demand to allow resale activities, a number of other Registries which manage Country Code Level namespaces, known as ccTLDs, have altered their policies to allow such activities, such as .au (Australia), which agreed to permit the resale of .au domains specifically in response to the growing practice of re-selling .au domains on the black market.

Furthermore, other ccTLD operators such as EURid, which manages the .EU namespace, Nominet, which manages .uk, Afnic, which manages the .fr namespace, and Denic, which manages the .de namespace, have all introduced the ability to complete a registrant transfer, thereby removing their previous restriction on re-selling the right to use a domain registration.

1.4 What happens now?

As demand for the removal of the current restriction on domain sale has grown amongst the .IE Internet Community, and on a wider scale across the Internet, the IEDR believes that there is now an appropriate level of interest to justify a review of this restriction, and to further consider the most suitable operation mechanism that: -

- Limits the risk all parties involved in the process may be exposed to,
- Is practical, fair, and transparent,
- Is clearly defined, so that all parties involved are made aware in advance of their obligations and responsibilities under the process,
- Adequately protects the Registry and Registrars from legal recourse, particularly where a potential buyer, having paid the seller, cannot comply with IEDR's Registration & Naming Policies.

As such, after careful consideration, the PAC and the Development Group responsible for reviewing this policy change have agreed that a special mechanism is required to support the sale of .ie domains. The alternative release mechanisms which were considered are outlined in this document, along with the model which the Development Group, IEDR and PAC have found consensus for to date.

1.5 Invitation to participate in this consultation

In light of the research and discussions of the Development Group, along with the PAC, and the IEDR, we feel that it is now important to ensure that as many perspectives as possible are taken into consideration when reviewing these proposed changes.

We would like to open discussion on these matters to the public, over a 30-day Consultation Period.

During this time, all interested parties are asked to provide any feedback or comments which they feel should be taken into consideration, with regard to these proposed policy changes and suggested release mechanism.

Stakeholders, such as Registrants, Registrars, the wider Internet community (including representatives from the business community, public authorities, consumer organisations), and others, are asked to engage with this process, so that the review of the policy change, and its proposed release mechanism, can be comprehensive; ensuring consideration is given to all opinions.

If you are happy to do so, we would ask that you provide a brief note about the type of organisation you represent, or interest you have, when submitting feedback.

Please also note that any comments provided may be published in further reports relating to the policy change and its release, however, personal contact information will be excluded.

All submissions should be sent by email to aftermarket-consult@iedr.ie from July 18th to August 16th, 2016, or through the contact form available [here](#).

A summary report on this consultation's findings will be published on the IEDR website after the process has ended, and will summarise the categories of responses received, along with the intended course of action to be taken by the PAC as a result of this feedback.

2. Executive Summary

The purpose of this document is to outline the merits of, and potential issues that could arise from, the introduction of a secondary market for .ie domains, in order to generate feedback on the proposed policy change, and suggested release mechanism. Comments received will be used to assist the Development Group and PAC with their final decision making process.

The findings of the Development Group tasked with reviewing this matter are outlined in detail throughout this document.

3. Considerations for an appropriate Release Mechanism

In order to support the operation of a secondary market within the IE namespace, a number of potential mechanisms were considered by the Development Group, IEDR and wider PAC.

During preliminary discussions, a number of principles were suggested: -

- that the **IEDR should aim to be a bystander to the sale process**, in line with industry standards, and,
- that all potential buyers would need to comply with IEDR Registration and Naming Policies, in order to be granted the right to use the domain name.

However, it was noted that this lack of Registry involvement in the sale process could lead to potential risks, particularly in cases where a potential buyer could not, or would not, comply with the IEDR Registration and Naming Policies.

3.1 Acknowledging and addressing potential risks

Where a buyer fails to comply with the IEDR Registration and Naming Policies, it was agreed that a risk existed for the buyer to be potentially left “out of pocket” if they had already paid the seller for the right to use the domain, and the seller subsequently refused to refund the transaction proceeds.

It was acknowledged that such a case could lead to legal action being taken against the parties involved, e.g. seller (or Registrar handling the sale), and / or, the IEDR.

Furthermore, there was concern that a legal dispute of this nature could cause reputational damage and / or financial loss for all involved.

In light of this, it was agreed that any potential mechanism supporting sale activities would need to limit such risks for all involved, whilst ensuring that buyers were also suitably protected and informed of their obligations to comply with the IEDR requirements, **prior** to purchasing a domain in a secondary market transaction.

In order to determine what mechanism would most appropriately support the sale of the right to use .ie domains, it was decided that the mechanisms currently used by other ccTLDs which allow domain selling should be reviewed and assessed in detail.

Accordingly, the IEDR contacted a number of ccTLDs to discuss how they had accommodated registrant transfers arising from a sale process, and specifically how they had limited the associated level of risk for all involved.

The findings were then considered at length by the IEDR, the Development Group reviewing the policy change, and PAC, in order to build consensus around which model would work best within the context of the .ie namespace, and the policies of the IEDR.

During a review of the findings, it was noted that many ccTLDs had these handled risks by amending their Terms & Conditions to exclude liability, and/or, by obtaining certain warranties from Registrars, who might handle the sale on behalf of a purchaser.

Additionally, it was noted that a number of other ccTLDs had a provision in their rules for potential buyers to comply with all relevant policies of the Registry. As such, there was consensus that all potential buyers would be required to adhere to the Registration and Naming policies of the IEDR, in addition to all applicable Terms and Conditions.

3.2 Potential Mechanisms for Implementation

Caveat Emptor – Buyer Beware

A proposal suggested that a “**caveat emptor – buyer beware**” notice could be listed on the IEDR’s website, www.iedr.ie, and this would notify any potential buyers that they were obliged to comply with all applicable IEDR Policies, in order to be granted the right to use a .ie domain.

A further notice would advise a buyer’s failure to do so could result in the right to use the domain being withheld.

However, during PAC discussions, it became apparent that this would not offer suitable protection for potential buyers, and would leave them exposed to a high degree of risk, particularly if they had already paid the seller for the right to use the domain, but had their application to do so subsequently rejected by the Registry, with the seller refusing to refund the sum transacted.

Mandatory Pre-Authentication

Another proposal suggested that potential buyers should submit to a process of “pre-authentication” prior to any involvement in a sale, which would have involved the Registry reviewing the claim to the name of every auction participant – in advance of the auction commencement. However, the accredited .ie Registrar PAC representatives felt strongly that this would be too burdensome to work effectively.

Terms & Conditions Alterations: Consumer Protection Mechanisms

For consistency with the operations of a number of other ccTLDs, it was suggested that the IEDR should amend its legal terms and conditions / contracts with Registrants and Registrars, to indemnify the Registry from legal action, and to limit any risk exposure for all other parties involved in the sale process. It was agreed that this could potentially

be acceptable to support the secondary market policy change and on this basis, the IEDR agreed to seek legal advice on the matter.

3.3 Suggested Mechanism

The legal feedback provided recommended amending the Registrar and Registrant Agreements and applicable Terms and Conditions, indemnifying the IEDR from legal recourse, and placing an obligation on the current domain holder (seller) to inform the potential buyer of the need to comply with the .ie registration policies, amongst other conditions. *(See Appendix IV for revised sale terms and conditions for Registrants).*

Once agreed to, no further obligation would be placed on the seller, the Registrar or the IEDR.

To confirm that the buyer had been duly notified of this requirement, it was further proposed that the buyer would provide an “**Acknowledgement & Disclaimer**” to confirm their understanding of, and agreement to, this requirement, amongst other conditions *(See Appendix V for the full Acknowledgement and Disclaimer content).*

The IEDR additionally agreed to provide an optional pre-clearance system for potential buyers wishing to check that they were in compliance with IEDR Registration policies, prior to purchasing.

It was felt that this optional step, in addition to the terms and conditions / contract amendments, would significantly reduce the level of risk exposure, as follows: -

❖ **Potential Buyers**

- Buyers would be made suitably aware of the requirement to adhere to IEDR Registration Policies **prior** to purchasing the right to use a .ie domain on a secondary market (and the risks associated with failing to do so), as sellers would be obligated to advise their buyer(s) of this necessity under the **updated Registrant Terms and Conditions**, which sellers would agree to during the submission of their registrant transfer request.
- Additionally, buyers could further be assured of their eligibility to hold the domain they wished to buy prior to purchase through the optional pre-clearance system offered by the IEDR.

❖ **Existing Registrant (Sellers)**

- Sellers would be protected from consequences that could arise from a potential buyer failing to comply with IEDR Registration policies, as the “Acknowledgement and Disclaimer” would place liability on the buyer for acknowledging and accepting the existence of this risk.

❖ IEDR and Registrars

- The revised terms and conditions in the legal contract between the IEDR and its Registrars would place liability on both the buyer and seller to ensure the rules associated with the registrant transfer process were understood, accepted and adhered to; significantly reducing the associated risks for both parties.

3.4 Proposed Registrant Transfer Process: Overview

The registrant transfer, as part of the sale process, is expected to operate as outlined below:

- The current registrant (seller) will be required to inform the buyer, **before purchase**, that they are required to comply with IEDR Registration & Naming Policies and to agree to new Terms and conditions associated with the “Registrant Transfer” process.
- The potential buyer will be required to confirm that they have been made fully aware of their obligations under the registrant transfer process (e.g. to fulfil the IEDR Registration & Naming Policies), through an “Acknowledgement & Disclaimer” notice.
- Potential buyer(s) will contact the current Registrar managing the registration, and submit their request to take over the domain.
- The IEDR will review the request, and if necessary, confirm what additional requirements should be provided by the buyer to show that they are compliant with IEDR policy.
- Once sufficient information has been provided to the IEDR to demonstrate compliance, IEDR will issue an authcode to the potential buyer, which acts as proof of their eligibility to hold the domain registration.
- Buyer will provide this authcode to the current domain holder (seller), once the buyer is ready to proceed with the sale.
- When buyer and current registrant (seller) are ready to complete the sale and therefore, the registrant transfer process, the seller contacts their Registrar, and submits their request to sell the domain, providing the contact information of the buyer, and inputting the relevant authcode.

- Once this request is received by the Registry, the domain will appear as registered to the buyer on the IEDR WHOIS search facility, and a **3-day Countdown Period** will initiate, during which time the domain cannot be edited.
- At the 3pm IE zone rebuild on the final Countdown day, the “Registrant Transfer” will complete. The domain can again be edited. The buyer, as the new holder, can now modify their registration as they see fit, e.g. edit DNS, renew, transfer the billing agent etc.

4. Next Steps

4.1 Approximate Release Timetable (November 19th 2016)

- **July 5th 2016:** PAC to re-confirm requirement for, and launch of, a Public Consultation
- **July 18th 2016 – August 16th 2016:** Public Consultation to run for 30 days.
- **August 17th –August 24th 2016:** Feedback to be analysed over a 7-day period – potential to be extended, if required.
- **August 17th-24th 2016:** If happy to do so, the Development Group would recommend policy change to PAC, who may provide formal recommendation to IEDR Board.

August 22nd 2016 - 90 day notice issues to accredited .ie Registrar channel to advise that resale will potentially be launched within a minimum of 90 days.

- **July-Aug 2016:** IEDR Board to potentially approve the policy change implementation, subject to feedback raised during the Public Consultation.
- **19-11-2016:** Go live date for the policy change to allow secondary market in .ie domain names.

4.2 Further considerations

In the interest of transparency, it should be noted that the historic rationale for restricting the sale of .ie domains still exists. As such, the potential for cybersquatting will continue to be a concern for some.

However, as the IEDR policies require all applicants to demonstrate a valid claim to the domain they are applying for, this requirement will continue to restrict the spread of these activities.

Furthermore, another benefit associated with allowing domain sale, would be the provision of a structured process, which will provide enhanced protection for all parties involved by minimising associated risks, and ensuring a safer and transparent user experience.

4.3 Dispute resolution and Appeals

It should be noted that all domains sold through the secondary market would still be open to potential disputes being raised against their registration.

However, as potential buyers would be required to adhere to the Registration requirements of the IEDR, it could be argued that the release mechanism set out above would minimise the potential for disputes, as all applicants will have demonstrated their real and substantive connection to the island of Ireland, and evidenced a claim to the .ie domain, in addition to the buyer's identity being evidenced and verified.

As the IEDR does not operate an informal dispute resolution process, appeals against a registration can be submitted to the World Intellectual Property Organisation (WIPO), under the terms and conditions of the formal IE Dispute Resolution Process – see <https://www.iedr.ie/dispute-resolution/>.

A complainant will have to prove that: -

- a .ie domain name is identical or misleadingly similar to a protected identifier in which the Complainant has rights; and
- the Registrant has no rights in law or legitimate interests in respect of a .ie domain name; and
- a .ie domain name has been registered or is being used in bad faith.

Complaints are not decided on by the IEDR, but by an independent and impartial panel of one to three experts appointed by the World Intellectual Property Organisation (WIPO).

5. Participation in the Public Consultation Process

The Public Consultation period is now open, and will run for 30 days from **July 18th to August 16th 2016**. All comments and feedback relating to the proposed policy change are welcome, and should be submitted to the following mailbox:

aftermarket-consult@iedr.ie

or

through the contact form available [here](#)

All interested parties are asked to engage with this process, so that the review of the policy change and its proposed release mechanisms can be comprehensive, and ensure consideration for all opinions is taken into account during the decision making process.

If you are happy to do so, please also provide a brief note about the type of organisation you represent, or interest you have, when submitting feedback. Please also note that any comments provided may be published in future reports relating to the policy change and its release, however, personal information will be excluded.

6. Appendices

Appendix I

The Policy Development Process of the .ie namespace is illustrated and detailed [here](#).

Appendix II

A list of PAC members and their “eligible organisations” can be found in the Policy Advisory Committee Terms of Reference, available [here](#).

Appendix III

Policy Change Template proposing the operation of a secondary market for .ie domains.

Policy change proposal / New Policy proposal	
1.	Proposal: David Curtin, CEO, IEDR
2.	Date 28 July 2014
3.	Policy Proposal Name: To permit the sale and resale of .ie domains
4.	Policy Proposal type: Modify existing policy
5.	<p>Purpose and benefits of the proposal: <i>Please state the benefits of your proposal</i></p> <ul style="list-style-type: none"> ➤ It will allow .ie domain holders to realise the intrinsic value of their .ie domain name by selling the permanent right to use the .ie name to another party ➤ It will allow .ie domain holders to sell the .ie domain name, independently of any underlying business or product. ➤ It will allow a .ie domain holder with no interest in their domain any more to proceed to a for-profit transfer (rather than letting the domain lapse on the renewal date). ➤ The current qualities of the .ie namespace will be retained, as the purchaser will be asked to comply with the Registration and Naming Policies (by authenticating his/her claim to the name, as part of the sale process).
6.	<p>Please indicate any perceived problems (issues you envisage)</p> <ul style="list-style-type: none"> ➤ IEDR does not envisage objections from the domain industry to the change of the policy per se, ➤ However, we envisage that public policymakers may wish to ensure that the integrity of the .ie namespace is not compromised by allowing potential purchasers infringe intellectual property rights or allow cyber squatters to acquire and hold .ie domain names. ➤ There may be differing views within the industry on the modus operandi of the secondary market - how the pre-authentication process might work, how many market operators, whose escrow agent will coordinate the transaction, the level of process/procedure automation etc.
7.	<p>Policy proposal grounds: <i>please indicate the reasons for your proposal (what is wrong/missing/inadequate etc. with the status quo?)</i></p> <ul style="list-style-type: none"> ➤ Registrants ought to be allowed to monetise their investment in the domain name ➤ Anecdotal evidence exists that the growth of the .ie namespace is being constrained by the absence of a secondary market ➤ The risks of widespread cybersquatting activity can be addressed, by ensuring that the purchaser complies with the Registration and Naming Policies.
8.	Policy term proposal: Permanent
9.	<p>Policy statement/text:</p> <p><i>Current Policy Text (if modification): Section 3f of the Terms and Conditions of Registration state that:</i></p> <p>-</p> <p>“f) In addition to the foregoing, IEDR may (but shall not be obliged to) transfer (in the circumstances set out in clause 6d), cancel or revoke, alter, or amend a domain name registration, place a domain name registration on hold or prevent its renewal, on any of the following grounds:</p> <p style="padding-left: 40px;">fxii) if the domain name is offered for sale, and the Registrant refuses to withdraw the sale notice, within the time period specified on the Site.”</p> <p><i>New Policy Text</i> Section 3f of the Terms and Conditions of Registration would be edited if there is stakeholder consensus on this policy change request.</p>

Appendix IV: Registrant Amended Terms and Conditions for Resale

The following edits will be added to the Terms and Conditions at <https://www.iedr.ie/registrations-terms-and-conditions/> as section 19.

In the event that a Registrant wishes to sell the right to use a domain name it has registered with IEDR to a third party (a “Prospective Purchaser”)

a) the Registrant hereby acknowledges and shall ensure that any such sale is conditional upon (i) the Registrant complying with the terms and conditions of this Agreement and the Rules; and (ii) the Prospective Purchaser complying with and satisfying the requirements of the Rules, including but not limited to the IEDR Registration Policy and the IEDR Naming Policy;

b) the Registrant shall notify the Prospective Purchaser in writing that:

(i) any transfer of the right to use a domain name is conditional on the Prospective Purchaser applying to IEDR for and obtaining the right to use the domain name in accordance with the Rules including but not limited to the IEDR Registration Policy and the IEDR Naming Policy;

(ii) there is a risk that IEDR will not permit the Prospective Purchaser to register the name if the Prospective Purchaser does not satisfy the requirements of the Rules, including but not limited to the IEDR Registration Policy and the IEDR Naming Policy;

(iii) the Prospective Purchaser is required to provide to the Registrant an Acknowledgement & Disclaimer in the form specified by IEDR on the Site, which the Registrant shall be required to provide to IEDR as part of any sale process;

c) the Registrant shall not sell the right to use or receive any payment or other valuable consideration for the right to use the domain name unless (A) the Prospective Purchaser has first provided to the Registrant the Acknowledgement & Disclaimer referred to in 19(b)(iii) above) and (B) the Registrant has provided this Acknowledgement and Disclaimer to IEDR and IEDR has issued a notice in writing to the Registrant that this has been received;

d) the Registrant hereby acknowledges and agrees that it shall not have any right to make any claim against IEDR for any costs, losses or damages (whether direct, indirect, consequential or special) in the event that IEDR does not register the Prospective Purchaser as having the right to use the domain name, on the grounds that the Prospective Purchaser has not complied with and satisfied the Rules including but not limited to the IEDR Registration Policy and the IEDR Naming Policy;

e) the Registrant shall indemnify and hold harmless IEDR in respect of any costs or losses arising from the Registrant’s failure to comply with its obligations hereunder and/or from any Prospective Purchaser making a claim against IEDR for the loss of any valuable consideration given by it in connection with any sale or proposed sale of the right to use the domain name

Appendix V: Buyer's Acknowledgement and Disclaimer Content

The buyer will be obliged to acknowledge their understanding of the need to meet the IEDR's Registration & Naming Policies, before a sale ticket can be completed. The buyer must acknowledge that they are solely responsible for meeting the requirements.

Purchaser's '**Acknowledgement & Disclaimer**' (addressed to IEDR) might be provided online and would be to the effect that:

A. Purchaser acknowledges and confirms that:

- Any transfer of a Right to Use is conditional on Purchaser applying to IEDR and complying with IEDR's Registration and Naming policies
- There is a risk of non-authentication if IEDR's Registration and Naming policies (which he is aware of) are not complied with
- If any payment is made or other consideration is given by the Purchaser for the Right to Use prior to authentication being granted by IEDR, this is at the Purchaser's own risk

B. Purchaser will not make a claim against IEDR if he is not authenticated by IEDR (including, but not limited to, circumstances where he has entered into any agreement to purchase or conditional agreement to purchase with any Vendor).

Appendix VI: Frequently Asked Questions

What is domain sale?

The sale of a .ie domain would occur where a current .ie registrant no longer wishes to use their domain, and wishes to sell it on to another party.

The process is known as a "sale", "trade" or "registrant transfer".

Why was selling not allowed previously?

The IEDR has not allowed this practice in the past in order to reduce instances of online anti-social activity, such as "cyber-squatting", whereby certain parties register a domain, which they have no genuine claim to, for the sole purpose of selling it on to a valid claim holder for profit.

With these activities, well-known brands or trademark names are usually reflected in the registered domain name, and the registrant will offer the domain to those with a genuine reason for using it, in exchange for a significant sum of money.

The IEDR, in its role of managing and protecting the integrity of the IE namespace, has worked to reduce such issues as, under its policies, all .ie applicants must demonstrate a valid claim to the domain name they are applying for.

What changes are proposed?

The proposed change would involve altering the Registration Policy terms and conditions to allow existing .ie Registrants to sell their domain.

In addition to this alteration, modifications to the IEDR's legal contracts with its registrants and registrars will be required, in order to ensure appropriate protection mechanisms are in place, to reduce the risk exposure of all involved in this sale process.

Under these new rules, buyers and sellers would need to agree that they understand their obligations under the registrant transfer process, and provide their confirmation that they will adhere to these rules.

When will domain name selling be allowed?

No set date has yet been established, as this policy change proposal is still being reviewed through the framework of the policy development process.

Before the PAC can progress their discussions, it wishes to take the opinions of the public into consideration.

Provided no serious objections are raised, and that there is consensus for the change, the IEDR would hope to introduce this later in 2016.

However, this is subject to the feedback provided from the Public Consultation, final decisions from the PAC Development Group reviewing the change, and final approval being obtained from both the PAC and IEDR Board of Directors.

If the proposal receives full approval, the IEDR will work with the accredited .ie Registrars to develop systems to support sale operations.

How can I submit my trade / sale request or check that I am eligible to hold the domain I want to buy?

If the policy change proposal is approved, sale and pre-clearance requests would be permitted through the current Registrar responsible for managing the domain.

The existing domain holder (seller) will advise you who to contact, if they are happy to sell to you.

What are the registration requirements?

Further information on the current registration requirements can be found at the following URLs:

<https://www.iedr.ie/p30/registration-policy/>

<https://www.iedr.ie/register-a-domain/document-requirements/>

A domain I want is already registered; can you help me contact the current holder?

For data protection and account security reasons, contact information for domain contacts cannot be made publicly available. As such, the IEDR cannot disclose any contact details to a third party. Certain information is available to view using the WHOIS lookup at www.iedr.ie.

What can I do if the domain I want is registered, but the current holder won't sell to me?

As the existing holder has shown their compliance with the IEDR Registration and Naming policies during the submission of the domain application, they alone have been granted the right to use the domain by the IE Domain Registry Ltd. Accordingly, they are under no obligation to sell the right to use their domain onto any third party, if they do not wish to do so.

In such cases, the IEDR recommends that you register an alternative spelling if an available .ie domain name.

Alternatively, if the domain registration you want is deleted at any point in the future, you could apply for the domain after its deletion through any accredited .ie Registrars. Such applications would be reviewed by the IEDR on a "first come, first served" basis.

How can I dispute a registration?

As all registrants are required to provide relevant supporting documentation during the application process to verify their claim to a domain, along with their connection to Ireland, and proof of identity / trading, all .ie domains are registered in accordance with our policies. Consequently, the IEDR does not use an informal process for dispute resolutions.

However, in cases where a party believes that a .ie domain name was registered incorrectly, in bad faith and infringes upon a protected right, a complaint can be lodged to the World Intellectual Property Organisation (WIPO). However, the Complainant must be able to show that he or she has a right to the domain and the incumbent Registrant does not.

It should be noted that complaints are not decided on by the IEDR, but by an independent and impartial panel of one to three experts appointed by the World Intellectual Property Organisation (WIPO). Further information on the Dispute Resolution Process can be found at the following URL: <https://www.iedr.ie/dispute-resolution/>

How can I participate in the Public Consultation process?

The Public Consultation process is now open, and will run for a period of 30 days from July 18th – August 16th 2016. All comments and feedback are welcome, and should be submitted to aftermarket-consult@iedr.ie.