Part II

Department of Commerce

Request for Comments on the Registration and Administration of Internet Domain Names; Notice
The United States Government seeks the views of the public regarding these proposals and broader policy issues as well. Specifically, the Government seeks information on the following issues:

A. Appropriate Principles

The Government seeks comment on the principles by which it should evaluate proposals for the registration and administration of Internet domain names. Are the following principles appropriate? Are they complete? If not, how should they be revised? How might such principles best be fostered?

a. Competition in and expansion of the domain name registration system should be encouraged. Conflicting domains, systems, and registries should not be permitted to jeopardize the interoperability of the Internet, however. The addressing scheme should not prevent any user from connecting to any other site.

b. The private sector, with input from governments, should develop stable, consensus-based self-governing mechanisms for domain name registration and management that adequately defines responsibilities and maintains accountability.

c. These self-governance mechanisms should recognize the inherently global nature of the Internet and be able to evolve as necessary over time.

d. The overall framework for accommodating competition should be open, robust, efficient, and fair.

e. The overall policy framework as well as name allocation and management mechanisms should promote prompt, fair, and efficient resolution of conflicts, including conflicts over proprietary rights.

f. A framework should be adopted as quickly as prudent consideration of these issues permits.

B. General/Organizational Framework Issues

1. What are the advantages and disadvantages of current domain name registration systems?
2. How might current domain name systems be improved?
3. By what entity, entities, or types of entities should current domain name systems be administered? What should the makeup of such an entity be?
4. Are there decision-making processes that can serve as models for deciding on domain name registration systems (e.g., network numbering plan, standard-setting processes, spectrum allocation)? Are there private/public sector administered models or regimes that can be used for domain name registration (e.g., network numbering plan, standard setting processes, or
spectrum allocation processes)? What is the proper role of national or international governmental/non-governmental organizations, if any, in national and international domain name registration systems?

5. Should generic top level domains (gTLDs), (e.g., .com), be retired from circulation? Should geographic or country codes (e.g., .US) be required? If so, what should happen to the .com registry? Are gTLD management issues separable from questions about International Standards Organization (ISO) country code domains?

6. Are there any technological solutions to current domain name registration issues? Are there any issues concerning the relationship of registrars and gTLDs with root servers?

7. How can we ensure the scalability of the domain name system and address spaces as well as ensure that root servers continue to interoperate and coordinate?

8. How should the transition to any new systems be accomplished?

9. Are there any other issues that should be addressed in this area?

C. Creation of New gTLDs

10. Are there technical, practical, and/or policy considerations that constrain the total number of different gTLDs that can be created?

11. Should additional gTLDs be created?

12. Are there technical, business, and/or policy issues about guaranteeing the scalability of the name space associated with increasing the number of gTLDs?

13. Are gTLD management issues separable from questions about ISO country code domains?

14. Are there any other issues that should be addressed in this area?

D. Policies for Registries

15. Should a gTLD registrar have exclusive control over a particular gTLD? Are there any technical limitations on using shared registries for some or all gTLDs? Can exclusive and non-exclusive gTLDs coexist?

16. Should there be threshold requirements for domain name registrars, and what responsibilities should such registrars have? Who will determine these and how?

17. Are there technical limitations on the possible number of domain name registrars?

18. Are there technical, business and/or policy issues about the name space raised by increasing the number of domain name registrars?

19. Should there be a limit on the number of different gTLDs a given registrar can administer? Does this depend on whether the registrar has exclusive or non-exclusive rights to the gTLD?

20. Are there any other issues that should be addressed in this area?

E. Trademark Issues

21. What trademark rights (e.g., registered trademarks, common law trademarks, geographic indications, etc.), if any, should be protected on the Internet vis-a-vis domain names?

22. Should some process of preliminary review of an application for registration of a domain name be required, before allocation, to determine if it conflicts with a trademark, a trade name, a geographic indication, etc.? If so, what should be done? Who should conduct the preliminary review? If a conflict is found, what should be done, e.g., domain name applicant and/or trademark owner notified of the conflict? Automatic referral to dispute settlement?

23. Aside from a preliminary review process, how should trademark rights be protected on the Internet vis-a-vis domain names? What entity(ies), if any, should resolve disputes? Are national courts the only appropriate forum for such disputes? Specifically, is there a role for national/international governmental/nongovernmental organizations?

24. How can conflicts over trademarks best be prevented? What information resources (e.g. databases of registered domain names, registered trademarks, trade names) could help reduce potential conflicts? If there should be a database(s), who should create the database(s)? How should such a database(s) be used?

25. Should domain name applicants be required to demonstrate that they have a basis for requesting a particular domain name? If so, what information should be supplied? Who should evaluate the information? On the basis of what criteria?

26. How would the number of different gTLDs and the number of registrars affect the number and cost of resolving trademark disputes?

27. Where there are valid, but conflicting trademark rights for a single domain name, are there any technological solutions?

28. Are there any other issues that should be addressed in this area?

William M. Daley,
Secretary.
[FR Doc. 97–17215 Filed 7–1–97; 8:45 am]
BILLING CODE 3510–60–U