

INTA Internet Committee comments on the  
.CA Internationalized Domain Names, Revised Launch Policy  
February 24, 2012

The INTA Internet Committee is pleased to provide comments to the Canadian Internet Registration Authority (CIRA) on its Revised Launch Policy for the introduction of Internationalized Domain Names (IDNs).

By way of background, CIRA currently offers .ca domain names in ASCII (American Standard Code for Information Interchange), otherwise known as non-accented Latin-based script (a-z). CIRA now proposes to implement Internationalized Domain Names (IDNs) in French. The first round of discussion and feedback occurred in 2011. We are now into a further round, with the very specific issue of "bundling" up for contemplation, as discussed below.

Within its proposal to implement French IDNs, CIRA is proposing the "bundling" of characters. This means that the Registrant of a particular domain name would have the exclusive right to register all of the IDN variants of that domain name and that no other Registrant could register any of those domains. For example, the Registrant of *preside.ca* would have the option to register *préside.ca*, *prêside.ca*, *prêside.ca*, etc. There are proposed restrictions on transfers, as all variants of the same domain name could only be registered by the same Registrant, in the event a transfer of a domain name takes place. For example, where a transfer takes place because of a dispute, all variants of the same domain name would have to be transferred at the same time.

At the moment, no other registrar uses the "bundling" concept for western European characters. However, the concept is used for simplified and traditional Chinese characters in the \*.biz, \*.org and \*.info spaces. So while it is unusual, it is not totally groundbreaking, and there do not appear to be irresolvable technical issues surrounding this development.

### **Commentary**

The INTA Internet Committee has considered a wide range of views on this issue.

Our position is:

- (a) The proposed bundling is a good idea, in that it simplifies the process;
- (b) Charging excessive fees for each domain name within the bundle will be perceived as an unjustified attempt to increase revenues. Ideally, these bundles would have a low or even one set fee for the registrant;
- (c) We recommend that the ASCII domain name function as the base, with its owner having the option to register all possible IDN versions and be free to register them or not, at the owner's option. However, it is not clear under the proposed policy what is to occur if the owner of a particular domain name elected to register some, but not all, of the French IDN variants of the domain name. For example, if the owner does not register some of the variants, would a third-party be entitled to register them? If so, we are concerned that this ultimately could result in a proliferation of different owners, rather than a "bundling" all similar domains

into a single owner. Therefore, we recommend that bundling be an exclusive right, not an obligation to buy every variation of the domain name.

(d) There should be a mechanism to prevent a cybersquatter from registering an accented version. If one of the objectives of the "bundling" concept is to reduce the likelihood of cybersquatting, then the option of registering some, but not all, variations of the French IDNs would seem to raise the same concerns as above in (c).

(e) Finally, the Committee queries what happens if a registrant of some, but not all, of the variants of the same domain name transfers its rights in those domain names to a third party. Would the assignee then be entitled to register all of the other variants of the same domain name (assuming that they are not already registered by a third party)? These details appear unclear, and should be clarified within the policy.

Thank you considering your view on these important issues. If you have any questions regarding our submission, please contact INTA External Relations Manager, Claudio DiGangi at: [cdigangi@inta.org](mailto:cdigangi@inta.org)

#### **About INTA & The Internet Committee**

The International Trademark Association (INTA) is a more than 131-year-old global organization with members in over 190 countries. One of INTA's key goals is the promotion and protection of trademarks as a primary means for consumers to make informed choices regarding the products and services they purchase. During the last decade, INTA has served as a leading voice for trademark owners in the development of cyberspace, including as a founding member of ICANN's Intellectual Property Constituency (IPC).

INTA's Internet Committee is a group of over two hundred trademark owners and professionals from around the world charged with evaluating treaties, laws, regulations and procedures relating to domain name assignment, use of trademarks on the Internet, and unfair competition on the Internet, whose mission is to advance the balanced protection of trademarks on the Internet.