

com.au Domain Name Allocation Policy

Version: 3.4

Date: 14 April, 1998

Author: Doug Osborn

1 Introduction

The com.au domain exists to enable commercial entities, currently registered and trading in Australia to have an Internet address (domain name) that is closely aligned with their commercial name.

The com.au domain is a listing service. It provides a distinct 1:1 correlation between a domain name and an applicant's registered commercial name. The com.au domain is a policy-driven domain. Some names, such as place names or names of goods or services, will not be licensed for use as com.au domain names.

This document is the current policy for administering the com.au domain, and replaces previous versions of the *General (Naming) Policy*. This document contains the rules for the administration of the com.au domain, and in particular those that determine the acceptance or rejection of a com.au domain name application.

Applicants not familiar with the terms used in this document should refer to the *Glossary*.

2 Types of Commercial Entities

Only commercial entities registered and trading in Australia will be allocated a com.au domain name.

Applicants registering company and business names to obtain particular domain names should be aware of:

- Existing State and federal legislation that governs the registration of company and business names,
- The requirements of this policy for an actual trading entity, and
- Section 4.3 *Revoking a domain name licence*.

The following table lists commercial entities that meet the charter of com.au. To register a domain name for an entity not listed in the table, you will need to demonstrate:

1. That you have the rights to the commercial name, or
2. That the commercial entity is registered with a recognized Government or industry authority.

Type of Entity	Identified by	Authority
Companies (including foreign companies registered to trade in Australia)	ACN (or ARBN for foreign companies)	Australian Securities Commission
Registered Business Names	Registered Business Number	State Government Registries
Incorporated Associations	Association Number	State Government Registries
Commercial Statutory Bodies	Act of Parliament	Federal or State Parliament
Financial Institutions	Financial Institution Code	State Government Commissions
Registered Superannuation Funds	Fund Number	Insurance and Superannuation Commission

3 Allocation Rules

These rules govern the licensing of com.au domain names. As these rules are applied, com.au domain name applications that do not meet the requirements here will be declined.

3.1 Complete and Correct Details

Complete and correct details must be provided with each and every application. *Agents* (for example, Internet Service Providers) who apply for domain names on behalf of their *clients* must not place themselves as the administrative contact.

3.2 Single Domain Name per Commercial Entity

Only one domain name is licensed per registered commercial name. Organizations with more than one registered commercial name (for example, a company with several registered trading names) can apply for one com.au domain name for each registered trading name.

3.3 Composition of a Domain Name

A com.au domain name must:

- Be at least two characters long
- Contain only letters (a-z), numbers (0-9) and hyphens or a combination of these
- Start and end with an alphanumeric character, and not a hyphen

3.4 Uniqueness and Similarity

No two com.au domain names can be exactly the same (e.g. there can be only one xyz.com.au). No test is made to ensure:

1. That the same or a similar domain name already exists in another domain (e.g. net.au, .com)
2. That the domain name is not too similar to an existing registered com.au (or other domain) domain name, such as the plural or singular form of a word or phrase.

3.5 Allocation of Domain Names

com.au domain names are licensed to applicants on a “first-come, first-served” basis. There is no provision for queuing of applications. If a domain name is already licensed, or if an application is pending for that name, no further applications will be accepted for that name until the name is either revoked or the pending application declined.

If an application is declined (or a domain name removed), the pending entry is removed from the AUNIC registry and the domain name is **immediately** available.

3.6 Direct Derivation

Applicants can use either their complete commercial name, or an abbreviation. When an abbreviation is requested:

1. The domain name can only be derived from the characters contained in the commercial name,
2. Characters can be removed from the commercial name to create the domain name, but the sequence of the characters cannot be altered, and
3. New characters (that do not appear in the commercial name) cannot be introduced to the domain name.

3.7 Australian Place Names

Australian place names and their common abbreviations are overly representative (i.e. representing all commerce for a particular community or in a geographic region) and will not be licensed for use as com.au domain names. Some examples are in the table below.

Place	Example Names	Common abbreviation
This country	Australia	au, aus, oz
States and Territories	Queensland, Victoria	qld, vic, act, nsw
Regions	Gippsland	
Local Government Areas	Stonnington	
Suburbs	Paddington	

3.8 “Generic” Words

Words that represent commercial categories or sectors are overly representative and will not be licensed for use as com.au domain names. Some examples are in the table below.

Commercial Category	Description	Examples
Products, services	Words that are defined and used to represent products,	cars, weddings, manager,

and professions	services or professions. Typically, these are words that appear in an Australian word list (e.g. The Macquarie Dictionary) and also in a commercial category listing (e.g. The Yellow Pages®).	hifi, winery
Industries, industry sectors and organisation types	Words that represent an industry, industry sector or organisation type.	mining, finance, company

4 Licence Rules

4.1 Licence Period and Renewal

The initial licence period for a com.au domain name is two years. The licence to use the com.au domain name can be renewed at the end of each licence period, subject to the current terms and conditions. The administrator will contact licensees (or their agents) when the domain name licence requires renewal.

4.2 Domain Name Licence Transfer

The licence to use the com.au domain name cannot be transferred or sold to another party.

4.3 Revoking a domain name licence

The licence to use the com.au domain name can be terminated for reasons outlined in the table below.

Reason	Description
Fee not paid	Where the prescribed fee is not paid within the required time
Breach of warranty	Where the warranty supplied by the applicant or their agent is breached
Incorrect info	Where misleading, incomplete or incorrect information is supplied in the application
Court decision	Where a court of competent authority determines that the domain name should not be licensed to the current licensee, be removed from the registry, or be licensed to another party
Name Change	Where the commercial name used by the licensee to obtain the domain name is changed, or if the licence to use the registered commercial name ceases.
Instruction	Where instructed by the current licensee of the domain name
Error	Where a domain name which could not otherwise be registered under this policy is registered through mistake, oversight or otherwise (within thirty days of registering the domain name): <ul style="list-style-type: none"> The administrator may send notice (of not less than thirty days) stating the intention to cancel the registration, and stating the reasons for the proposed cancellation The administrator may remit the fee payable for the new domain name in place of the cancelled domain name

5 Dispute Resolution

Disputes over com.au domain names are resolved via the procedure outlined below. This procedure applies to both declined com.au domain name applications, and disputes over already-licensed com.au domain names.

Stage	Description
Notice	The originator of the dispute sends notice of the dispute in writing to the administrator
Negotiation and conciliation	The originator, the administrator and any third parties must attempt to settle the dispute by negotiations and conciliation.
Arbitration	If the above attempts fail to settle the dispute, the parties agree to refer the dispute to a commercial disputes centre. All parties must agree to be bound by the ruling of the arbiter. The costs of the dispute are borne by the originator.

6 Acknowledgment and Warranties

For the administration of the com.au domain, reliance is placed upon the information and warranties supplied by applicants or their agents. By applying for a com.au domain name, applicants:

1. Warrant that the information provided in the application is complete, true and correct.
2. Warrant that the registration and/or use of the com.au domain name does not breach any third party's rights (such as those of a registered trademark holder).
3. Warrant that they have read and understood this policy and proceed on the basis that this policy is legally binding.
4. Indemnify the administrator to the full extent legally permitted against all claims and demands from third parties regarding registration and use of the com.au domain name.