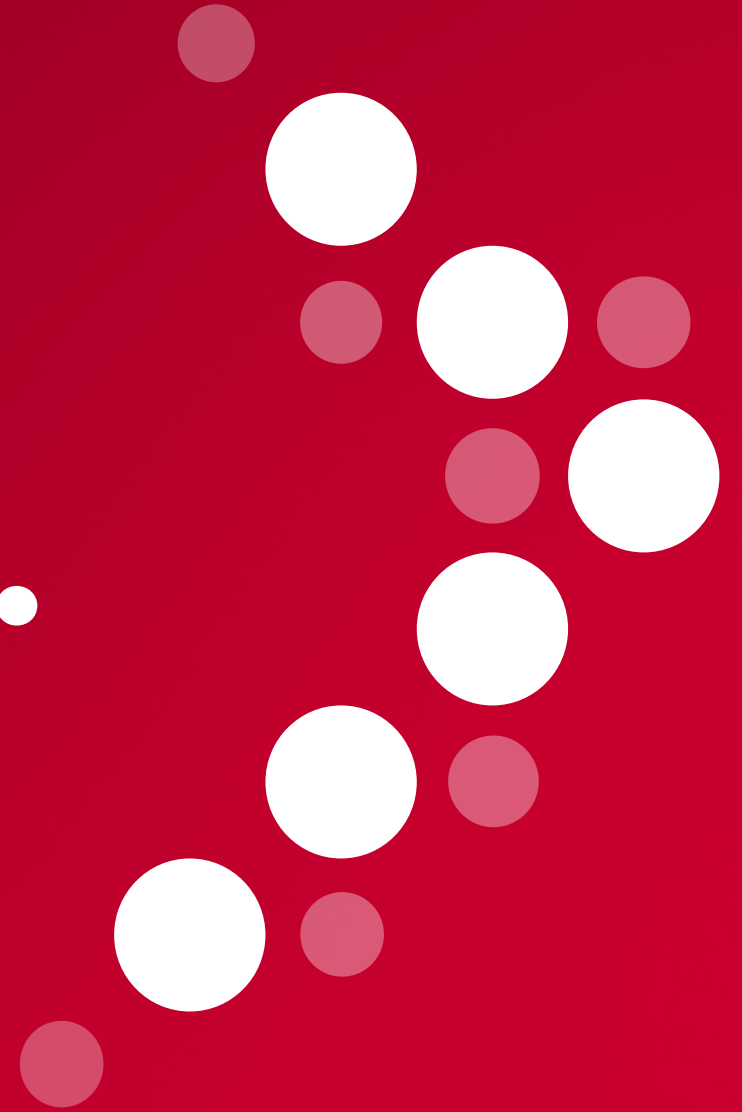


**Our online  
New Zealand.**





# **Domain Name Commission** **Annual Report** **2018-2019.**



Chair's report

Commissioner's report

Case studies

Year in review





## ● Chair's report

It is a pleasure to start this report by celebrating a year of change at the Domain Name Commission Limited (DNCL). 2018/19 has been Brent Carey's first full year in the role of Commissioner and my first as Chair.

It has been a successful year. Together with InternetNZ we hosted the Domain Name Abuse Forum, tabling some challenging issues for .nz to come to grips with. The independent review of the Commission largely found we are operating well. A new compliance strategy is under development. Our overall goal of playing our part in .nz being a safe and secure place for New Zealanders online is the constant focus in all we do.

The Board of Directors is pleased with the company's progress during the year. We also note and thank staff for their work in the aftermath of the Christchurch terrorist attacks on the Muslim community. Our MoU with DIA helped make sure we could play our part.

Thanks to the whole DNCL team and to my fellow Directors for this year's work. We begin 2019/20 in a solid position, with a clear role as part of the InternetNZ Group. Let's keep moving.

**Jordan Carter**

Chair, Domain Name Commission



A person is seen from behind, hiking up a steep, rocky mountain trail. The trail is covered in loose rocks and some sparse vegetation. In the background, a calm lake reflects the surrounding mountains and a clear blue sky. The mountains are rugged and covered in greenery. The overall scene is a scenic outdoor landscape.

## ● Commissioner's report

Keeping .nz fair for everyone was our key focus in 2018/19.

Business as usual continued with 1,700 enquiries resolved, 24 disputes heard, more than 5,000 domain name suspensions and cancellations handled, and a range of awareness and education materials concluded. Staff are to be commended for their efforts.

Some of our key achievements included adding privacy features to the .nz domain name space, successful US litigation and local and international outreach work.

We initiated closer collaborations with law enforcement agencies and others from internet society to combat internet crime and ensure trust in the .nz domain name space.

The Commission has actively engaged in shifting community attitudes towards domain name suspensions for a range of online safety reasons. There have been many more requests for domain name suspensions and cancellations.

We took exceptional emergency steps in the case of the Christchurch event to deal with objectionable terrorism-related material linked to any .nz domain names.

The 2019/20 year will be a year of implementation of the findings from our David Pickens Independent Review and Deloitte Compliance Strategy work. There will also be new approaches to domain name disputes. We're excited to also support InternetNZ with its end to end .nz policy review and keeping .nz safe, trusted and secure.

**Brent Carey**

Domain Name Commissioner





## ● **Dispute resolution service case studies.**

This year we received 24 complaints about who has the rights to a domain name. 10 of these were escalated to experts who decided the outcome. These are three high profile case studies.

Glossary

**Complainant** - the party making the complaint

**Respondent** - the party the complaint is made against

# leafly.co.nz

**Complainant:** Leafly Holdings Inc

**Respondent:** Tricia Polkinghorne

**Dismissed**

Leafly is the world's largest and fastest growing cannabis technology company. It offers information and services through websites and social media platforms including the domain leafly.com which receives over 12 million visits monthly.

The complainant hadn't registered the trademark in New Zealand. The expert decided the complainant's US trademark didn't meet the policy requirements.

The complaint was dismissed.



# manakaulodge.nz

**Complainant:** Neil Protheroe

**Respondent:** Odin Adventures, Brendon Harris

**Transferred**

The complainant operates a boutique luxury lodge called Manakau Lodge in Kaikoura, South Island.

The complaint stated that in November 2017, the respondent's lodge was renamed from Manukau Hotel to Manakau Lodge—the identical name to the complainant's business. The respondent was using the manakaulodge.nz domain name to advertise the business and take bookings.

The expert accepted that the complainant has rights over the Manakau Lodge name and that the identical names could confuse potential guests. The expert decided the domain name manakaulodge.nz should be transferred to the complainant.



# wellington.ac.nz

**Complainant:** Victoria University of Wellington

**Respondent:** Fortune Sources Group Limited

**Dismissed**

Victoria University of Wellington was founded in 1897 but used the name Victoria College until 1962. In 2018 the complainant considered a name change to 'University of Wellington,' applying to register this trademark in May 2018.

The complainant stated that .ac is intended for use by tertiary organisations, however, the .ac.nz namespace is unmoderated, meaning anyone is able to register a .ac.nz domain name.

The expert recognised the disputed domain name is similar to Victoria University of Wellington. However, Wellington is a geographical place name and the complainant doesn't have rights to the name Wellington.

The expert decided this is not an unfair registration. The complaint was dismissed.



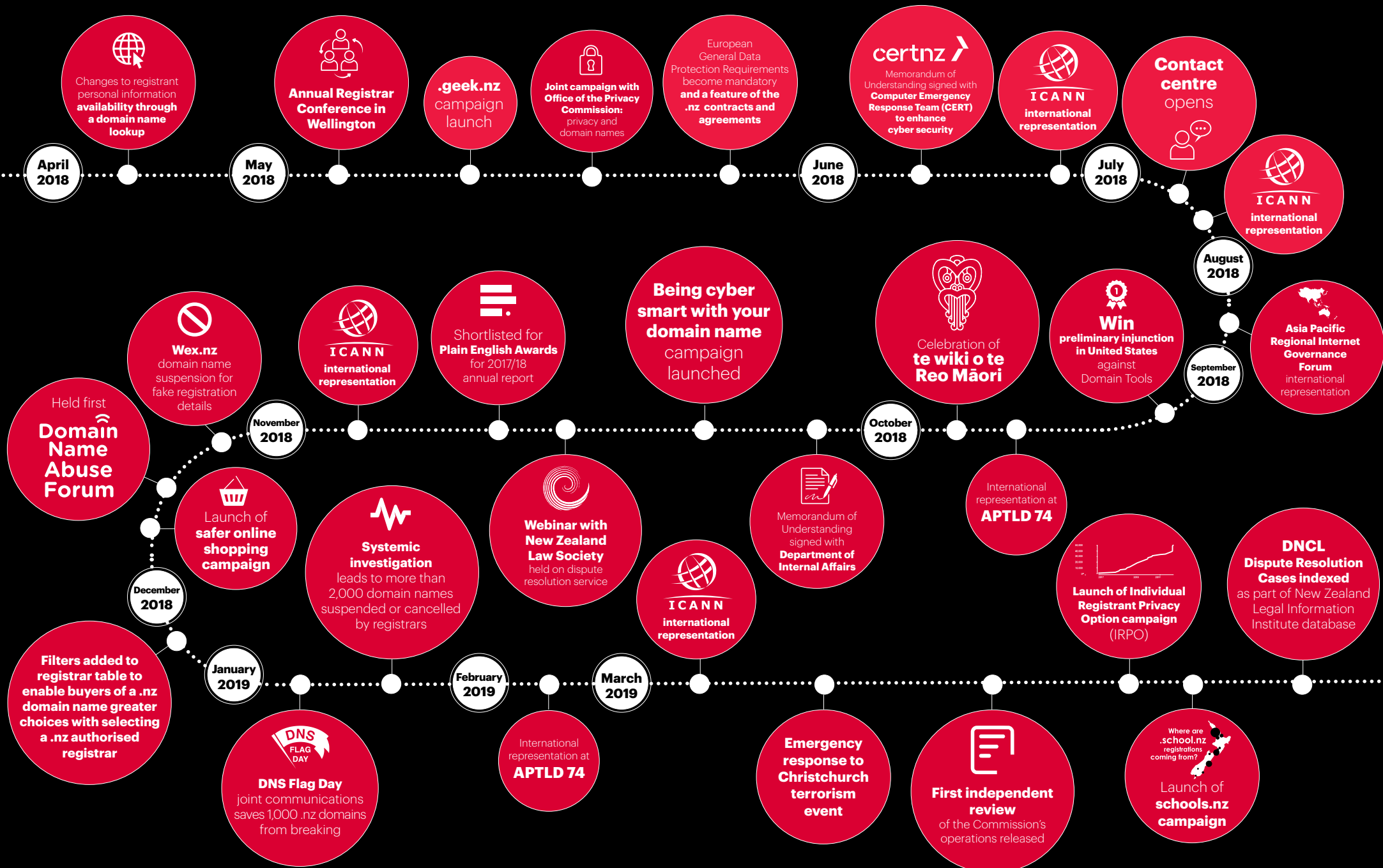


## ● **Year in review.**

The Domain Name Commission is responsible for regulating the .nz domain name space – helping individuals with their .nz online presence.

DNC has an independent board of three and a staff of five FTE.









**domain name  
commissionnz**

