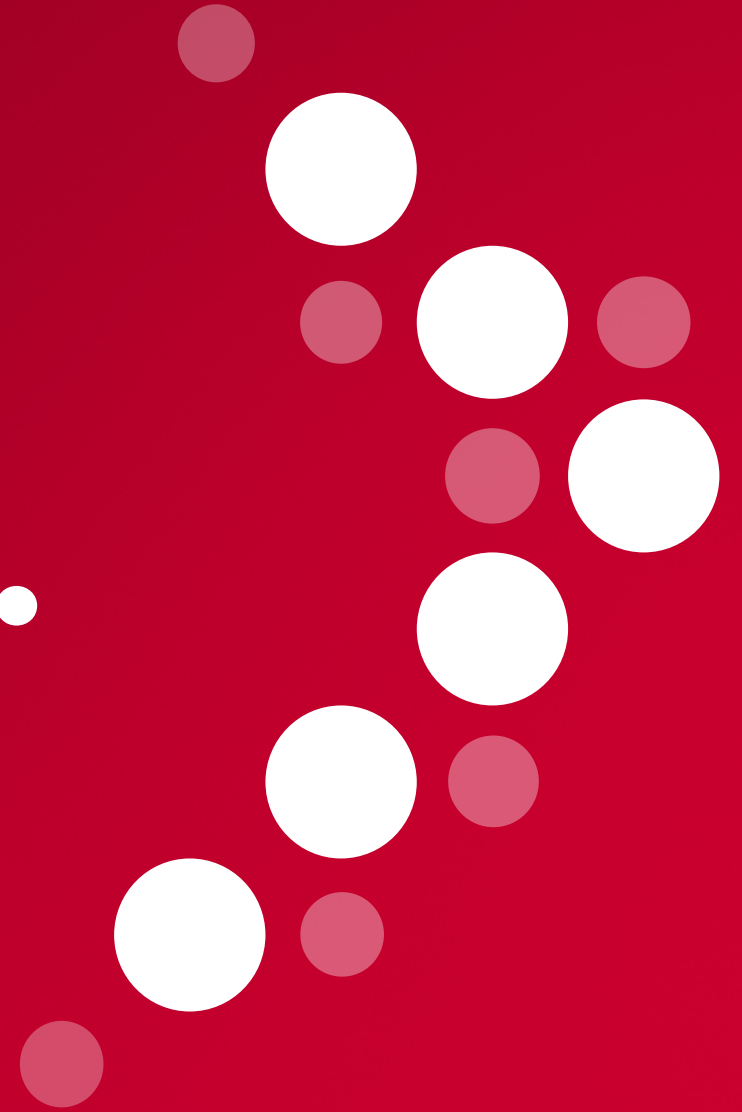


**Our online
New Zealand.**





Domain Name Commission **Annual Report** **2019-2020.**

Chair's report

Commissioner's report

Case studies

Year in review



Chair's report

2019/20 has been a year that started and ended with crisis: the aftermath of the Christchurch mosques terrorist attacks saw a need to respond to online harm in a way the Commission has never done before, and the year's end saw the rise of the COVID-19 pandemic and disruptions to working life for everyone, including Brent and the team.

In both these situations and all the work of the year, the Board has appreciated the steady leadership Brent has shown, and the ability of the whole team to continue with DNCL's day to day work. This report showcases the year's achievements.

The 2020/21 year sees some big projects ahead. We will be working to implement a revised .nz policies framework arising from the review InternetNZ commenced last year. The replacement of the shared registry system will bring changes for the Commission as well.

My thanks as Chair to all our Board members, and in particular to Lucy Elwood who stepped down from a six year term, and to Adam Hunt whose term ends at the company's AGM in July. Both have played a significant role in the many changes at DNCL over the past few years, and their wisdom, skill and good humour around the board table will be missed. I am excited by the arrival of Mel Hewitson and Anita Killeen, who I know will bring a new set of perspectives and insight to the work that we do.

In all that we do, we are helping New Zealanders harness the power of the Internet. The Commission's role at the heart of making sure .nz is fair has never been more important. Thanks to everyone who has contributed to our work this year, and here's to the year ahead.

Jordan Carter

Chair, Domain Name Commission

A person is standing on a rocky mountain peak, looking out over a vast landscape. In the background, there is a large body of water, likely a lake, and more mountains under a clear sky. The foreground shows the rugged terrain of the mountain peak with some sparse vegetation.

Commissioner's report

The 2019/20 year, as the Chair has identified, has been challenging for DNCL staff—opening with the Commission getting new emergency domain name suspension powers following the Christchurch terrorist attack and closing with the powers being activated in response to the COVID-19 pandemic. While this power remains interim, I am incredibly proud of the Office's growing role in online harm minimisation work with other trusted stakeholders.

The year also saw growing merger and acquisition activity and the entry of a number of large international registrars into the New Zealand market. This necessitated much more detailed legal due diligence work to ensure the market remains fair and competitive for everyone.

The changes in the New Zealand domain name market reflect a growing and dynamic international and local market that makes for a challenging and exciting environment for all involved.

A key priority for DNCL this year was the value and effectiveness of self-regulation. Our focus throughout 2019 was mostly on the implementation work arising from the first independent review of our self-regulatory scheme (the Pickens report) and Deloitte compliance strategy. We have already implemented a number of recommendations and continue to discuss further important changes to the scheme with our stakeholders.

In the coming year, the role DNCL plays as an independent overseer of the system, in online harm minimisation, and as an agency for end-users to make complaints, will be seriously explored with the government, InternetNZ members, consumers and the public.

A person is standing on a rocky, grassy peak, looking out over a vast landscape. In the background, there is a large body of water, likely a lake, and distant mountains under a clear sky. The foreground shows the texture of the rocks and some sparse vegetation on the slope.

A large percentage of our enquiries this year were about customer service. Typical enquiries included consumers seeking help to switch providers and assistance with updates to their contact details. Consumers also sought help to lodge disputes against registrants and sought information as to how to get back their domain name after it had expired. More people this year reported domain names that had been associated with malicious or illegal activity.

Our work can only be a success with the help of those we work with. I thank .nz authorised registrars for working with us to resolve enquiries, and referral agencies for fielding initial enquiries about domain name abuse and referring unresolved enquiries to us.

Like the Chair, I wish to thank the Board, particularly former independent directors Lucy Elwood and Adam Hunt who both finished their terms this year, for their support, and welcome new independent directors Anita Killeen and Mel Hewitson. And finally, thank you to my four dedicated staff, the people who make it happen.

Brent Carey

Domain Name Commissioner



● **Dispute resolution service case studies.**

This year we dealt with over 1400 enquiries and 24 disputes were handled under our alternative dispute resolution scheme. These are two high profile case studies.

Glossary

Complainant - the party making the complaint

Respondent - the party the complaint is made against

● bupa.net.nz

Complainant: The British United Provident
Association Limited

Respondent: Carl Taylor

Transferred



The complainant is an international healthcare company incorporated in 1947.

The respondent registered the name two days after a discussion between Bupa and another member of his group over the price Bupa would be prepared to pay to recover a domain name containing its own name.

Although ready to sell the domain name to Bupa, the respondent was not prepared to do so for the documented out-of-pocket expenses incurred in acquiring the domain.

The expert noted that the respondent could hardly have any reason to register the domain name, other than to sell it to Bupa at a profit. The expert found the registration unfair and decided the domain name bupa.net.nz should be transferred to the complainant.

purebreastcare.co.nz

Complainant: Pure Breast Care

Respondent: Medivex Health Care

Transferred

The complainant supports patients following mastectomy procedures and other breast-related operations. It offers advice, fittings and other related consultancy services, of which it is accredited with the Ministry of Health.

The disputed domain name originally redirected to the respondent's website, it was later replaced with a static landing page which stated "Exciting New Webshop Coming Soon."

The expert found that the domain name was registered to prevent the complainant from registering it, and its use could deceive or confuse members of the public. The expert found the registration unfair and ordered the domain name purebreastcare.co.nz to be transferred to the complainant.

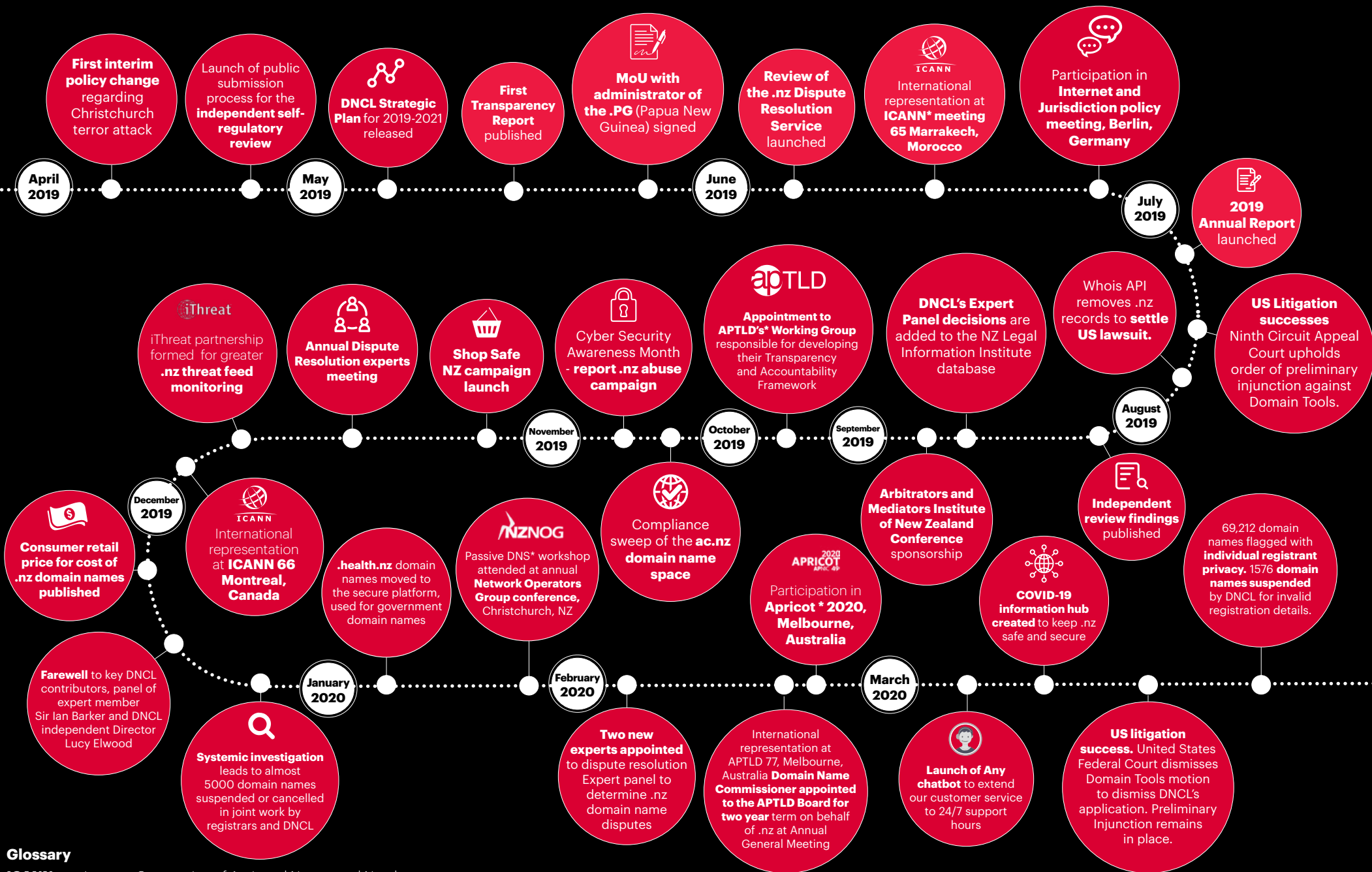


● **Year in review.**

The Domain Name Commission is responsible for regulating the .nz domain name space—keeping .nz fair for everyone.

DNCL has an independent board of three and staff of five FTE.





Glossary

- ICANN** - Internet Corporation of Assigned Names and Numbers
APTLD - Asia Pacific Top Level Domain Name Association
DNS - Domain Name System
APRICOT - Asia Pacific Regional Internet Conference on Operational Technologies





**domain name
commissionnz**

