
**PUBLIC CONSULTATION REPORT ON
“REINTRODUCING 2ND LEVEL ‘.my’ DOMAIN NAME SPACE”**

MALAYSIAN COMMUNICATIONS AND MULTIMEDIA COMMISSION

AND

MYNIC, MIMOS BERHAD (MYNIC)

11 JANUARY 2006

REINTRODUCING 2ND LEVEL '.MY' DOMAIN NAME SPACE

**A REPORT ON THE PUBLIC CONSULTATION PAPER
&
REQUEST FOR FURTHER PUBLIC FEEDBACK BASED ON THE REPORT**

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SECTION 1 - SUMMARY

1.1 Introduction

The purpose of this report is threefold, namely:

- (a) to present a summary of the key comments received from the public who responded to the Public Consultation Paper on Reintroducing 2nd Level '.my' Domain Name Space;
- (b) the position and approach of the Commission and MYNIC in relation to the reintroduction of 2nd level '.my' domain name space to the Malaysian public; and
- (c) to seek further feedback from the public in relation to the position and approach of the Commission and MYNIC in relation to the reintroduction of 2nd level '.my' domain name space to the Malaysian public.

1.2 Public Consultation

1.2.1 The public consultation ran from 25th May 2005 (via publication of the public consultation paper on the Commission's website and MYNIC's website) to 24th June 2005 (last date for submission by the public), i.e. a total of thirty-one (31) days.

1.2.2 At the close of the public consultation, a total of fifty four (54) submissions were received. Of these the majority were from companies (both public listed and private limited) and the rest were from individuals. Amongst the companies that made submissions were:

- (i) Telekom Malaysia Berhad;
- (ii) Maxis Communications Berhad;
- (iii) DiGi Telecommunications Sdn. Bhd.;

- (iv) Samsung SDI (Malaysia) Berhad;
- (v) Citibank Malaysia;
- (vi) Hitachi Electronic Products (M) Sdn. Bhd.;
- (vii) Sunway City Berhad;
- (viii) Dunco Sdn. Bhd.;
- (ix) Robert Bosch (SEA) Pte Ltd;
- (x) Creative Tomato Sdn. Bhd.;
- (xi) ECOFastHost (M) Sdn. Bhd.;
- (xii) Adrenalin Internet Systems MSC Sdn. Bhd.;
- (xiii) WebWork-Solutions Sdn. Bhd.;
- (xiv) Mind-X Solutions Sdn. Bhd.
- (xv) Aon Insurance Brokers (M) Sdn. Bhd.;
- (xvi) Central Capacitors (M) Sdn. Bhd.;
- (xvii) Inneta Corporation Sdn. Bhd.;
- (xviii) In-Fusion Solutions Sdn. Bhd.;
- (xix) East Computech System Sdn. Bhd.; and
- (xx) MyWNN Dot Com.

1.2.3 The Commission and MYNIC are very grateful to all individuals, companies and organisations that kindly participated in this consultative process.

1.3 Structure of the Report

The rest of the Report is structured in the following manner:

Section 2 looks into the background of the Public Consultation Paper on Reintroducing 2nd Level '.my' Domain Name Space;

Section 3 summarises the key comments of the respondents;

Section 4 provides the Commission's and MYNIC's collective stance in respect of those comments in Section 3;

Section 5 provides the conclusion and outlines the next steps that need to be taken by the Commission and MYNIC in relation to the reintroduction of 2nd level '.my' domain name space to the Malaysian public; and

Section 6 invites the public to provide their comments and views in respect of the stance taken and/or the next steps that need to be taken by

the Commission and MYNIC in relation to the reintroduction of 2nd level '.my' domain name space to the Malaysian public.

SECTION 2 - BACKGROUND

- 2.1 Under the Communications and Multimedia Act 1998 ("the Act"), the Commission is vested with the control, planning, administration, management and assignment of the numbering and electronic addressing of network services and applications services pursuant to Section 179(1) of the Act.

MYNIC, a division of MIMOS Berhad, was designated by IANA as the "country-code" top-level domain (ccTLD) manager in 1987. The '.my' top-level domain (TLD) is assigned to local Internet communities according to the two-letter codes in the ISO 3166 standard, "Codes for the Representation of Names of Countries and their Subdivisions".

MYNIC administers the operation and management of the name space for the '.my' TLD. MYNIC is responsible for registering and assigning third-level domain names ending with '.com.my', '.net.my', '.org.my', '.gov.my', '.edu.my', '.mil.my' and '.name.my'. Currently only third-level '.my' domain names can be registered in Malaysia.

The Commission and MYNIC are considering the reintroduction¹ of second-level '.my' domain names (e.g. 'abc123.my') to the Malaysian public.

- 2.2 In order to ensure that the reintroduction of second-level '.my' domain names is carried out in a transparent manner, the Commission together with MYNIC published a Public Consultation Paper on 25th May 2005. In that paper several issues in relation to the reintroduction of registering new second-level '.my' domain names were raised for comments from the public. In seeking the public's points of view, the Commission and MYNIC provided the basis for the proposal to reintroduce second-level '.my' domain names ("2LDs").

- 2.3 These issues were:

¹ Registrations of second-level '.my' domain name were initially allowed in line with international practice relating to the registration of domain names. However, with the creation of third level '.my' domain names, MYNIC ceased registering new second-level '.my' domain names.

2.3.1 Reasons for reintroducing 2LDs in Malaysia

The public was invited to comment on whether:

- (a) the reintroduction of shorter and briefer 2LDs and consequent lack of categorisation (e.g. '.com', '.net', '.org', '.gov', '.edu', '.mil' and '.name') would impact Internet users? If so, how?
- (b) this was an appropriate time for the reintroduction of 2LDs to the Malaysian public? If not, why?

2.3.2 2LD registration

The public was invited to comment:

- (a) as to whether a registrant should be allowed to register an unlimited number of 2LDs or should there be limit to the maximum number of 2LDs that each registrant may register?
- (b) if the answer to item (a) was the latter, the public was requested to provide their reason(s) and the maximum number of 2LDs that a registrant should be allowed to register.

2.3.3 Registration period for 2LDs

The public was invited to comment on whether:

- (a) the duration for the Pre-registration Period is adequate? If not, please suggest a different duration and reason(s) for such alternative duration.
- (b) registration of 2LDs should be open to the world at large? Is the duration for the second phase adequate? Is the duration for the Pre-registration Period adequate? If not, please suggest a different duration and reason(s) for such alternative duration.

2.3.4 Choosing a 2LD name

The public was invited to comment:

- (a) on whether apart from MYNIC's "Rules on Choices of DomainName", should
 - (i) other prohibitions or restrictions as to the words, phrases or names that may be used be imposed?
 - (ii) the prohibitions on country or state names be extended to the names of districts and other famous places?

2.3.5 Fees

The public was invited to comment:

- (a) as to whether the proposed maximum cap of RM200 for the registration of a 2LD was affordable and if not, they were requested to propose a range of alternative fees.

2.3.6 Operational issues

The public was invited to comment:

- (a) On whether 2LDs (e.g. abc123.my) should be able to make available or offer sub-domains created under the said 2LDs (e.g. xyz.abc123.my) to third parties and if not, they were requested to state their reasons.
- (b) as to whether the proposed lookup display for 2LDs provides sufficient information and if not, what other information should be included?

2.4 The Commission and MYNIC also expressly stated that the public was not confined to the issues/questions laid out in the said Public Consultation Paper and that the public was encouraged to raise any other issues pertinent to them.

SECTION 3 - SUMMARY OF COMMENTS

3.1 This section discusses the submissions received and highlights the comments raised. It also details the Commission's and MYNIC's collective response following internal deliberations.

3.1.1 Reasons for reintroducing 2LDs in Malaysia

The Commission and MYNIC received fifty (50) comments in respect of item 2.3.1 and out of these forty (40) were in favour of the reintroduction of 2LDs, five (5) respondents disagreed and five (5) others were neutral. The comments received are summarised below:

On the whole, most of the respondents supported the reintroduction of 2LDs in Malaysia and agreed that such reintroduction was timely. Some of the reasons given were that a shorter domain name would be easier to remember, good for business and would be supportive of the evolution of more internet/online based businesses.

All major telecommunication operators that participated in this consultative process generally agreed to the reintroduction of 2LDs and provided quite detailed feedback and comments to the proposals contained in the Public Consultation Paper.

There were however some concerns raised as to the impact of the reintroduction of 2LDs. Two (2) of the telecommunications service providers were concerned that there could be some confusion amongst the general public due to the lack of categorisation of domain names inherent in 2LDs (i.e. it is not clear from a 2LD whether the domain name relates to a commercial [.com], non-commercial [.org], educational [.edu], etc. entity). However, one of the said major telecommunications service provider went on to state its view that such confusion could be overcome if a company/entity registers both the 2LD and third level domain names and that it was of the view that the benefits of reintroducing 2LDs would negate any concerns in respect of the potential confusion that could arise.

Another major telecommunications operator in turn was concerned that the reintroduction of 2LDs may increase domain name squatting activities. In relation to this concern this particular telecommunications operator suggested that when registering a 2LD for a company or organisation, it must be ensured that such company or organisation is itself alone listed as the registrant and not a 3rd party (e.g. an agent).

As to whether this is the appropriate time to reintroduce 2LDs in Malaysia, the majority of the respondents were of the view that it is

indeed the right time to do so. Another telecommunications company for instance responded that the reintroduction of 2LDs was timely in view of the fact that many other countries have already introduced 2LDs. Another public listed telecommunications company similarly held the view that 2LDs should be reintroduced as early as possible but did also state its concern that as much time as possible should be given to local registrants to register 2LDs prior to registration being opened to the world at large (if at all).

There were also respondents that did not specifically state whether they agreed or disagreed with the reintroduction of 2LDs but instead generally queried for more information and clarification as to the process of securing their registration of 2LDs, thereby implying (albeit indirectly) that there is in fact a market for 2LDs in Malaysia. A few hosting service providers also indicated their interest in becoming resellers for 2LD registrations.

On the other end of the spectrum, there were a few respondents that disagreed with the reintroduction of 2LDs. Specific grounds of disagreement were that the public would be confused by 2LDs as they would not know the type/category of website that they were visiting, that there would be a greater likelihood of disputes arising between existing registrants of third level domain names in relation to the right to a common 2LD, and that registrants would be put to extra expense in registering 2LDs (e.g. where the 2LD registration is over and above the domain names already registered by the said organisation).

3.1.2 2LD registration

The Commission and MYNIC only received four (4) responses in respect of item 2.3.2 and out of these four (4), the most comprehensive responses in relation to this issue were from the major telecommunication operators in the country. The comments are summarised below:

The responses ranged from an individual's comment that there should not be a cap on the number of 2LDs that a person/entity could register to those of the aforesaid three (3) telecommunication companies, each of which proposed various layered approaches to the issue of the number of 2LDs that one party could register.

One telecommunications operator suggested that companies should be allowed to register an unlimited number of 2LDs, whereas registration for individuals should be limited to three (3) 2LDs.

Whereas another telecommunications operator commented that although there should not be any limitation on the number of 2LDs that might be registered during the initial registration period, the Commission and MYNIC should always have the option of imposing a limitation on the number of 2LDs that may be registered by a person/entity should the abuse or misappropriation of 2LDs become an issue. As a safeguard, this particular telecommunications operator proposed that where a registrant registers more than one 2LD, such registrant must demonstrate that the:

- (i) registrant is bona fide in registering such 2LDs;
- (ii) registrant has not infringed any registered trade mark and/or that such registration will not give rise to an action under passing off;
- (iii) 2LDs are not identical or confusingly similar to either a registered trade mark, business and/or company name in Malaysia; and
- (iv) 2LD does not infringe the rights of any third parties in relation to any applicable treaties or agreements.

The said telecommunications operator went further to suggest that personal 2LDs should only be used for the registrant's own non-commercial use.

The other responding telecommunications operator was similarly of the view that registrants should be allowed to register an unlimited number of 2LDs but only where rules governing "cyber-squatting" were put into place and enforced. In lieu of such rules, a limit could be introduced, in which event the said telecommunications operator suggested that companies could be allowed to register up to twenty (20) 2LDs (and more if sufficient justification can be provided), while an individual could be allowed to register up to a maximum of three (3) 2LDs.

3.1.3 **Registration period for 2LDs**

The Commission and MYNIC only received four (4) comments in respect of item 2.3.3(a) and the comments are summarised below:

There were several comments received with regard to the duration of the registration period, principally from the telecommunication companies. These comments ranged from those which felt that the proposed two (2) months period was adequate, to those which felt that the proposed two (2) months period was inadequate.

One telecommunications service provider suggested that the pre-registration period be extended to a minimum of six (6) months and to a maximum of twelve (12) months. Another telecommunications company's views on the inadequacy of the proposed two (2) months period was predicated on the possibility that companies have internal processes for approvals which could very possibly take more than two (2) months. It was suggested that the duration for the Pre-registration period be set at six (6) months.

On the other end of the spectrum, there was one respondent that felt that the proposed two (2) months pre-registration period was too long and should be shortened to one (1) month as in that respondent's view, the latter period would be more than adequate for users to register a 2LD.

The Commission and MYNIC received nine (9) comments in respect of item 2.3.3(b) and the comments are summarised below:

The feedback received on this issue was divided.

Some respondents were of the view that the .my 2LD should be the privilege of Malaysians and/or Malaysian owned companies, and should not be opened to the world at large. Another respondent felt that 2LDs should be only given to Malaysians as it would be an opportunity for Malaysians to own a cheaper domain name that had a Malaysian identity. One respondent suggested that if 2LDs are restricted to Malaysians and Malaysian companies, then it would be easier to obtain documentary proof, i.e. valid Identity Cards and company registration documents respectively, in order to establish their bona fides and thereby reduce the potential for abuse of .my 2LDs.

A major telecommunications operator on the other hand was agreeable to registration of 2LDs being opened to the world at large subject to the second phase being extended to one (1) year instead of

the proposed six (6) months. It was suggested by this telecommunications operator that all 2LD registrations should be done through MYNIC resellers and foreign registrants should appoint a local agent to act as their administrative contact. The issue of whether 2LD registration would need local presence was also brought up by a couple of foreign respondents. A German ISP suggested that foreign companies be allowed to be registrars for 2LD registrations.

On another issue related to the registration of 2LDs as described in the Public Consultation Paper, an internet solution provider agreed that registration for 2LDs during the pre-registration period should not be on a "first come, first served" basis. However it was not agreeable that priority was to be given to the earliest original third-level domain name holders. The respondent further expanded that priority during the pre-registration period should be given to genuine trade mark/service marks owners that had existing third-level '.my' domain names to register the equivalent 2LDs. This would not only protect genuine trade mark and service mark holders but also prevent unauthorised users from using an identical or confusingly similar mark that may create confusion amongst the public. This respondent was also of the view that a 2LD that is similar to a name of any established registered Malaysian company should not also be allowed. A major tele! communications operator, which stated that registrations during the pre-registration period should also be extended to business name and trade mark holders, also seemed to support this view.

Another respondent highlighted that there could be an increase in the number of domain name disputes as it could be difficult to determine who has priority when it comes to 2LD registration.

3.1.4 Choosing a 2LD name

The Commission and MYNIC received four (4) comments in respect of item 2.3.4(a) and the comments are summarised below:

Most respondents felt that there was no need to extend the prohibitions on country or state names to districts and other famous places. However one telecommunications operator suggested that names of districts and other famous places should only be open for registration after the pre-registration period. Another

telecommunications service provider was also of the view that there should not be any prohibitions or restrictions in choosing a 2LD name.

A telecommunications operator however commented that names that contained words such as "Government", "Agung", "Sultan", "Prime Minister" and variations thereof, and any words that might suggest a link to the Federal or State Governments and Royalty, and names which contained "MYNIC" or "NIC" should be prohibited. As for the allocation of specific geographical names, this telecommunications operator commented that such allocation in both Bahasa Malaysia and English should not be allowed to start with and should be reconsidered by the Commission and/or MYNIC at a later stage.

3.1.5 Fees

The Commission and MYNIC received fifteen (15) comments in relation to item 2.3.5 and out of these fifteen (15) comments, six (6) were queries in relation to the fees and renewal fees for 2LDs. The comments are summarised below:

Quite of a number of respondents were concerned with the possible higher fees imposed on 2LD subscription.

A respondent commented that the price regulations imposed on resellers should be loosened and volume-based pricing should instead be allowed. The respondent further suggested a reduction in the proposed price for 2LD registration, as '.my' domain names are currently not as competitive as .com domain names.

One respondent suggested that a discount be given to existing third level domain name holders. There were also suggestions that the fees be lowered to RM100 or RM50. One telecommunications operator felt that the RM200 was relatively high as compared to the existing RM100 for third-level '.my' domain names registrations. This telecommunications operator was concerned that the cost for companies that would like to keep both 2LDs and third-level '.my' domain names would go up. Another major telecommunications operator in turn was of the opinion that the fees need to be differentiated for different categories of registrants. The rates proposed by this telecommunications operator were RM25 for

personal/individual registrations and RM50 for company registrations.

The other telecommunications operator considered the maximum cap of RM200 to be affordable. There were also general queries as to how much the renewal fees for 2LDs would be.

3.1.6 Operational issues

The Commission and MYNIC received four (4) comments in relation to item 2.3.6(a), the comments are summarised below:

All three major telecommunications operator and a couple of other respondents agreed that 2LD holders should be able to make available or offer sub-domains created under the said 2LDs to third parties of their choice. One telecommunications operator further proposed that there should be bilateral agreements between the said parties to regulate the use of any such sub-domains.

The Commission and MYNIC received five (5) comments in relation to item 2.3.6(b), the comments are summarised below:

A respondent noted that the current lookup display for 2LDs should be maintained as it complies with other countries' WHOIS. One of the telecommunications operators suggested that the name in the lookup display should be the same as the Identity Card. Another telecommunications operator however was of the view that details such as e-mail addresses and phone numbers should be excluded from the lookup display as such exclusion could curb spamming and protect the registrant's privacy. This telecommunications operator was of the view that for foreign registrants, the contact information of the local agent would be sufficient. The said telecommunications operator further added that in order to prevent misuse of the WHOIS database, MYNIC should monitor access to the same, i.e. "lock-out" database users who make more than ten (10) queries per day or users who enter an image keyword.

On this issue, another telecommunications operator was agreeable that only the name and e-mail addresses of the individual registrants should be made available. However this telecommunications operator was similarly concerned that "spammers" would use these databases for email addresses and

later send out unsolicited e-mails. It suggested that the need for publishing e-mail addresses of both personal and corporate registrants may need to be re-evaluated.

3.1.7 Others

There were various comments in relation to the registration process of 2LDs.

A few respondents noted that the consultation paper did not clearly state the type of supporting documents required for the 2LD registration.

One respondent queried whether a person/entity with an existing third level '.my' domain name would have to go through the entire process of domain name registration or whether it would be possible to do away with such registration process, i.e. the submission of documents and execution of agreements.

On the other end of the spectrum, there were comments that there should not be any requirement for supporting documents, as it would be impossible to validate such documents for international registration.

4. VIEWS AND RECOMMENDATIONS

4.1 Under "**Section 3.1.1 - Reasons for reintroducing 2LDs in Malaysia**", the Commission and MYNIC would like to make the following points:

- (i) There was only minimal feedback that there may be confusion with the reintroduction of shorter 2LDs, i.e. in that 2LDs lack the categorisation that is inherent in existing third level domain names (e.g. "xyz.com.my", "xyz.org.my", "xyz.edu.my"). However we are of the view that this confusion can be easily addressed when a user/consumer views the content of such 2LD website. Moreover this division/categorisation is no longer strictly adhered to as many organisations have multiple activities, for example there are commercial organisations carrying out charitable projects that would use ".org.my" domain names.
- (ii) Forty (40) out of fifty (50) respondents support the reintroduction of 2LDs. Although we take note of the concerns raised as to the impact

of the reintroduction of 2LDs, Malaysia cannot afford to be left behind in view of worldwide development/trend wherein more and more countries offer 2LDs.

- (iii) Any fears in relation to domain name squatting can be addressed through the MYDRP process.
- (iv) Note is taken of the concern that there may be additional expenses incurred by a new 2LD holder who has a current third level domain name. In proposing the reintroduction of 2LDs to the Malaysian public, MYNIC sees itself as merely fulfilling its role to provide users with more choices as to the domain naming scheme considered most appropriate for them. Moreover, just as with the top level domain names, it is a matter of choice on the part of a company with an existing “.com.my” domain name, as to whether it also wishes to register a “.com” domain name. Similarly, it would be a matter of choice for an existing “.my” third level domain name registrant as to whether it wishes to maintain both second and third level “.my” domain names concurrently or otherwise.

4.2 Under “**Section 3.1.2 - 2LD registration**” the Commission and MYNIC would like to make the following points:

- (i) Whilst there are suggestions to impose limits on the number of 2LDs that can be registered by a single person/entity, we also note that the basis of arriving at the proposed figures was unfortunately not provided in any of the comments received.
- (ii) There should be no limitation imposed as to the number of 2LD registrations that can be made by a single person/entity. With the exception of “.name.my”, there is currently no limit to third level domain name registrations. Our view is that imposing a limit (without strong and compelling reasons) will increase operational costs and restrict the ability to permeate the “.my” name and brand.
- (iii) However, it should be noted that although there is no limit to the number of 2LDs that can be registered, registrants of 2LDs will not be permitted to trade or commercially deal with third level sub-domain names created under their 2LDs.
- (iv) We would like to stress here that in regard to the concerns of possible abuse of 2LD registrations/cyber-squatting, that this issue

can be addressed through the MYDRP process.

- (v) There should be no differentiation between individual and company registrations. In encouraging the registration of 2LDs, there should not be any limitation imposed on both individual and company registrations. Moreover, we foresee that since “my” refers to “mine”, there may be a good number of individuals interested in registering such 2LDs.

4.3 Under “**Section 3.1.3 - Registration period for 2LDs**” the Commission and MYNIC would like to make the following points:

- (i) Only a few respondents were not agreeable to the two (2) months pre-registration period and suggested a longer pre-registration period.
- (ii) That the pre-registration period of two (2) months is adequate as this is only opened to third level domain name holders. A longer pre-registration period would deprive the Malaysian public of registering 2LDs as early as possible. We would like to stress here that the two (2) months registration period is just for the applicants to submit their applications. Subsequent thereto MYNIC would manually process such applications before allocating/registering the 2LDs to the successful applicant.
- (iii) Note is taken that the comments were divided as to whether to open “.my” 2LDs to the world. We acknowledge the concerns highlighted by the respondents not in favour of opening up 2LDs to the world but balanced against that is the national drive to enhance brand “Malaysia”/“my” globally. In line with this MYNIC is of the intention to encourage the registration of 2LDs and enhance the “.my” brand globally subject to putting the appropriate controls into place.
- (iv) As such, for now, the second phase will be kept to six (6) months. However, depending on the response received, the duration of the second phase may be extended.
- (v) Issues were raised by some of the respondents in relation to giving priority to trade mark holders. We would like to point out that under the existing third level domain name registration scheme, with the exception of government entities, no priority of any sort is

given to any individual or entity including trade mark holders. Registration for a “.my” domain name has always been on a ‘first come, first served’ basis.

- (vi) Any fears of trade mark holders in relation to trade mark related domain name disputes can be addressed through the MYDRP process.

4.4 Under **“Section 3.1.4 - Choosing a 2LD name”** the Commission and MYNIC would like to make the following points:

- (i) That there is an existing list of prohibited names when choosing a third level domain name. The existing list will continue to be utilised in registering the 2LDs.
- (ii) Note is taken of the fact that there were respondents who felt that there is no need to extend the prohibitions on country or state names to districts and other famous places.
- (iii) After additional deliberation, we are of the view that country names and Inter-Governmental Organisations (“IGO”) names should also be added to the existing list of prohibited names.
- (iv) In addition, names that suggest a connection to a member of the Royal Family or Royal patronage, e.g. “Royal”, “King”, “Queen”, “Prince”, “Princess”, Crown, “Regent” and “Imperial” will also be prohibited in relation to the registration of a 2LD name.

4.5 Under **“Section 3.1.5 - Fees”** the Commission and MYNIC would like to make the following points:

- (i) That the proposed maximum cap of RM200 for the annual fee and renewal fee is in fact on the lower end of the scale when compared with those imposed by other countries that offer 2LDs.
- (ii) The quoted figure is in fact based on a tiered basis, wherein the various offerings (in term of types of .my domain name registrations made available by MYNIC) are priced differently depending on the categories. To illustrate, currently a “.name.my” domain name is offered at a maximum of RM40, while all the other third level domain names (“.com.my”, “.gov.my”, “.org.my” etc) are capped at a maximum of RM100. 2LDs, bearing in mind their

desirability as domain names, will naturally be placed at a higher tier than the currently available third level domain names and as such require a proportionately higher registration fee, but no more than the proposed cap of RM200. As such, we are of the view that the quoted annual fee and renewal fee for 2LDs is in fact reasonable.

4.6 Under “**Section 3.1.6 - Operational issues**” the Commission and MYNIC would like to make the following points:

- (i) In order to address data mining, currently public access to MYNIC's WHOIS database is not unrestricted, but is limited to 20 per hour from the same IP.
- (ii) Reiterating the point made under 4.2(iii), the right to use 2LDs will be limited to the registrants only. Registrants of 2LD domain names will not be allowed to sell or commercially deal with third level sub-domain names created under their 2LDs.
- (iii) Any proposals to establish a “secondary domain name market” will be evaluated for appropriateness and technical feasibility by the Commission and MYNIC.

4.7 Under “**Section 3.1.7 - Others**” the Commission and MYNIC would like to make the following points:

- (i) Quite a number of respondents requested that there be a simpler registration for 2LDs.
- (ii) MYNIC will look into ways and means of simplifying the registration of 2LDs whilst ensuring sufficient safeguards are put into place to address the issues identified in this Report.

5. CONCLUSION AND STEPS TO BE TAKEN

5.1 From the written comments and submissions, the respondents mainly raised the following issues:

5.1.1 the confusion that may arise with the reintroduction of shorter domain names as compared to the existing third level domain names;

5.1.2 the possibility of widespread domain name squatting;

- 5.1.3 the fees for the registration of 2LDs; and
- 5.1.4 the need for a simpler registration process for 2LDs.
- 5.2 The Commission and MYNIC have wherever possible, addressed the said concerns in Section 4 above. All in all from the Public Consultation Paper, the Commission and MYNIC takes note of the overwhelming support for the reintroduction of 2LDs.
- 5.3 In view of the above, the Commission and MYNIC are proposing that the Pre-registration for existing third level domain name holders be for a period of two (2) months. All applications received during the Pre-registration Period will be collected together and processed in one batch according to the process identified and not on a first-come-first-served basis.
- 5.4 As for now, the Commission and MYNIC is proposing the fees for 2LD registration be at a maximum of RM200.
- 5.5 After the Pre-registration Period, the Commission and MYNIC is proposing to implement the second phase. During the second phase, registration of any available 2LDs will be opened up to Malaysian entities and individuals. The second phase will run for least six (6) months and thereafter the Commission and MYNIC is seriously considering opening up registration of 2LDs to the world at large.
- 5.6 During the Pre-registration Period, applicants will be required to provide an undertaking (as part of the on-line application process), indicating their existing third level domain registration. In the event that 2LDs are opened to the world at large, the Commission and MYNIC is looking into accommodating some local factor such as providing foreign-based registrants to appoint a local administrative contact.

6. REQUEST FOR FURTHER PUBLIC FEEDBACK

- 6.1 The Commission and MYNIC have considered the feedback of the first public consultation that ran from 25th May 2005 to 24th June 2005, and are now preparing for the reintroduction of 2nd level '.my' domain name space to the Malaysian public.

- 6.2 In parallel with the on-going preparations being made for the reintroduction of 2LDs in the Malaysian domain name space, the Commission and MYNIC would like to invite any additional views and comments from the public in respect of the recommendations and steps to be taken as highlighted in Sections 4 and 5 of this Report. Members of the public are welcome to submit their views and/or comments to 2LD-comments@mynic.net.my. The comments would be most useful if they were substantiated with rationale, examples and alternative proposals. Kindly also include full contact particulars such as full name, designation and organisation name (if relevant), postal address, e-mail address and contact numbers.
- 6.3 The period for public comments is one (1) month from 11 January 2006 and ends on 10 February 2006 at 5pm. Queries about the proposed second-level '.my' domain name and requests for further information can be sent to the same e-mail address as above.

Alternatively, comments can be posted or faxed to:

Public Comments on 2LD
c/o MYNIC
MIMOS Berhad
Technology Park Malaysia
57000 Kuala Lumpur

Fax: + 603 8991 7277