

Mr Lim Choon Sai
Director, SGNIC Pte Ltd

14 Aug 2001

Khoo Boon Hing
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Dear Mr Lim,

Re: Comments on Singapore Domain Name Dispute Resolution Policy

1. As a person involved in the business of domain name registration, I personally welcome SGNIC's proposal to introduce Singapore Domain Name Dispute Resolution Policy. In general I find that the policy is well written and comprehensive.

2. I would like to offer just the following comments to the proposed policy.

- a, In annex I, the "Policy", clause 3. b. states that "SGNIC may also cancel, transfer or otherwise make changes to a domain name registration in accordance with the terms of the Registrant's Domain Name Registration Agreement or other legal requirements."

It will be beneficial to provide details in how the changes made to a domain name, for example putting a domain name on HOLD will affect the administrative proceeding.

- b, In annex I, the "Policy", clause 4. j. states that "All decisions under this Policy will be published in full over the Internet, except when an Administrative Panel decides in an exceptional case to edit portions of its decision."

In the event that such exceptional case happens, the publication should indicate and made known to the readers that which portions have been omitted or edited.

- c, In annex II, the "Rules", clause 1 defines that "Respondent means the registrant or holder of a domain name registration against which a complaint is initiated."

Speednames in particular, is the Administrative Contact for a number of com.sg domain names, having given the local representation rights by holders of these domain names which are oversea companies.

In the case that dispute is raised against a domain holder represented locally by Speednames, Speednames will send the complaint to the domain name holder via all communication addresses of the domain name holder known by Speednames. Speednames is willing to provide details of the domain name holder to the Provider for communication purposes.

However, Speednames will not take part in any of the administrative proceedings.

- d, In annex II, the "Rules", clause 15. e. states that "If, after considering the submissions, the Panel finds that the complaint was brought in bad faith, or was brought primarily to harass the domain name holder, the Panel shall declare in its decision that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding."

In such a case that the complaint was brought in bad faith, the domain name holder is still required to submit The Response to the Provider, for the Panel to consider the submissions and make the decision. Hence the complainant's objective of disrupting the domain name holder's business processes would had been partially achieved.

Would it be better for the Panel upon receiving the complaint, to review and decide if a Response is required from the domain name holder? If the Panel decides such that a Response is required, then the domain name holder will be informed to submit it.

This will provide a filter to eliminate some complaints clearly brouh forward in bad faith.

For considerations, thank you.

Yours sincerely,

bh khoo