

**MALAYSIAN COMMUNICATIONS AND
MULTIMEDIA COMMISSION (MCMC)**

AND

MYNIC, MIMOS BERHAD (MYNIC)

**PERSONAL DOMAIN NAME
PUBLIC CONSULTATION PAPER**

26 May 2003

Introduction

Under the Communications and Multimedia Act 1998 (the Act), the Malaysian Communications and Multimedia Commission (the Commission) is vested with the control, planning, administration, management and assignment of the numbering and electronic addressing of network services and applications services under 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. In addition to the operation and management of the name space for the .my top level domain (TLD), it administers six second level domains, namely .com.my, .net.my, .org.my, .edu.my, .gov.my and .mil.my. This involves the registration of domain names and maintenance and operation of a domain name registry.

In this discussion paper, the Commission and MYNIC would like to solicit comments from the public on the issues raised in this consultation paper. In order to facilitate this consultation process, questions have been posed for the public's consideration. Notwithstanding this, interested parties are not confined to these questions and are encouraged to raise any issue pertinent to them.

Members of the public are welcome to submit their comments on this paper to **pdn-comments@mynic.net.my**. The comments would be most useful if they were substantiated with rationales, 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.

The period for public comments ends at **5pm Friday 20 June 2003**. Queries about this proposed service and further information can be sent to the same e-mail address.

Alternatively, comments could be posted or faxed to:

Public Comments on PDN

c/o MYNIC
MIMOS Berhad
Technology Park Malaysia
57000 Kuala Lumpur
Fax: ++ 60 3 8657 9430

In the interest of fostering an informed and robust consultative process, the comments received may be published. Any sensitive information should be clearly marked **Confidential**.

The Commission and MYNIC extends our appreciation to interested parties for their participation and for providing written submissions in this consultative process.

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1. Background

- 1.1. MYNIC has 6 categories to date; **.com.my**, **.net.my**, **.org.my**, **.edu.my**, **.gov.my** and **.mil.my**.
- 1.2. Any organisation with local presence may register **.com.my**, **.net.my** and **.org.my** domain names. However, registrations in **.edu.my**, **.gov.my** and **.mil.my** are restricted to certain qualified parties. All **.my** categories are open to organisations only¹. Individuals are not eligible to register domain names.
- 1.3. In order to fill this vacuum, it is proposed that a new category be launched for individuals called Personal Domain Names (PDN) by July 2003.

2. Demand for PDN

- 2.1. Throughout the years, MYNIC has received numerous requests for individuals to register **.my** domain names. As the Internet continues to grow pervasive in Malaysia with the number of individual users steadily rising, the need to cater for individuals in the **.my** namespace has reached a critical point.
- 2.2. The move for a special category for individuals was already gathering momentum in the international domain name arena in the late 1990s. In this new millennium, a few country code Top Level Domain (ccTLD) operators such as **.sg** (Singapore), **.fr** (France), **.kr** (Korea), **.za** (South Africa) and **.uk** (United Kingdom) launched a new category for individuals and in 2001, the Internet Corporation for Assigned Names and Numbers (ICANN) launched **.name** as a new generic Top Level Domain (gTLD).

3. Choice of 2nd level name for PDN

- 3.1. In the international arena, examples of ccTLDs with a separate category for individuals are as follows:-
 - 3.1.1. "Personal" -- **.per.sg** (for Singapore) and **.pe.kr** (Korea)
 - 3.1.2. "Individual" -- **.id.au** (Australia) and **idv.hk** (Hong Kong)
 - 3.1.3. "Me" -- **.me.uk** (United Kingdom)
- 3.2. MYNIC had also considered variations other than the above, but no clear criteria was reached.
- 3.3. It was then decided to refer to the gTLD naming structure for guidance. Since 2001, the gTLD namespace had a category for individuals with **.name**.

¹ Please visit www.mynic.net.my for full qualification requirements

- 3.4. In the ccTLD community, .fr (France) and .za (South Africa) use **.nom.fr** and **.nom.za** respectively.
- 3.5. The second level **.name.my** has several advantages:-
 - 3.5.1 it is in line with international standards and naming conventions. This is also reflected with the 2nd level names of the current .my categories (such as **.com.my**, **.net.my** and **.org.my**); and
 - 3.5.2 the Internet is global and **.my** is accessible from any part of the world. The international community would recognise that the **.name.my** category is for individuals, as the international community recognises that **.com.my** domain names cater for commercial activities.
- 3.6. Invitation for Public Comments

Comments are invited on the following:

- a) ***Is the choice of “.name.my” appropriate for the implementation of PDN in .my namespace?***
- b) ***If no, please suggest an alternative.***

4. The PDN category - .name.my

- 4.1. The PDN category is solely for individuals and for personal use only. Organisations are not eligible to apply for PDN.
- 4.2. The 3rd level domain name must reflect the individual's name as per the individual's identity card, nickname, stage name and/or pseudonym.
- 4.3. In order to popularise this new category and encourage registrations, the provision of an e-mail address (for example abc123@name.my) is being considered for implementation with PDN.
- 4.4. This proposed e-mail address service is to provide customers with a stable and constant e-mail address. This would be particularly useful in the event the customer is required to change his e-mail address for whatever reason, such as switching ISPs or changing employment to a different company. The abc123@name.my address will remain the stable point of e-mail communication.
- 4.5. Invitation for Public Comments

Comments are invited on the following:

- a) ***Should an e-mail address (<name>@name.my) be provided for PDN?***
- b) ***Should other services be offered for PDN?***

5. Fees

- 5.1. The fee is RM40.00 per domain name annually.
- 5.2. As a comparison **.sg** is offering **.per.sg** at SGD25.00 per domain name, (approximately RM55.00) and **.kr** is offering **.pe.kr** for KRW11,000.00 (approximately RM35.00) per domain name. However, please note that these prices are for domain name registrations only, and do not include any other services.
- 5.3. Invitation for Public Comments

Comments are invited on the following:

- a) ***Is the fee amount reasonable for the implementation of PDN in .my namespace?***
- b) ***If not, how much should the annual fee be?***

6. Registering a PDN

- 6.1. As with **.com.my**, **.net.my** and **.org.my** domain names, all PDN applications will be received and processed by MYNIC's 20 resellers.
- 6.2. MYNIC resellers have nationwide presence and they will advise and facilitate the customers through the entire application process.
- 6.3. Rules for Registration of PDN are available as Appendix A.
- 6.4. Invitation for Public Comments

Comments are invited on the following:

- a) ***Is the proposed General Rules sufficient?***
- b) ***If not, please provide reasons and suggest alternatives.***
- c) ***Should any other prohibitions be included?***

7. Eligibility

- 7.1. Registration is open to any individual aged 18 years and above, holding a Malaysian National Registration Identity Card.
- 7.2. In order to cater for the many non-Malaysians residing in Malaysia², registration is also open to non-Malaysians with the relevant identity documents, such as passports.

² such as non-Malaysian spouses and expatriates

- 7.3. It is not legally permissible for minors to enter into an agreement with MYNIC for the registration of a domain name. However, not wanting to exclude children and young people from benefiting under **.my**, guardians and parents are able to register domain names on behalf of minors below 18 years of age, by registering domain names under the "Subsidiary Information" section.
- 7.4. A registrant can register up to a maximum of 8 domain names. However, this safety precaution will be lifted if the PDN registrations prove to be smooth and stable, as anticipated.
- 7.5. Invitation for Public Comments

Comments are invited on the following:

- a) ***Is the eligibility of minors and expatriates suitable for the implementation of PDN?***
- b) ***Is the proposed arrangement for minors satisfactory?***
- c) ***Is the maximum of 8 registrations sufficient?***

8. Choosing a PDN

- 8.1. **.name.my** domain names must be a person's name and for personal use only.
- 8.2. Some ccTLDs have implemented special rules for the 3rd level domain name, such as restricting the domain name to exactly as per the individual's identity documents. In addition to this requirement, some ccTLDs also operate a list of reserved names that are not open for registration. For example, **.sg** (SGNIC, Singapore) and **.kr** (KRNIC, Korea) do not allow the registration of popular family names, such as "Chan", "Wang" and "Yong".
- 8.3. However, an open approach will be maintained with regards to the choice of the 3rd level domain name for **.my**. Apart from the standard restrictions, customers are free to choose their domain names, such as nicknames.
- 8.4. Imposing additional requirements for PDN would have a negative impact on both customers and operations. The reserved names list as stated in section 8.2 above is not viable for **.my** in light of Malaysia's multi-cultured society. The extensive checking of domain names would involve prolonged processing time, slow down the registration process and minimise PDN's appeal.
- 8.5. Apart from reduced **.my** registrations, the registration of foreign TLDs would ultimately lead to an outflow of foreign exchange for Malaysia. As it is a critical objective to maximize the popularity of this category and to encourage all Malaysians to register, it is imperative that the registration process is fast and simple and with minimal naming restrictions.

- 8.6. Registration will be done in the usual “first come first served” basis and other standard rules such as those related to trademarks³ will apply.
- 8.7. Invitation for Public Comments

Comments are invited on the following:

- a) Is the proposed method of choosing Personal Domain Names via an open approach appropriate for the implementation of PDN in .my namespace?***
- b) What other considerations should be taken into account?***

9. Operational Issues

- 9.1. Due to the special nature of PDN, there are a few differences in the operations and process of PDN:-
- 9.1.1. Domain Name Data Lookup
- 9.1.1.1. In line with international practice, MYNIC has provided for domain name data lookups. The data lookup for the current 6 categories that are open to organizations only display full contact data such as name, organization name, postal and e-mail addresses, and telephone and fax numbers. In the case of PDN, the lookup display will reveal the name and e-mail of the registrant only.
- 9.1.1.2. In addition, the listing of PDNs will not be publicly available on MYNIC’s website.
- 9.1.2. Transfers of PDN
- 9.1.2.1. Transfers of PDN from one person to another are not allowed as the PDN is personal to the customer and is likely to be permanent. The only exception made is that the PDN may be transferred from the parents to the minors when the minors reach 18 years.
- 9.1.3. Online facilities
- 9.1.3.1. All communication with PDN customers will be by e-mail and via facilities made available on MYNIC’s website.

³ Trademark issues are governed by MYNIC’s Domain Names Dispute Resolution Policy (MYDRP)

9.2. Invitation for Public Comments

Comments are invited on the following:

- a) Does the proposed limited lookup display for PDN provide insufficient information?***
- b) Should the transfer to minors reaching majority age be an automatic process?***
- c) The transfer process for PDN is limited to minors reaching majority age. Is this too restrictive, or should transfers be open?***

10. APPENDIX A: Rules for Registration of Personal Domain Names

For the avoidance of doubt, these Rules for Registration of Personal Domain Names shall only apply to **.name.my** personal domain names.

10.1. Requirements of Registrants

- 10.1.1. Registrants of the 3rd level **.name.my** personal domain names are restricted to natural persons only. Organisations are not eligible to register **.name.my** personal domain names.
- 10.1.2. Only Malaysian citizens and non-Malaysians residing in Malaysia aged 18 years old and above are entitled to apply for the **.name.my** personal domain name.
 - 10.1.2.1. In the event the non-Malaysian Registrant is no longer residing in Malaysia, the **.name.my** personal domain name applied by him/her has to be deregistered immediately.
 - 10.1.2.2. When applying for the **.name.my** personal domain name, Malaysian citizens must submit a photocopy of their National Registration Identity Card (NRIC) and non-Malaysians must submit a photocopy of their passport or any other supporting documents as required by MYNIC.
- 10.1.3. Subject to clause 4 below, individuals are not allowed to register **.name.my** personal domain name for and on behalf of other individuals or other legal entities (for e.g. company, organisation, society, etc).
- 10.1.4. However, parents, guardians or immediate family members may apply on behalf of a minor who is below the age of 18. PROVIDED ALWAYS that the minor and the parent/guardian/immediate family member concerned are Malaysian citizens and/or non-Malaysians residing in Malaysia.
 - 10.1.4.1. For Malaysian citizens, supporting documents for minors are a photocopy of the minor's NRIC or the birth certificate if they do not have a NRIC. For non-Malaysians, a photocopy of their passport or any other supporting documents as required by MYNIC.
 - 10.1.4.2. The Agreement for Registration of Domain Names⁴ is between MYNIC and the parent/guardian/immediate family member

⁴ Please visit www.mynic.net.my for a copy of the Agreement

concerned, and the parent/guardian/immediate family member is fully responsible for the said **.name.my** personal domain name.

- 10.1.4.3. The **.name.my** personal domain name may be transferred to the minor upon his/her attainment of 18 years subject to MYNIC's prevailing policies and procedures.

10.2. Specific Rules for Personal Domain Name

- 10.2.1. Registrants must only register the **.name.my** personal domain name for their personal use and for their own benefit only and must be for lawful purposes. PROVIDED ALWAYS a Registrant who has doubts as to whether his/her use or intended use of personal domain name which is contrary to this clause may write to MYNIC for clarification.
- 10.2.2. Registrants must ensure that their **.name.my** personal domain name must reflect the individual's name (as per identity card), nickname, stage name and pseudonym.
- 10.2.3. The Domain names must not by themselves or as part of a label contain Royal Awards and Medals titles such as "Tan Sri", "Datuk Seri", "Datuk" etc. These domain names may only be applied by the relevant persons who would be able to verify their status.
- 10.2.4. Registrants agree that they shall not register **.name.my** personal domain name through any fraudulent means or devices.
- 10.2.5. Registrants must be responsible for their own **.name.my** personal domain names and usage thereof.
- 10.2.6. It is the sole responsibility of the Registrants to ensure that the **.name.my** personal domain name applied for does not infringe any registered and unregistered trademark and does not violate any intellectual property or other laws in Malaysia.
- 10.2.7. Registrants agree that they shall only be entitled to apply for a maximum of eight (8) **.name.my** personal domain names.
- 10.2.8. MYNIC does not act as an arbiter of any disputes between parties over the rights to use a particular **.name.my** personal domain name. Any complaints or queries in respect of a particular **.name.my** personal domain name shall first be addressed to the respective Registrant.
- 10.2.9. Registrants agree and accept that MYNIC does not in any way encourage or condone registration and use of **.name.my** personal domain names for cybersquatting,

hoarding, speculative purposes, or any other abusive purpose ("abusive registration activities"). Registrants are not to encourage nor participate in abusive registration activities either for his/her own purpose or for any third party.

10.2.10. MYNIC also reserves the right to suspend or terminate the **.name.my** personal domain name at any time with seven days prior notice to the Registrant in the event MYNIC receives any direction from the Malaysian Communications and Multimedia Commission or other relevant Malaysian regulatory or Government body.

10.2.11. The charges for the registration or renewal of **.name.my** personal domain name may be accessed through MYNIC web site address <http://www.mynic.net.my> or such other address which may be notified by MYNIC from time to time whenever it is necessary.

10.3. Other General Rules

10.3.1. In choosing the 3rd level domain name, the following criteria must be complied:

10.3.1.1. Registration is on a 'first come first served' basis. Therefore, domain names must not:-

10.3.1.1.1. already have been registered to another applicant; or

10.3.1.1.2. be the subject of an application currently under consideration by MYNIC.

10.3.1.2. Doing a search on the MYNIC Domain Name Lookup facility will reveal if the chosen domain name is available.

10.3.1.3. The domain name must conform to certain alphanumeric conventions:

10.3.1.3.1. It must contain at least 1 character, but no more than 40 characters; and

10.3.1.3.2. The characters may comprise the 26 letters [a-z] of the Roman alphabet, the 10 digits [0-9] and the character "-" (hyphen or dash). However, the character "-" (hyphen or dash) can only be used as a separating element. It cannot be used as an initial or final character in a label.

- 10.3.1.3.3. Registrants are not allowed to use other separating elements such as "_" (underscore), "&" (ampersand), "/" (oblique or slash), "." (dot or period), and " " (white space).
 - 10.3.1.3.4. The domain name must contain only lower case characters .
- 10.3.2. Please also note the following prohibitions. Domain names must not:
- 10.3.2.1. by themselves contain country or state names or well-known names such as "Malaysia", "Malacca", "Johore", etc, or the Bahasa Malaysia equivalents such as "Melaka", "Johor", etc.
 - 10.3.2.2. by themselves contain words in either English or Bahasa Malaysia, that are sensitive to the main religions in Malaysia such as "Islam", "Buddha", "Hindu", "Christianity", etc.
 - 10.3.2.3. by themselves or as part of a label, be obscene, scandalous, indecent, offensive or contrary to Malaysian public norms.
 - 10.3.2.4. by themselves or as part of a label, contain the words "bank" or "finance company" (or any derivative of the words in any language). Only parties who have the written consent of the Minister of Finance (MOF) pursuant to Section 15 of the Banking and Financial Institutions Act 1989 (BAFIA) may apply for these domain names.
- 10.3.3. MYNIC is the sole arbiter of such names violating these rules.
- 10.3.3.1. For avoidance of doubt, MYNIC shall be entitled to change any term in this MYNIC Rules for Registration of Personal Domain Name in its sole discretion at any time provided MYNIC notifies Registrants of such amendments via its website.