

# STATE OF THE DOMAIN

## **Benchmark Edition**

May 2002 - Publication Date: July 3, 2002

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#### Message from the Publisher

Warm summer weather hasn't slowed the pace of industry change. Positive trends are coming to the fore: there's an initial boost in US registrations along with stabilization in other gTLDs, and a ramping of new name sales in CNO. Coverage begins on page 2.

A sign of industry evolution toward maturity? Domain Guru Lee Hodgson (www.domainguru.com) found 101 essential tools for our industry, and boldly put SnapNames at the top. He proclaimed, "Every so often there arrives a company that raises the standards of the industry they serve." High praise, yet an accurate statement of our primary motivations as a company.

This issue is hitting newsstands a few days behind our normal publication schedule to accommodate some coverage of the discussion at ICANN's Bucharest meetings of VeriSign's proposed Wait-Listing Service (WLS). Our coverage on page 19 is relevant to the current discussions about the scope of ICANN's industry role, as seen through the prism of VeriSign's attempt to introduce a new registry service. Take a peek at Cameron Powell's coverage.

As always, contact us with your comments and thoughts at publisher@sotd.info.

Regards,

Mason Cole Publisher

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SnapNames compiles data in the public domain in order to present information on industry trends.

The editors assume that readers are already familiar with the industry and its terminology—for readers who are not, we recommend the www.ICANN.org site as a starting point for definitive historical documents and technical resources.

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### **April 2002 Market Overview**

## **Stabilizing Vital Signs**

by Mason Cole and Ron Wiener

Since the beginning of the year, each month's market overview section has used a medical reference of some sort as its theme (January: "Hair of the Dog that Bit You"; February: "One Final Deep Cleansing Breath"; March: "A Lomcevak, By Any Other Name, Is Still a Major Headache"; April: "Therapy for Domain Names"). Maybe we all really want to be doctors — or, in February's case, yoga instructors.

This month, you might equate the industry to the patient that's off the operating table, is regaining health, but by now can get by with just a unit of plasma to maintain good blood pressure in the face of the shock that started in October. Last month's seven-month trend of CNO (COM, NET, ORG) zone file shrinkage now stretches to eight, but with a much smaller relative contraction of 167,000 names — even better than the 200,000 we projected in *State of the Domain, April 2002,* and significantly less than April's wild downward swing.

As we noted last month, the question keeps coming: *When will the promotional names deletions stop?* Compare the trends since October 2001, when we reported the first-ever shrinkage of the zone file:

- In Q4 of 2001, when the first batches of promotional names was purged by VeriSign Registrar and Register.com, the base of COM names shrank by only 2.2%, while the NET and ORG bases moved down by a whopping 11.8%.
- In the first four months of 2002, COM deletions picked up to keep pace with NET and ORG, though the curve line for the latter two began to flatten with a shrinkage rate of 7.4%.
- April was still saw-toothed, with NET outpacing the other two. That trend continued in May, but at a *much* slower rate:

	<u>April</u>	<u>May</u>
COM	2.1%	0.4%
NET	2.5%	1.4%
ORG	1.7%	1.2%

Is this, at long last, the end of the promotions purge? Matching up trends analysis with guidance provided by VeriSign, we expect the final portion of the purge to wind down through Q2 and Q3 before being completely done with. While April and May alone have seen VeriSign Registrar's base erode by 14%, there has arguably been minimal impact to the company's industry-leading gross margin contributions, as these promotional names (by VeriSign's definition, names either given away or sold for under \$6.50 per name) were never significant contributors to their bottom line. When examining the top seven registrars keep in mind that VeriSign and Register.com still sell the majority of their names at up to \$30 retail, while the others typically price in the range of \$8-\$10 wholesale/retail.

Sales of new names continue to be strong, in contrast with the NetNames statistics (*i.e.*, after deletion of non-renewing names sold in prior years). Subtracting VeriSign Registrar's April loss of some 543,000 CNO names, all other registrars collectively actually gained some 367,000 new registrations in these key gTLDs. In addition, INFO and BIZ monthly rate of growth appears to be stabilizing versus the slowing trend we saw earlier this year, and the new US ccTLD has demonstrated impressive growth of 2,900 names per day. Early numbers tell us that June's deletions total should also be under 200,000.

The aggregate of the CNOBIN gTLDs plus the US ccTLD declined by less than 100,000 names, which is actually the most impressive and encouraging

#### Table 1: Total Registrations per gTLD (May 2002)

qTLD	Regist	rations	Change
gi LD	Apr	May	Net
COM	21,437,793	21,351,928	(85,865)
NET	3,676,229	3,623,412	(52,817)
ORG	2,358,634	2,329,726	(28,908)
CNO Total	27,472,656	27,305,066	(167,590)
INFO	807,680	837,700	30,020
BIZ	640,824	678,709	37,885
NAME	72,370	75,324	2,954
US	150,653	237,632	86,979
Totals	28,993,530	28,896,799	(96,731)

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performance in nearly three quarters. While *State of the Domain* does not yet report details of other ccTLDs there are definitely some registries now going through growth spurts (*e.g.*, JP) that for many registrars has added up to a robust business climate for new domain names sales.

#### What About the Broader Trend?

On occasion, observers will look at a segment of the domain name market and interpret that the whole shooting match has "gone soft." Some sections have, but as we always tell the press when they call, the Internet – and thus the fulcrum of its navigation, the domain name – won't be going anywhere for a long while. The market isn't *soft* so much as it's evolving.

How so? The trends recently begun are becoming more and more pronounced:

- ccTLDs are coming to fore;
- Internet adoption, obviously, will continue to expand worldwide; and
- Sooner or later, the secondary market will have the necessary tools at its disposal to fuel further product and revenue growth (*e.g.*, VeriSign Registry's new Wait Listing Service).
- VeriSign has notified its partner network that it is proactively addressing an issue that tends to give other registrars heartburn: a policy for more predictable and consistent handling of deletes.

The companies adopting strategies to meet these types of trends are already enjoying fruits of their

picked up a big share of names for the month and share May's dyno-mover award. GoDaddy should pass the 1 million mark in June, or July at the latest.

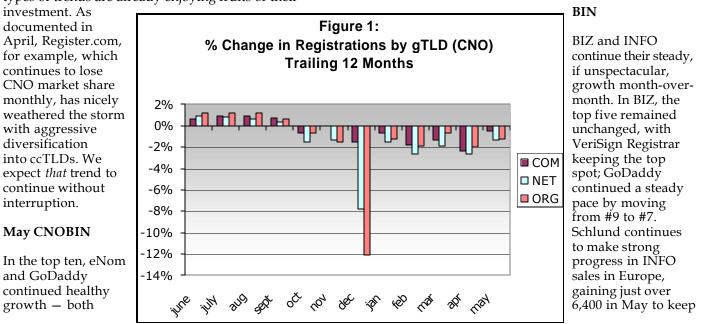
Tucows solidified its #2 position in May by picking up just under 18,000 names compared to Register.com's overall loss of 33,000 names. The gaps are razorthin between #2 (Tucows) and #3 (Register.com), #4 (MelbourneIT) and #5 BulkRegister), and #6 (eNom) and #7 GoDaddy). If May CNOBIN trends continue, the gaps will widen month-to-month.

On the bottom end of the gainers chart, VeriSign Registrar had a relative improvement over last month, with a May net loss of 567,000 names (VeriSign's SRSPlus and NameEngine divisions picked up a relatively small 6,400 names, while its NameSecure division lost 30,000).

CoreNIC, BulkRegister, Register.com and EasySpace all bunched with erosions of between 22,000 and 33,000 each.

#### CNO

Speaking of upsets, eNom pulled a minor upset by dislodging GoDaddy from the #6 position with nearly 100,000 net new registrations. The jockeying continues at the lower end of the top ten. Dotster had a relatively weak month, causing it to slip two spots to #11 behind DotRegistrar and DirectNIC, both of which moved up a slot.



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the #2 spot. The back half of that list's top ten saw some volatility, with eNom making a nice leap from #10 to #7 in what has been a good May for the Washington state registrar, and Ascio and Joker losing ground.

#### US

US names have had a strong two months since their launch – already their totals have outpaced NAME and stand at a third of BIZ total registrations. On the registrar side, GoDaddy grabbed the early lead in April and maintained the #1 position in May, though VeriSign Registrar hopped from #17 to #3 with a big round of US sales-more than 22,000 names. Register.com remains #2 in US with the home court advantage over Canadian registrar Tucows, which holds the #7 spot in this ccTLD. According to NeuStar, resellers had cast a wary eye toward the launch, taking a wait-and-see attitude after lawsuits and technical problems with other TLD launches. US had a growth spurt as certain registrars and resellers climbed on board, but this appears to be leveling out to a growth rate more consistent with INFO and BIZ now that the initial landrush is over.

#### The Future of ORG

As you know, the ORG registry is to be reassigned to a new registry operator at the end of this year, reducing VeriSign Registry's clutch of gTLDs to just COM and NET (which still represent 95% of the CNO inventory). At the Bucharest meetings, no fewer than eleven newly-formed organizations bid for this registry of 2.3 million domains. The ICANN Board will make its selection of the new registry operator over the coming months, though it is already clear that the field is down to just a handful of contenders that combined substantial prior registry operational experience with solid non-profit partners on board.

What is the likely outcome of this transition to a more strongly branded TLD (for non-profit organizations) that will however remain unrestricted? While most everyone is in support of the move by ICANN to restore the specific purpose of this TLD for noncommercial registrants, any true success in this marketing endeavor would ironically result in an initial decrease in size of the ORG zone file. Why? Like other TLDs, much of the ORG inventory is held defensively or in speculator portfolios. And while the name space's utilization rate is higher than COM and NET, much of the inventory does not resolve to an existing web site. As long as ORG was a valid alternative namespace for good domain names already taken in COM and NET, speculators held on to much of their ORG inventory. With the new re-branding plan, the speculation value of these ORG names will likely drop (non-commercial organizations cannot afford to pay as much as commercial entities), and we will likely see a lower renewal rate as a result. In the long term this may not matter very much given the relatively small size of the ORG registry, but it is an ironic twist nonetheless.

Table 2: Top 10 Registra	ars net Gal	N/LOSS IN I	otal Regis	trations (C	NO / Decen	nber 2001 -	way 2002			
Compony							Aggregate	Dec Total	May Total	%
Company	Dec	Jan	Feb	Mar	Apr	May				Change
Verisign Registrar	(1,287,888)	(483,670)	(77,194)	(622,269)	(903,953)	(484,847)	(3,859,821)	12,152,115	9,580,182	-31.89
Tucows	35,295	53,363	40,939	36,723	25,648	32,241	224,209	2,631,892	2,820,806	8.5
Register.com	(85,566)	(105,745)	(90,123)	(92,008)	(34,674)	(18,363)	(426,479)	3,043,648	2,702,735	-14.09
MelbourneIT	4,105	11,558	9,507	8,169	7,245	16,229	56,813	1,429,051	1,481,759	4.0
Bulkregister	(11,062)	(25,857)	(39,593)	(40,293)	(56,709)	(20,463)	(193,977)	1,619,297	1,436,382	-12.09
eNom	40,494	55,954	47,772	73,139	75,756	97,814	390,929	514,914	911,099	75.9
GoDaddy	66,682	70,272	71,949	75,923	80,247	83,439	448,512	560,664	896,744	80.09
CoreNic	(44,605)	(41,189)	(38,545)	(37,213)	(35,459)	(25,623)	(222,634)	425,167	575,074	-52.4%
DotRegistrar	18,463	20,985	23,089	29,725	33,000	22,959	148,221	425,167	554,925	34.99
DirectNIC.com	37,834	48,579	41,162	43,650	29,596	31,257	232,078	351,624	545,868	66.0
Totals	(1,226,248)	(395,750)	(11,037)	(524,454)	(779,303)	(265,357)	(3,202,149)	23,153,539	21,505,574	-13.89
Volatility Analysis	Dec	Jan	Feb	Mar	Apr	May				
CNO Zone File Count	29,271,104	29,027,122	28,451,771	28,079,631	27,472,656	27,305,066		29,271,104	27,305,066	-14.9
Change in CNO Zone File	(1,036,812)	(243,982)	(575,351)	(372,140)	(606,975)	(167,590)			(1,966,038)	

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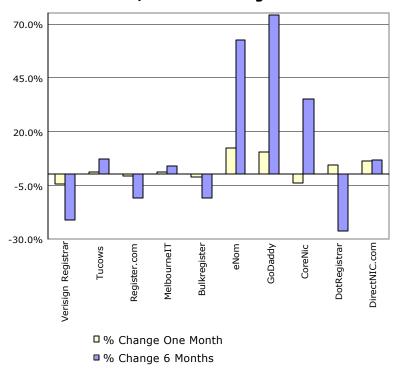
500.000 400.000 300.000 200.000 100,000 🖬 May 🖬 April March 0 Februar Januarv December (100,000) (200,000) (300,000) (400,000) (500,000) eNom GoDaddy CoreNic DirectNIC.com Tucows Register.com MelbournelT Bulkregister DotRegistra Verisign Registra Editor's note: VeriSian numbers are truncated to retain meaningful perspective.

Figure 2: Top 10 Registrars Net New Registrations Dec. '01 - May '02

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## Figure 3: CNO Top 10 Registrars' % Gain/Loss in Net Registrations



### May 2002 - CNO - Registrar Market Shares

Compony	Ran	k	Market S	Share	Registrat	tions	Change
Company	Apr	May	Apr	May	Apr	May	Net
Verisign Registrar	1	1	36.72%	35.17%	10,065,029	9,580,182	(484,847)
Tucows	2	2	10.17%	10.36%	2,788,565	2,820,806	32,241
Register.com	3	3	9.93%	9.92%	2,721,098	2,702,735	(18,363)
MelbourneIT	4	4	5.35%	5.44%	1,465,530	1,481,759	16,229
Bulkregister	5	5	5.32%	5.27%	1,456,845	1,436,382	(20,463)
eNom	7	6	2.97%	3.35%	813,285	911,099	97,814
GoDaddy	6	7	2.97%	3.29%	813,305	896,744	83,439
CoreNic	8	8	2.19%	2.11%	600,697	575,074	(25,623)
DotRegistrar	10	9	1.94%	2.04%	531,966	554,925	22,959
DirectNIC.com	11	10	1.88%	2.00%	514,611	545,868	31,257
Dotster	9	11	1.96%	2.00%	536,417	544,601	8,184
Schlund.de	12	12	1.79%	1.86%	489,674	506,695	17,021
Joker.com	13	13	1.54%	1.53%	421,689	415,467	(6,222)
Domain Discover	14	14	1.40%	1.43%	385,014	390,839	5,825
GANDI	15	15	1.17%	1.19%	320,261	324,733	4,472
ItsYourDomain	16	16	0.94%	0.98%	256,494	267,995	11,501
EasySpace	17	17	0.94 %	0.30%	237,126	215,327	(21,799)
Domain Bank	18	18	0.77%	0.75%	212,113	204,810	(7,303)
OnlineNIC	20	19	0.66%	0.73%	179,919	199,206	19,287
Stargate	20	20	0.64%	0.73%	174,951	183,265	8,314
NameSecure	19	20	0.67%	0.67%	184,117	152,769	(31,348)
DomainPeople	22	22	0.48%	0.30 %	131,940	133,460	1,520
Discount Domain	22	22	0.48%	0.49%	130,239	132,202	1,963
YesNIC				0.49%		132,202	4,624
Names4Ever	24	24 25	0.46%	0.48%	125,774		(602)
NamesDirect	25 26	25 26	0.42% 0.39%	0.42%	115,738 106,083	115,136 112,381	6,298
	20	20	0.39%	0.41%	100,083	108,252	7,527
Paycenter Magistry							(782)
IARegistry AIT Domains.com	27	28 29	0.37%	0.37%	100,826	100,044	(782)
GKG.net	29	29 30	0.35%	0.35%	96,147	95,432	1,945
Ascio	30 32		0.30%	0.31% 0.31%	83,368	85,313	
		31	0.29%		80,202	83,608	3,406
Alldomains.com Name7.com	31	32	0.30%	0.30%	80,931	80,890	<mark>(41)</mark> 4,673
	34	33	0.26%	0.28%	72,293	76,966	
Doregi	33	34	0.28%	0.28%	75,753	75,743	(10)
Nordnet EPAG	35	35	0.23%	0.24%	63,943	65,536	1,593
	36	36	0.22%	0.23%	60,733	63,555	2,822
Active ISP	37	37	0.19%	0.20%	52,272	55,551	3,279
Netpia Tragnia pot	38	38	0.18%	0.18%	50,507	49,506	(1,001)
Tmagnic.net	40	39	0.16%	0.17%	43,626	47,013	3,387
TotalNIC	41	40	0.16%	0.17%	43,328	45,281	1,953
dotearth Aurra sister	39	41	0.16%	0.16%	44,303	43,061	(1,242)
Awregistry	42	42	0.13%	0.13%	35,766	35,550	(216)
Namescout	45	43	0.11%	0.13%	30,023	34,084	4,061
Interdomain	43	44	0.12%	0.13%	33,017	34,063	1,046
Parava.net	44	45	0.11%	0.12%	30,519	31,796	1,277
TotalRegistrations	48	46	0.10%	0.11%	28,143	30,489	2,346
Namebay	49	47	0.10%	0.11%	27,697	30,144	2,447
SignatureDomains	46	48	0.11%	0.11%	29,858	29,781	(77)
PSI-Japan	47	49	0.11%	0.11%	28,910	29,056	146
Catalog.com	51	50	0.10%	0.10%	26,315	27,861	1,546
DomainInfo	50	51	0.10%	0.10%	27,465	27,173	(292)
NetNames	52	52	0.09%	0.10%	23,783	25,973	2,190

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SRSplus	54	53	0.07%	0.09%	20,553	25,536	4,983
Oleane	53	54	0.09%	0.09%	23,354	23,954	600
Domainsite.com	55	55	0.07%	0.08%	19,941	21,653	1,712
eNameCo	56	56	0.06%	0.06%	15,807	15,965	158
DomainDiscount24	58	57	0.04%	0.06%	12,033	15,257	3,224
Directl.com	59	58	0.04%	0.06%	11,728	15,243	3,515
1stDomain.Net	57	59	0.05%	0.05%	13,464	13,699	235
DomainRG	60	60	0.04%	0.04%	11,429	11,458	29
Planet Domain	63	61	0.03%	0.04%	9,403	11,147	1,744
DomainZoo	61	62	0.04%	0.04%	10,232	10,826	594
Nominate.net	62	63	0.03%	0.04%	9,506	9,995	489
Registration Technologies	73	64	0.02%	0.03%	4,689	9,518	4,829
Domini. It	64	65	0.02%	0.03%	8,790	8,700	(90)
Omnis.com	65	66	0.03%	0.03%	7,658	8,300	642
NameEngine	66	67	0.02%	0.03%	6,664	7,044	380
shop4domain.com	67	68	0.02%	0.03%	6,439	6,827	388
Address Creation	68	69	0.02%	0.02%	5,862	6,530	668
BookMyName	70	70	0.02%	0.02%	5,422	5,677	255
Secura-GmbH	69	71	0.02%	0.02%	5,583	5,493	(90)
ID Registry	72	72	0.02%	0.02%	5,042	5,324	282
Compuserve	71	73	0.02%	0.02%	5,097	5,187	90
Eastcom.com	74	74	0.02%	0.02%	4,294	4,390	96
eMarkmonitor	75	75	0.01%	0.01%	3,679	4,054	375
Namesbeyond.com	80	76	0.01%	0.01%	2,629	3,952	1,323
Bluehill.com	77	77	0.01%	0.01%	3,330	3,875	545
Globedom	76	78	0.01%	0.01%	3,499	3,633	134
123Registration	79	79	0.01%	0.01%	3,043	3,467	424
MrDomReg.com	78	80	0.01%	0.01%	3,076	3,206	130
Domaindomain.com	81	81	0.01%	0.01%	2,445	2,445	0
InterAccess	82	82	0.01%	0.01%	2,330	2,327	(3)
Virtual Internet	83	83	0.01%	0.01%	2,153	2,147	(6)
NameSystem	88	84	0.00%	0.01%	923	1,990	1,067
Web Express	85	85	0.01%	0.01%	1,898	1,972	74
Nominalia	84	86	0.01%	0.01%	1,902	1,923	21
RGNames.com	86	87	0.00%	0.01%	1,341	1,768	427
Corporate Domains	87	88	0.00%	0.01%	1,010	1,478	468
#1DNI	90	89	0.00%	0.00%	616	886	270
DomReg	96	90	0.00%	0.00%	28	750	722
eNetRegistry	89	91	0.00%	0.00%	750	677	(73)
Pair Networks	99	92	0.00%	0.00%	0	602	602
pAsia	91	93	0.00%	0.00%	599	598	(1)
T-Systems	92	94	0.00%	0.00%	371	493	122
000domains	93	95	0.00%	0.00%	248	283	35
OVH SARL	100	96	0.00%	0.00%	0	135	135
Alice's Registry	94	97	0.00%	0.00%	51	72	21
Topnet	95	98	0.00%	0.00%	44	60	16
Register.it	101	99	0.00%	0.00%	0	59	59
Register.AOL	102	100	0.00%	0.00%	0	28	28
DomainCity	97	101	0.00%	0.00%	16	18	2
NameTree	98	102	0.00%	0.00%	10	10	0
DomainIntellect	103	103	0.00%	0.00%	0	8	8
			100%	100%	27,407,914	27,237,218	(170,696)

#### May 2002 - CNOBIN - Registrar Market Shares

Company	Ran	ĸ	Market S	Share	Registra	tions	Change
Company	Apr	May	Apr	May	Apr	May	Net
Verisign Registrar	1	1	35.78%	34.26%	10,349,655	9,874,342	(475,313)
Tucows	2	2	10.06%	10.23%	2,909,913	2,948,354	38,441
Register.com	3	3	9.92%	9.91%	2,870,858	2,857,178	(13,680)
MelbourneIT	4	4	5.33%	5.42%	1,542,460	1,562,421	19,961
Bulkregister	5	5	5.20%	5.15%	1,504,053	1,484,917	(19,136)
eNom	6	6	3.00%	3.37%	867,349	970,076	102,727
GoDaddy	7	7	2.97%	3.29%	859,155	947,260	88,105
Schlund.de	9	8	2.17%	2.26%	627,595	652,534	24,939
CoreNic	8	9	2.25%	2.17%	650,066	625,908	(24,158)
DirectNIC.com	10	10	1.95%	2.07%	562,878	596,681	33,803
DotRegistrar	12	11	1.93%	2.02%	557,400	581,440	24,040
Dotster	11	12	1.93%	1.97%	559,282	568,564	9,282
Joker.com	13	13	1.61%	1.59%	464,529	459,724	(4,805)
Domain Discover	14	14	1.39%	1.41%	401,173	407,771	6,598
GANDI	15	15	1.13%	1.16%	328,141	333,638	5,497
ItsYourDomain	16	16	0.94%	0.98%	270,778	283,345	12,567
EasySpace	17	17	0.86%	0.30%	248,844	227,467	(21,377)
Domain Bank	18	18	0.78%	0.76%	226,313	219,465	(6,848)
OnlineNIC	20	10	0.78%	0.70%	184,978	204,648	19,670
Stargate	20	20	0.60%	0.64%	174,951	183,265	8,314
NameSecure	19	20	0.66%	0.64%	190,248	159,513	(30,735)
DomainPeople	22	21		0.55%			(30,735) 1,916
YesNIC	22	22	0.51% 0.49%	0.52%	147,810	149,726 145,495	5,137
Discount Domain	23	23 24			140,358		
			0.48%	0.49%	138,301	140,764	2,463
Ascio Names4Ever	25	25	0.44%	0.45%	126,483	130,923	4,440 (428)
NamesDirect	26 27	26 27	0.41%	0.41%	119,445	119,017	6,730
	27	27	0.37%	0.39%	106,871	113,601	
Paycenter			0.35%	0.38%	100,725	108,252	7,527
IARegistry AIT Domains.com	28	29	0.35%	0.35%	101,729	100,997	(732) (669)
	30	30	0.34%	0.34%	97,686	97,017	
Alldomains.com	31	31	0.32%	0.32%	92,555	92,893	338
Name7.com GKG.net	32	32	0.29%	0.31%	83,575	88,966	5,391
	33	33	0.29%	0.30%	83,368	85,313	1,945 225
Doregi EPAG	34	34	0.27%	0.28%	79,225	79,450	
_	35	35	0.25%	0.26%	72,681	75,511	2,830
Nordnet	36	36	0.24%	0.25%	69,493	71,274	1,781
Active ISP	38	37	0.18%	0.19%	52,307	55,618	3,311
Netpia	37	38	0.19%	0.19%	55,356	54,510	(846)
SRSplus	40	39	0.16%	0.18%	46,544	52,470	5,926
dotearth	39	40	0.17%	0.16%	48,729	47,509	(1,220)
Tmagnic.net	41	41	0.15%	0.16%	43,626	47,013	3,387
TotalNIC	42	42	0.15%	0.16%	43,369	45,339	1,970
Namescout	44	43	0.13%	0.14%	37,094	41,412	4,318
TotalRegistrations	43	44	0.13%	0.14%	37,834	40,448	2,614
DomainInfo	45	45	0.13%	0.13%	36,245	36,196	(49)
Awregistry	46	46	0.12%	0.12%	36,124	35,930	(194)
Namebay	49	47	0.11%	0.12%	33,160	35,919	2,759
Parava.net	48	48	0.12%	0.12%	33,944	35,482	1,538
Interdomain	47	49	0.12%	0.12%	34,088	35,220	1,132
NetNames	50	50	0.11%	0.12%	32,286	34,908	2,622
DomainDiscount24	53	51	0.10%	0.11%	29,147	32,957	3,810
SignatureDomains	51	52	0.11%	0.11%	31,167	31,271	104
Virtual Internet	59	59	0.06%	0.06%	17,976	18,475	499
Directl.com	61	60	0.05%	0.06%	13,719	17,291	3,572
Misc	60	61	0.05%	0.06%	15,032	17,212	2,180
Secura-GmbH	62	62	0.04%	0.04%	12,512	12,582	70
DomainRG	63	63	0.04%	0.04%	11,884	11,982	98

## **STATE OF THE DOMAIN**<sup>TM</sup>

DomainZoo	C 4	64	0.040/	0.040/	44.000	44.000	602
	64 72	64 65	0.04%	0.04% 0.04%	11,336 6,927	11,938	
Registration Technologies			0.02%			11,862	4,935
NameEngine	65	66	0.04%	0.04%	10,775	11,501	726
Planet Domain	67	67	0.03%	0.04%	9,403	11,147	1,744
Nominate.net	66	68	0.04%	0.04%	10,458	11,016	558
Domini. It	68	69	0.03%	0.03%	8,790	8,700	(90)
Omnis.com	69	70	0.03%	0.03%	7,903	8,574	671
Nominalia	70	71	0.03%	0.03%	7,551	7,890	339
Globedom	71	72	0.03%	0.03%	7,346	7,529	183
eMarkmonitor	73	73	0.02%	0.03%	6,879	7,424	545
BookMyName	74	74	0.02%	0.02%	6,865	7,172	307
Address Creation	77	75	0.02%	0.02%	6,202	6,888	686
shop4domain.com	75	76	0.02%	0.02%	6,439	6,827	388
ID Registry	76	77	0.02%	0.02%	6,331	6,643	312
123Registration	78	78	0.02%	0.02%	5,322	5,826	504
							798
Corporate Domains	80	79	0.02%	0.02%	4,871	5,669	
Bluehill.com	81	80	0.02%	0.02%	4,680	5,313	633
Compuserve	79	81	0.02%	0.02%	5,097	5,187	90
Cronon	85	82	0.01%	0.02%	2,959	4,588	1,629
Eastcom.com	82	83	0.01%	0.02%	4,294	4,390	96
Namesbeyond.com	86	84	0.01%	0.01%	2,629	3,953	1,324
000domains	83	85	0.01%	0.01%	3,215	3,474	259
MrDomReg.com	84	86	0.01%	0.01%	3,076	3,206	130
RGNames.com	87	87	0.01%	0.01%	2,606	3,078	472
#1DNI	88	88	0.01%	0.01%	2,581	2,860	279
Domaindomain.com	89	89	0.01%	0.01%	2,445	2,445	0
InterAccess	90	90	0.01%	0.01%	2,330	2,327	(3)
NameSystem	93	91	0.00%	0.01%	923	1,990	1,067
Web Express	91	92	0.00%	0.01%	1,898	1,972	74
RegistrarsAsia.com							53
007Names	92	93	0.00%	0.00%	1,240	1,293	164
	94	94	0.00%	0.00%	837	1,001	
Galcomm	95	95	0.00%	0.00%	809	872	63
DomReg	114	96	0.00%	0.00%	28	750	722
eNetRegistry	96	97	0.00%	0.00%	750	677	(73)
Pair Networks	119	98	0.00%	0.00%	0	637	637
pAsia	97	99	0.00%	0.00%	599	598	(1)
AAAQ.com	98	100	0.00%	0.00%	516	499	(17)
T-Systems	101	101	0.00%	0.00%	371	493	122
ChinaDNS	99	102	0.00%	0.00%	396	467	71
Internetters	102	103	0.00%	0.00%	364	466	102
Alice's Registry	103	104	0.00%	0.00%	343	386	43
DomainProcessor.com	100	105	0.00%	0.00%	296	331	35
BestRegistrar	104	105	0.00%	0.00%	287	289	2
NetSearchers, Int.	105	106			42		2 101
			0.00%	0.00%		143	
PhillipineRegistry	106	108	0.00%	0.00%	109	141	32
OVH SARL	120	109	0.00%	0.00%	0	135	135
DomainPro, Inc.	107	110	0.00%	0.00%	108	115	7
Bondi, LLC	109	111	0.00%	0.00%	65	88	23
Global Name Registry	108	112	0.00%	0.00%	67	68	1
Topnet	111	113	0.00%	0.00%	44	60	16
Register.it	121	114	0.00%	0.00%	0	59	59
Sitename.com	110	115	0.00%	0.00%	48	56	8
Transpac	112	116	0.00%	0.00%	44	56	12
Register.AOL	122	117	0.00%	0.00%	0	28	28
DomainCity	115	118	0.00%	0.00%	16	18	2
NameTree	116	119	0.00%	0.00%	10	10	2   0
RegistryRegistrar	116	120		0.00%			0
			0.00%		8	8	
DomainIntellect	123	121	0.00%	0.00%	0	8	8
Harleyzo-USA	118	122	0.00%	0.00%	2	3	1
NameZero	100	123	0.00%	0.00%	381	0	(381)
		Г	100%	100%	20 02E E00	20 025 020	(00 450)
			100%	100%	28,925,588	28,825,930	(99,658)

#### May 2002 CNOBIN Registrar Market Share Gains & Losses

Company	Change Percent	Change Net
eNom	0.355%	102,727
GoDaddy	0.305%	88,105
Tucows	0.133%	38,441
DirectNIC.com	0.117%	33,803
Schlund.de	0.086%	24,939
DotRegistrar	0.083%	24,040
MelbourneIT OnlineNIC	0.069% 0.068%	19,961 19,670
ItsYourDomain	0.043%	12,567
Dotster	0.032%	9,282
Stargate	0.029%	8,314
Paycenter	0.026%	7,527
NamesDirect	0.023% 0.023%	6,730
Domain Discover SRSplus	0.023%	6,598 5,926
GANDI	0.019%	5,497
Name7.com	0.019%	5,391
YesNIC	0.018%	5,137
Registration Technologies	0.017%	4,935
Ascio Namescout	0.015% 0.015%	4,440 4,318
DomainDiscount24	0.013%	3,810
Directl.com	0.012%	3,572
Tmagnic.net	0.012%	3,387
Active ISP	0.011%	3,311
EPAG	0.010%	2,830
Namebay NetNames	0.010% 0.009%	2,759 2,622
TotalRegistrations	0.009%	2,614
Discount Domain	0.009%	2,463
Misc	0.008%	2,180
TotalNIC	0.007%	1,970
GKG.net DomainPeople	0.007% 0.007%	1,945 1,916
Nordnet	0.006%	1,781
Planet Domain	0.006%	1,744
Domainsite.com	0.006%	1,712
Catalog.com	0.006%	1,678
Cronon Parava.net	0.006% 0.005%	1,629 1,538
Namesbeyond.com	0.005%	1,324
Interdomain	0.004%	1,132
NameSystem	0.004%	1,067
Corporate Domains	0.003%	798
NameEngine	0.003% 0.002%	726 722
DomReg Address Creation	0.002%	686
Omnis.com	0.002%	671
Pair Networks	0.002%	637
Bluehill.com	0.002%	633
DomainZoo	0.002%	602
Oleane Nominate.net	0.002% 0.002%	600 558
eMarkmonitor	0.002%	545
123Registration	0.002%	504
Virtual Internet	0.002%	499
RGNames.com	0.002%	472
shop4domain.com Nominalia	0.001% 0.001%	388 339
Alldomains.com	0.001%	338
ID Registry	0.001%	312
BookMyName	0.001%	307
1stDomain.Net	0.001%	298
#1DNI	0.001%	279
000domains	0.001%	259

eNameCo	0.001%	241
Doregi	0.001%	225
PSI-Japan	0.001%	193
Globedom	0.001%	183
007Names	0.001%	164
OVH SARL	0.000%	135
MrDomReg.com	0.000%	130
T-Systems	0.000%	122
SignatureDomains	0.000%	104
Internetters	0.000%	102
NetSearchers, Int.	0.000%	101
DomainRG	0.000%	98
Eastcom.com	0.000% 0.000%	96 90
Compuserve		90 74
Web Express ChinaDNS	0.000% 0.000%	74 71
Secura-GmbH	0.000%	70
Galcomm	0.000%	63
Register.it	0.000%	59
RegistrarsAsia.com	0.000%	53
Alice's Registry	0.000%	43
DomainProcessor.com	0.000%	35
PhillipineRegistry	0.000%	32
Register.AOL	0.000%	28
Bondi, LLC	0.000%	23
Topnet	0.000%	16
Transpac	0.000%	12
Sitename.com	0.000%	8
DomainIntellect	0.000%	8
DomainPro, Inc.	0.000%	7
BestRegistrar	0.000%	2
DomainCity	0.000%	2
Global Name Registry	0.000%	1
Harleyzo-USA	0.000%	1
Domaindomain.com	0.000% 0.000%	0 0
NameTree	0.000%	0
RegistryRegistrar pAsia	0.000%	(1)
InterAccess	0.000%	(1)
AAAQ.com	0.000%	(17)
DomainInfo	0.000%	(49)
eNetRegistry	0.000%	(73)
Domini. It	0.000%	(90)
Awregistry	-0.001%	(194)
NameZero	-0.001%	(381)
Names4Ever	-0.001%	(428)
AIT Domains.com	-0.002%	(669)
IARegistry	-0.003%	(732)
Netpia	-0.003%	(846)
dotearth	-0.004%	(1,220)
Joker.com	-0.017%	(4,805)
Domain Bank	-0.024%	(6,848)
Register.com	-0.047%	(13,680)
Bulkregister	-0.066%	(19,136)
EasySpace	-0.074%	(21,377)
CoreNic	-0.084%	(24,158)
NameSecure	-0.106%	(30,735)
Verisign Registrar	-1.643%	(475,313)
	-0.345%	(99.658)

### May 2002 - BIZ - Registrar Market Shares

	Ran	k	Market S	hare	Registratio	ons	Change
Company	Apr	May	Apr	May	Apr	May	Net
Verisign Registrar	1	1	22.14%	21.79%	-	147,499	5,932
Register.com	2	2	10.83%	10.59%	69,222	71,668	2,446
Tucows	3	3	8.22%	8.24%	52,586	55,785	3,199
MelbourneIT	4	4	5.89%	5.93%	37,684	40,148	2,464
Schlund.de	5	5	4.85%	4.80%	31,033	32,523	1,490
eNom	6	6	4.02%	4.14%	25,706	28,005	2,299
GoDaddy	9	7	3.19%	3.39%		22,967	2,577
Bulkregister	7	8	3.48%	3.38%	22,236	22,906	670
DotRegistrar	8	9	3.22%	3.14%		21,263	679
DirectNIC.com	10	10	2.79%	2.90%	17,838	19,638	1,800
CoreNic	11	11	2.30%	2.27%	14,699	15,377	678
Joker.com	12	12	2.22%	2.20%	14,201	14,914	713
Ascio	13	13	2.21%	2.17%	14,100	14,702	602
Dotster	14	14	1.93%	1.92%	12,310	12,989	679
SRSplus	15	15	1.84%	1.81%	11,762	12,220	458
YesNIC	16	16	1.38%	1.37%	8,848	9,268	430
Domain Discover	17	17	1.37%	1.37%	8,786	9,255	469
Virtual Internet	18	18	1.35%	1.35%	8,648	9,123	475
Name7.com	19	19	1.14%	1.16%	7,282	7,842	560
DomainDiscount24	20	20	0.98%	0.96%	6,263	6,507	244
ItsYourDomain	20	20	0.98%	0.90%	5,683	6,283	600
DomainPeople	21	22	0.89%	0.93 %	5,495	0,283 5,740	245
Domain Bank	22	22	0.80%	0.85%	5,143	5,484	341
EasySpace	23	23	0.80%	0.81%	4,490	3,484 4,794	304
NetNames	24 25	24	0.70%	0.71%	4,490	4,794 4,531	351
Alldomains.com	25	25	0.64%	0.63%	4,068	4,331	230
DomainInfo	20	20	0.63%	0.63%	4,008	4,290	158
Corporate Domains	28	28	0.56%	0.58%	3,599	3,910	311
Netpia	20 29	20	0.50%	0.58%	3,272	3,434	162
NameSecure	31	30	0.31%	0.31%	2,822	3,434	406
OnlineNIC	33	31	0.44 %	0.48%	2,022	2,937	227
1stDomain.Net	30	32	0.42%	0.43%	2,842	2,937	92
Namescout	30	32	0.44%	0.43%	2,042	2,934 2,894	161
Namebay	32	34	0.43%	0.43%	2,600	2,894	219
Discount Domain	33	34	0.41%	0.42%	2,600	2,813	189
Nominalia							194
TotalRegistrations	37	36	0.40%	0.40%	2,531	2,725	159
Secura-GmbH	36 38	37 38	0.40%	0.40%	2,547	2,706	139
Doregi		30 39	0.36%	0.36%	2,314	2,442	228
	39		0.33%	0.34%		2,324	
Nordnet	40	40	0.32%	0.33%		2,256	188
NameEngine	42	41	0.28%	0.32%		2,170	348
eNameCo	41	42	0.30%	0.30%	1,949	2,029	80 141
000domains	43	43	0.27%	0.28%	1,749	1,910	161
Names4Ever	44	44	0.27%	0.27%	1,713	1,818	105
eMarkmonitor Cronon	45	45	0.23%	0.24%	1,472	1,609	137
Cronon	51	46	0.15%	0.23%	965	1,534	569
Parava.net	46	47	0.19%	0.20%	1,185	1,387	202
BookMyName	47	48	0.17%	0.17%	1,108	1,140	32
GANDI 100De nie (na tien	57	49	0.10%	0.17%	621	1,123	502
123Registration	49	50	0.16%	0.16%		1,093	67
Directl.com	48	51	0.16%	0.16%		1,078	36
Catalog.com	50	52	0.15%	0.16%	982	1,070	88

## **STATE OF THE DOMAIN**<sup>TT</sup>

IA Degistry	50	50	0.4.401	0.4.40/	000	050	FO
IARegistry	52	53	0.14%	0.14%	903	953	50
Bluehill.com	53	54	0.12%	0.13%	775	859	84
RegistrarsAsia.com	54	55	0.11%	0.11%	721	764	43
#1DNI	55	56	0.11%	0.10%	699	708	9
AIT Domains.com	56	57	0.10%	0.10%	634	661	27
Nominate.net	58	58	0.09%	0.09%	562	627	65
RGNames.com	59	59	0.08%	0.09%	539	608	69
Registration Technologies	61	60	0.08%	0.09%	498	606	108
007Names	66	61	0.07%	0.08%	422	574	152
Galcomm	60	62	0.08%	0.08%	518	570	52
SignatureDomains	62	63	0.07%	0.08%	455	550	95
PSI-Japan	63	64	0.07%	0.07%	445	503	58
DomainRG	65	65	0.07%	0.07%	433	502	69
Interdomain	64	66	0.07%	0.07%	433	485	52
ChinaDNS	67	67	0.06%	0.07%	396	467	71
dotearth	68	68	0.06%	0.06%	382	392	10
ID Registry	69	69	0.04%	0.05%	272	309	37
Internetters	70	70	0.03%	0.04%	175	237	62
Address Creation	71	71	0.02%	0.02%	157	166	9
NetSearchers, Int.	79	72	0.01%	0.02%	42	143	101
PhillipineRegistry	72	73	0.02%	0.02%	109	141	32
Globedom	73	74	0.02%	0.02%	103	132	29
DomainProcessor.com	76	75	0.01%	0.02%	86	120	34
Awregistry	74	76	0.02%	0.02%	102	113	11
Omnis.com	75	77	0.01%	0.02%	95	112	17
Alice's Registry	77	78	0.01%	0.01%	81	100	19
Bondi, LLC	78	79	0.01%	0.01%	65	88	23
NamesDirect	87	80	0.00%	0.01%	1	56	55
DomainZoo	80	81	0.01%	0.01%	39	46	7
Transpac	81	82	0.00%	0.01%	31	39	8
DomainPro, Inc.	82	83	0.00%	0.00%	11	18	7
Sitename.com	84	84	0.00%	0.00%	5	14	9
Pair Networks	109	85	0.00%	0.00%	2	14	14
TotalNIC	85	86	0.00%	0.00%	4	9	5
RegistryRegistrar	83	87	0.00%	0.00%	8	8	0
Harleyzo-USA	86	88	0.00%	0.00%	2	3	1
			100%	100%	639,406	676,974	37,568

### May 2002 - INFO - Registrar Market Shares

Schlund.de         2         2         13.26%         13.55%         106,888         113,316         6,           Tucows         3         3         8.29%         8.33%         66,837         69,665         2,           Register.com         4         4         7.96%         7.86%         64,121         65,782         1,           MelbournelT         5         5         4.32%         4.27%         34,812         35,680         1,           CoreNic         6         6         4.24%         4.18%         34,157         34,925         1,           DirectNIC.com         8         8         3.60%         3.55%         28,976         29,685         2,           Joker.com         9         10         7         3.51%         3.53%         29,129         29,508         3,           Joker.com         9         10         3.55%         3.51%         28,639         29,343         3,           Bulkregister         11         11         2.96%         2.92%         23,842         24,454         4,           GoDaddy         12         12         2.35%         2.48%         18,901         20,750         1,           Misc <th>992 128 328</th>	992 128 328
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	428
Schlund.de         2         2         13.26%         13.55%         106,888         113,316         6,           Tucows         3         3         8.29%         8.33%         66,837         69,665         2,           Register.com         4         4         7.96%         7.86%         64,121         65,782         1,           MelbournelT         5         5         4.32%         4.27%         34,812         35,800         2,           CoreNic         6         6         4.24%         4.18%         34,157         34,925         1,           eNom         10         7         3.51%         3.70%         28,325         30,939         2,           DirectNIC.com         8         8         3.60%         3.55%         28,976         29,685         4.35%           Joker.com         9         10         3.55%         3.51%         28,639         29,343         4.35%           Bulkregister         11         11         2.96%         2.92%         23,842         24,454         4.45%           GoDaddy         12         12         2.35%         2.48%         18,901         20,750         1.4%           DomainDiscount24	428
$ \begin{array}{c ccccc} Tucows & 3 & 3 & 8.29\% & 8.33\% & 66,837 & 69,665 & 2, \\ Register.com & 4 & 4 & 7.96\% & 7.86\% & 64,121 & 65,782 & 1, \\ MelbournelT & 5 & 5 & 4.32\% & 4.27\% & 34,812 & 35,680 & 0 \\ CoreNic & 6 & 6 & 4.24\% & 4.18\% & 34,157 & 34,925 & 0 \\ eNom & 10 & 7 & 3.51\% & 3.70\% & 28,325 & 30,939 & 2, \\ DirectNIC.com & 8 & 8 & 3.60\% & 3.55\% & 28,976 & 29,685 & 0 \\ Ascio & 7 & 9 & 3.61\% & 3.53\% & 29,129 & 29,508 & 0 \\ Joker.com & 9 & 10 & 3.55\% & 3.51\% & 28,639 & 29,343 & 0 \\ Bulkregister & 11 & 11 & 2.96\% & 2.92\% & 23,842 & 24,454 & 0 \\ GoDaddy & 12 & 12 & 2.35\% & 2.48\% & 18,901 & 20,750 & 1, \\ Misc & 13 & 13 & 1.87\% & 2.06\% & 15,032 & 17,212 & 2, \\ EPAG & 14 & 14 & 1.48\% & 1.43\% & 11,948 & 11,956 & 0 \\ DomainDiscount24 & 15 & 15 & 1.29\% & 1.28\% & 10,383 & 10,725 & 0 \\ SRSplus & 17 & 17 & 1.18\% & 1.18\% & 9,514 & 9,863 & 0 \\ \end{array} $	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	120
MelbournelT55 $4.32\%$ $4.27\%$ $34,812$ $35,680$ CoreNic66 $4.24\%$ $4.18\%$ $34,157$ $34,925$ eNom107 $3.51\%$ $3.70\%$ $28,325$ $30,939$ $2,$ DirectNIC.com88 $3.60\%$ $3.55\%$ $28,976$ $29,685$ Ascio79 $3.61\%$ $3.53\%$ $29,129$ $29,508$ Joker.com910 $3.55\%$ $3.51\%$ $28,639$ $29,343$ Bulkregister1111 $2.96\%$ $2.92\%$ $23,842$ $24,454$ GoDaddy1212 $2.35\%$ $2.48\%$ $18,901$ $20,750$ $1,$ Misc1313 $1.87\%$ $2.06\%$ $15,032$ $17,212$ $2,$ EPAG1414 $1.48\%$ $1.43\%$ $11,948$ $11,956$ DomainDiscount241515 $1.29\%$ $1.28\%$ $10,383$ $10,725$ Dotster1616 $1.19\%$ $1.20\%$ $9,609$ $9,996$ SRSplus1717 $1.18\%$ $1.18\%$ $9,514$ $9,863$	661
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$	368
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	768
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	514
Ascio793.61%3.53%29,12929,508Joker.com9103.55%3.51%28,63929,343Bulkregister11112.96%2.92%23,84224,454GoDaddy12122.35%2.48%18,90120,7501,Misc13131.87%2.06%15,03217,2122,EPAG14141.48%1.43%11,94811,956DomainDiscount2415151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	709
Joker.com9103.55%3.51%28,63929,343Bulkregister11112.96%2.92%23,84224,454GoDaddy12122.35%2.48%18,90120,7501,Misc13131.87%2.06%15,03217,2122,EPAG14141.48%1.43%11,94811,956DomainDiscount2415151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	379
Bulkregister11112.96%2.92%23,84224,454GoDaddy12122.35%2.48%18,90120,7501,Misc13131.87%2.06%15,03217,2122,EPAG14141.48%1.43%11,94811,956DomainDiscount2415151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	704
GoDaddy12122.35%2.48%18,90120,7501,Misc13131.87%2.06%15,03217,2122,EPAG14141.48%1.43%11,94811,956DomainDiscount2415151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	512
Misc13131.87%2.06%15,03217,2122,EPAG14141.48%1.43%11,94811,956DomainDiscount241515151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	349
EPAG14141.48%1.43%11,94811,956DomainDiscount241515151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	180
DomainDiscount2415151.29%1.28%10,38310,725Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	8
Dotster16161.19%1.20%9,6099,996SRSplus17171.18%1.18%9,5149,863	342
SRSplus 17 17 1.18% 1.18% 9,514 9,863	387
	349
DomainPeople 18 18 1.16% 1.13% 9,371 9,491	120
	114
	114 166
	+00 523
	302
Virtual Internet         22         23         0.89%         0.86%         7,175         7,205           Conversion         0.4         0.00%         0.04%         0.000%         0.04%         0.000%	30
	108
TotalRegistrations         25         25         0.80%         0.78%         6,410         6,487           DatBogistrar         27         26         0.50%         0.20%         4.742         4.000	77 284
DomainInfo         26         27         0.59%         0.58%         4,773         4,858           Discourt Domain         20         2570         2570         4,773         4,858	85
	214
	87 21
Secura-GmbH         31         31         0.55%         0.53%         4,412         4,444           Nathlamaa         20         250%         0.40%         4.040         4.040	32
NetNames 32 32 0.50% 0.49% 4,049 4,127	78 10
dotearth         33         33         0.50%         0.48%         4,044         4,056           Mamo 7 com         0.4	12
	104
Globedom         36         35         0.46%         0.45%         3,744         3,764           del Damain Mathematica         36         35         0.46%         0.45%         3,744         3,764	20
1stDomain.Net 35 36 0.46% 0.44% 3,747 3,716	(31)
	207
Nordnet 37 38 0.43% 0.42% 3,482 3,482	0
	060
eNameCo 39 40 0.38% 0.36% 3,024 3,027	3
	119
Namebay 40 42 0.35% 0.34% 2,793 2,879	86
Parava.net 42 43 0.28% 0.27% 2,240 2,299	59
Namescout 43 44 0.28% 0.27% 2,217 2,275	58
	108
NameEngine 46 46 0.24% 0.23% 1,900 1,898	(2)
Names4Ever 47 47 0.22% 0.22% 1,776 1,845	69
eMarkmonitor 48 <b>48</b> 0.20% 0.20% 1,622 1,655	33
Registration Technologies         49         49         0.20%         0.19%         1,619         1,617	(2)
	943
Netpia 50 <b>51</b> 0.17% 0.17% 1,410 1,401	(9)
Doregi 51 <b>52</b> 0.17% 0.16% 1,342 1,346	4

## **STATE OF THE DOMAIN**<sup>TT</sup>

000domains	53	53	0.15%	0.15%	1,218	1,281	63
#1DNI	52	54	0.16%	0.15%	1,266	1,266	0
NamesDirect	59	55	0.10%	0.14%	787	1,164	377
DomainZoo	54	56	0.13%	0.13%	1,065	1,066	1
Directl.com	55	57	0.12%	0.12%	949	970	21
AIT Domains.com	56	58	0.11%	0.11%	905	924	19
ID Registry	57	59	0.11%	0.10%	855	848	(7)
PSI-Japan	60	60	0.09%	0.09%	751	740	(11)
RGNames.com	61	61	0.09%	0.08%	726	702	(24)
Interdomain	62	62	0.08%	0.08%	635	669	34
Catalog.com	65	63	0.07%	0.07%	573	608	35
Bluehill.com	64	64	0.07%	0.07%	575	579	4
RegistrarsAsia.com	66	65	0.06%	0.06%	519	529	10
AAAQ.com	67	66	0.06%	0.06%	516	499	(17)
007Names	68	67	0.05%	0.05%	412	424	12
Nominate.net	69	68	0.05%	0.05%	390	394	4
Galcomm	71	69	0.04%	0.04%	291	302	11
BestRegistrar	72	70	0.04%	0.03%	287	289	2
Corporate Domains	73	71	0.03%	0.03%	262	281	19
Awregistry	74	72	0.03%	0.03%	256	267	11
Alice's Registry	75	73	0.03%	0.03%	211	214	3
BookMyName	76	74	0.02%	0.02%	186	198	12
Address Creation	77	75	0.02%	0.02%	183	192	9
Omnis.com	78	76	0.02%	0.02%	150	162	12
DomainPro, Inc.	79	77	0.01%	0.01%	97	97	0
Active ISP	82	78	0.00%	0.01%	35	67	32
TotalNIC	81	79	0.00%	0.01%	37	49	12
Internetters	83	80	0.00%	0.01%	24	47	23
Sitename.com	80	81	0.01%	0.01%	43	42	(1)
DomainRG	84	82	0.00%	0.00%	22	22	0
Transpac	85	83	0.00%	0.00%	13	17	4
Namesbeyond.com	86	84	0.00%	0.00%	0	1	1
SignatureDomains	58	85	0.11%	0.00%	854	0	(854)
NameZero	70	86	0.05%	0.00%	381	0	(381)
		Г	100%	100%	805,901	836,397	30,496

### May 2002 - NAME - Registrar Market Shares

Commony	Rai	nk	Market	Share	Registi	ations	Change	E-mail	Total
Company	Apr	May	Apr	May	Apr	May	Net	Addresses	Namespace
Verisign Registrar	. 1	. 1	23.29%	23.18%	16,851	17,461	610	17458	34,919
Register.com	2	2	22.69%	22.56%	16,417	16,993	576	17094	34,087
GoDaddy	3	3	9.06%	9.03%	6,559	6,799	240	1429	8,228
SRSplus	4	4	6.52%	6.44%	4,715	4,851	136	1120	4,851
MelbourneIT	5	5	6.13%	6.42%	4,434	4,834	400	4568	9,402
Alldomains.com	7	6	4.15%	4.16%	3,006	3,134	128	1804	4,938
Ascio	6	7	4.22%	4.12%	3,052	3,105	53	3111	6,216
Namescout	8	8	2.93%	2.87%	2,121	2,159	38	2153	4,312
Tucows	9	9	2.66%	2.79%	1,925	2,098	173	440	2,538
DirectNIC.com	10	10	2.01%	1.98%	1,453	1,490	37	88	1,578
Bulkregister	11	11	1.56%	1.56%	1,130	1,175	45	145	1,320
YesNIČ	12	12	1.45%	1.40%	1,050	1,056	6	841	1,897
DomainPeople	13	13	1.39%	1.37%	1,004	1,035	31	872	1,907
Dotster	14	14	1.31%	1.30%	946	978	32	690	1,668
Discount Domain	15	15	1.19%	1.27%	862	959	97	1000	1,959
TotalRegistrations	16	16	1.01%	1.02%	734	766	32	660	1,426
123Registration	17	17	0.93%	0.90%	671	681	10	401	1,082
CoreNic	18	18	0.71%	0.71%	513	532	19	476	1,008
1stDomain.Net	19	19	0.67%	0.64%	483	485	2	540	1,025
DomainDiscount24	20	20	0.65%	0.62%	468	468	0	0	468
NameEngine	21	21	0.54%	0.52%	389	389	0	208	597
EasySpace	22	22	0.46%	0.46%	335	345	10	349	694
Domain Discover	23	23	0.46%	0.44%	331	333	2	0	333
Nominalia	24	24	0.45%	0.44%	327	332	5	124	456
OnlineNIC	26	25	0.32%	0.37%	230	278	48	0	278
NetNames	25	26	0.38%	0.37%	274	277	3	273	550
Name7.com	28	27	0.30%	0.36%	215	269	54	222	491
DotRegistrar	35	28	0.19%	0.34%	138	256	118	35	291
Names4Ever	27	29	0.30%	0.29%	218	218	0	0	218
DomainProcessor.com	29	30	0.29%	0.28%	210	211	1	126	337
Secura-GmbH	30	31	0.28%	0.27%	203	203	0	31	234
Internetters	32	32	0.23%	0.24%	165	182	17	177	359
Netpia	31	33	0.23%	0.22%	167	169	2	115	284
ID Registry	33	34	0.22%	0.22%	162	162	0	119	281
BookMyName	34	35	0.21%	0.21%	149	157	8	146	303
Registration Technologies	36	36	0.17%	0.16%	121	121	0	101	222
eMarkmonitor	37	37	0.15%	0.14%	106	106	0	0	106
Namebay	39	38	0.10%	0.10%	70	77	7	79	156
Global Name Registry	40	39	0.09%	0.09%	67	68	1	68	136
Doregi	41	40	0.05%	0.05%	34	37	3	30	67
eNom	42	41	0.05%	0.04%	33	33	0	0	33
Catalog.com	43	42	0.03%	0.04%	23	32	9	33	65
Interdomain	44	43	0.00%	0.00%	3	3	0	1	4
007Names	45	44	0.00%	0.00%	3	3	0	0	3
			100%	100%	72,367	75,320	2,953	20,026	81,939

### May 2002 - US ccTLD - Registrar Market Shares

Company	Rai	nk	Market S	Share	Registrati	ons	Change
Company	Apr	May	Apr	May	Apr	May	Net
GoDaddy	1	1	18.57%	17.87%	27,898	42,451	14,553
Register.com	2	2	15.62%	13.76%	23,471	32,687	9,216
Verisign Registrar	17	3	1.32%	10.41%	1,983	24,728	22,745
eNom	3	4	8.55%	8.97%	12,852	21,303	8,451
DirectNIC.com	4	5	6.33%	5.94%	9,510	14,118	4,608
Tucows	7	6	4.16%	4.31%	6,251	10,247	3,996
Bulkregister	5	7	4.84%	4.12%	7,277	9,794	2,517
000domains	10	8	2.93%	2.88%	4,409	6,837	2,428
OfficialUSDomains	6	9	4.16%	2.77%	6,256	6,587	331
DotRegistrar	11	10	2.64%	2.67%	3,969	6,334	2,365
Namescout	8	11	4.05%	2.65%	6,087	6,288	201
Encirca	9	12	3.24%	2.35%	4,864	5,578	714
Dotster	14	13	1.70%	1.71%	2,547	4,061	1,514
ItsYourDomain	29	14	0.58%	1.51%	877	3,589	2,712
Ascio	12	15	1.83%	1.45%	2,748	3,455	707
eMarkmonitor	13	16	1.77%	1.25%	2,664	2,960	296
ABRproducts	23	17	0.71%	1.24%	1,065	2,937	1,872
Alldomains.com	15	18	1.55%	1.12%	2,332	2,655	323
MelbourneIT	22	19	0.71%	1.03%	1,066	2,439	1,373
Virtual Internet	16	20	1.35%	0.99%	2,033	2,347	314
DomainProcessor.com	18	21	1.26%	0.90%	1,887	2,131	244
OnlineNIC	19	22	0.95%	0.72%	1,427	1,720	293
Domain Discover	37	23	0.31%	0.67%	460	1,581	1,121
Domain Bank	20	24	0.80%	0.64%	1,200	1,511	311
DomainDiscount24	28	25	0.61%	0.56%	914	1,341	427
Names4Ever	25	26	0.67%	0.53%	1,001	1,251	250
Galcomm	24	27	0.70%	0.50%	1,055	1,177	122
123Registration	21	28	0.73%	0.48%	1,100	1,149	49
1stDomain.Net	27	29	0.64%	0.43%	959	1,010	51
NewDentity	26	30	0.65%	0.41%	974	968	(6)
CoreNic	35	31	0.31%	0.36%	470	857	387
Registration Technologies	31	32	0.44%	0.28%	663	674	11
Domains-USA	30	33	0.44%	0.28%	664	666	2
NetNames	33	34	0.34%	0.27%	510	636	126
SignatureDomains	36	35	0.31%	0.25%	463	597	134
Wideport	32	36	0.36%	0.23%	544	553	9
DomainPeople	42	37	0.22%	0.23%	336	539	203
Corporate Domains	34	38	0.32%	0.23%	486	535	49
EasySpace	43	39	0.22%	0.22%		532	202
DomainInfo	39	40	0.28%	0.22%		516	97
007Names	38	41	0.29%	0.20%	441	472	31
AIT Domains.com	56	42	0.07%	0.19%		447	347
Internetters	40	43	0.25%	0.18%	381	427	46
WebNames	47	44	0.18%	0.18%		421	150
IARegistry	44	45	0.21%	0.18%	312	418	106
SafeNames	45	46	0.19%	0.17%	292	415	123
BookMyName	41	47	0.24%	0.17%	366	409	43
Address Creation	48	48	0.17%	0.15%	261	363	102
dotearth	49	49	0.16%	0.15%		357	112
Omnis.com	52	50	0.12%	0.15%		353	174
Directl.com	46	51	0.19%	0.13%		317	32
Catalog.com	55	52	0.08%	0.11%	120	266	146

## **STATE OF THE DOMAIN**<sup>TT</sup>

		Г	100%	100%	150,243	237,530	87,287
AmericanDomainReg	67	67	0.00%	0.00%		1	1
RegistryRegistrar	61	66	0.01%	0.00%	10	11	1
USBeacon	63	65	0.01%	0.01%	8	14	6
ArcticNames	66	64	0.00%	0.01%		20	20
USReserve	60	63	0.02%	0.02%	36	38	2
Doregi	59	62	0.04%	0.03%	56	72	16
NamesDirect	62	61	0.01%	0.04%	9	87	78
TotalRegistrations	65	60	0.00%	0.04%		100	100
Bluehill.com	58	59	0.04%	0.05%	57	118	61
BareMetal	57	58	0.06%	0.06%	92	132	40
DomainsAtCost	54	57	0.09%	0.06%	134	145	11
DomainNameSys	64	56	0.00%	0.06%	1	154	153
Secura-GmbH	53	55	0.09%	0.08%	134	181	47
ClearVisant	51	54	0.13%	0.09%	202	202	0
Alice's Registry	50	53	0.15%	0.11%	230	251	21

**STATE OF THE DOMAIN**<sup> $\operatorname{m}$ </sup>

Monthly Report

## **Democracy and Its Discontents**

by Cameron Powell

*There are no wise few. Every aristocracy that has ever existed has behaved, in all essential points, exactly like a small mob.* – G.K. Chesterton, *Heretics,* 1905

Vain hope to make men happy by politics! - Carlyle, Journal, 1831

The Bucharest meetings are now behind us, *multumesc foarte mult*. And in the greater but still related context of ICANN's and Congress' inquiry into ICANN's proper role, ICANN continues to grapple with a question of first impression: how to treat an existing registry's desire to offer a new registry service. It has been a case study for the ages, and in this issue we bring you our usual not-really-unbiased report on Part -- well, on whatever part of the saga we're now on. There will be a special emphasis on the role of direct democracy (other than the direct democracy of market demand, or the mediated democracy embodied in antitrust and consumerprotection laws) in the business of domain names.

At the meeting itself, comments on the merits of the Wait-Listing Service (WLS) were surprisingly favorable (transcripts were not available at press time), though one commentator from the Names Council's Transfers Task Force held forth on issues ranging from macroeconomic competitiveness in the industry to a dictation of new specifications for the technology. All of which raises questions of whether ICANN, or its constituent organizations or committees, is, has become, or should be a combined international super-legislature, super-court, and technologist.

Indeed, merits aside, the role and legality of the industry, of critics, and, indeed, of competitors in purporting to evaluate new services is now at the forefront of ICANN's upcoming consideration of the price of the WLS -- upcoming, because ICANN put off for at least another six weeks a decision on VeriSign's simple request to amend Appendix G of its contract with ICANN to incorporate the price of the new Wait-Listing Service.

#### Voting On Technology And Business

Meanwhile, observers of and participants in the industry continue to believe that all motion or change

in the industry is subject to a vote. Indeed, days before the ICANN meeting in Bucharest, the postings on ICANN's public forum on WLS began to heat up. As support for the WLS poured in, many critics of the WLS were in a lather at the evidence that there might actually be real people supporting the WLS. Amateur sleuths proved by industrious application of Google that some of the WLS supporters were so bold as to hail from Oregon (SnapNames is based in Oregon). "Nobody outside of Portland supports WLS," concluded one. Unburdened by consistency, other co-critics alleged that supporters of the WLS *weren't even real people*. "Notice most of the ones for WLS are short vague mentions by anonymous looking people," chortled one.

Although alert readers were never given a sufficiently useful description of an anonymous-looking person to enable them to be on the look-out for one, and even as the postings against the WLS increasingly came from the same people, there was, ironically, a petition from the WLS critics:

We, the undersigned, domain name and Internet users, intellectual property owners, members of the general public, and representatives of the same, believe that a number of the postings in this forum are false or use false identities, violating the Forum AUP and originate from one source or affiliated sources.

The signer of this letter urged the forum administrators to track the computer IP addresses of the pro-WLS supporters in order to show, presumably, that they all came from the same computer.

Of course, there was no evidence to support any of this, nor even reasonable grounds for suspicion. In chat room democracy, there rarely is. (Nothing came of the petition.)

#### A Critique of Direct Democracy

And here would seem a good place to quote at length from a posting in response to this energetic democratic ferment from a doctoral fellow in Urban and Public Policy at New York's New School for Social Research...<sup>1</sup>

Reading the postings here from a few highly motivated individuals, we can see several things:

- 1. Mr. Lynn was absolutely right in his Senate testimony about ICANN's processes being subject to potential "capture and fraud." The same people post the same legally irrelevant arguments opposing a service that no law prohibits a registry from offering....
- 3. Here's how it works, folks: you can't have it both ways. Those insisting on democracy can least afford being anti-democratic. Either everyone gets a vote, in which case the perceived "idiots" of each side have an equal vote and their background or motives or illogic don't matter at all; or it's a ridiculous assumption to think that there are any limitations on a company's desire to offer new services other than those provided by customers who don't want it, or the laws of antitrust, or that company's contracts with others. . . . [I]t's [an assumption] that the proponents haven't even bothered to support with legal authority. Where is it? If you can't provide it, you're wasting your time. (Hint: you're wasting your time).
- 4. This industry has obviously done hundreds of people a great disservice. It has led them to believe that they occupy a special alternative universe where the laws of nations as legislated by their duly elective representatives can be trumped by random individuals with opinions. It has led them to believe that the laws of antitrust and the market really can be suspended by a private corporation with extremely limited authority. It has led them to believe that even the authority of ICANN rests on well-settled legal and constitutional foundations, such that everything it does is necessarily proper and enforceable. It has led them to believe that ICANN must be that special animal, one exempt from antitrust... It has led them to believe, in short, in magic. They have been gravely ill-served.

#### A Few Words From Congress

On the same day, ranking members of the House Committee on Energy and Commerce, the oversight authority of the Department of Commerce and ultimately of ICANN, actually had strong words of their own about ICANN's role. After quoting the four tasks of ICANN as set forth in the so-called White Paper, the representatives concluded:

While the White Paper contains what we believe ICANN's responsibilities should be, this statement of purpose is not enough. <u>ICANN must also articulate</u> <u>those issues for which it is not responsible</u>. This could take the form of explicitly barring ICANN from addressing issues outside the scope of the White Paper, thereby leaving no room for creative interpretations of ICANN authority.

The letter ended by stating that the Department of Commerce "should only authorize a short-term renewal of the MOU unless and until ICANN can show that reforms ... have been implemented."

Coincidentally, SnapNames had also posted earlier in the week a letter to the ICANN Board (titled "Part I: Standard of Review"; see: <u>www.snapnames.com/wls.html</u>) that provided a legal analysis of precisely "those issues for which ICANN is not responsible." The letter demonstrated that ICANN and its constituent organizations have already stepped beyond the White Paper (as well as the .com Registry Agreement) in their handling of the WLS as a new registry service. So it is therefore not without interest that we will be observing the machinations of ICANN over the next six weeks. The letter follows.

## The ICANN Board Should Promptly Approve the WLS Proposal

Since the early fall of 2001, VeriSign and ICANN have been participating in discussions about deleted names and a "parallel registry" -- the original name of the WLS concept – along with the larger ICANN community. These first discussions originated at ICANN meetings in Montevideo on September 9, 2001. For nearly two months afterward, in September and October, registrars, resellers, speculators, and attorneys amassed hundreds of e-mails in an intense online debate, which was monitored by ICANN staff. Afterwards, VeriSign again communicated to registrars that it would be willing to consider offering the "parallel registry" technology while continuing to offer the three-pool system that had solved the technical, if not equitable, aspects of customer access to deleted names. At the November ICANN meetings in Marina del Rey, the registrars asked VeriSign for a more detailed proposal. The detailed proposal was submitted in late December 2001 after review and suggestions by ICANN staff (for example, even at this early date,

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ICANN negotiated with VeriSign the 12-month trial period, and insisted on omission of .ORG from the proposal). That proposal for the first time termed the technology the Wait-Listing Service (WLS).

Based on a second round of discussions during January, VeriSign, with ICANN's input, distributed a revised WLS proposal to stakeholders in the Domain Name Supporting Organization (DNSO) on Jan. 28, 2002. That second proposal included specific procedures and a timeline for a third round of community input. After the ensuing third round of discussions during February and March, and after the Names Council and the General Assembly meetings in Accra in March 2002, VeriSign requested that ICANN amend Appendix G to VeriSign's contract to add a price for a new service that VeriSign, using SnapNames-developed and -provided technology, would offer to the marketplace. ICANN's staff then requested still a *fourth* round of public comment.

The service, called the "Wait-Listing Service," will allow subscribers (who are waiting for a particular existing domain name registration to expire) an equal *opportunity* to buy through a registrar a subscription to be first in line for that particular name. Because the WLS will involve making a record that will be consulted by the registry in deciding who may be the next registrant of an expired name, it is certain to be effective, fair, and transparent. By contrast, registraroffered services today can only "ping" the registry database continually and inefficiently (up to 500,000 times per name) to find out whether a particular name is available, and most do so only on behalf of a handful of customers. And a registrar on its own can provide no guarantee that a desired name will actually go to someone paying for its service.

We know the WLS will be good for registrants, because it will provide certainty and will save registrants time, effort, cost, and anxiety. But that's not the point of this paper. (We discuss the merits of the WLS in a companion paper prepared for the Board.) We are submitting *this* paper to explain why the Board should carefully limit the scope of its review of the proposal.

#### ICANN's Review of a New Registry Service Is Narrowly Limited

Based on our review of the agreements ICANN has with registries, ICANN has three questions to ask in connection with new services to be offered by registries: effect on interoperability; whether there is an avoidance of the price cap on basic registration services; and whether a consensus policy exists prohibiting the new service.

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#### WLS Raises No Operational Issues

To make sure that the registration system remains stable and interoperable, ICANN has the power to approve changes to the protocols that allow registrars' and registries' machines to talk to each other (*e.g.*, .net Registry Agreement, Section  $3.2^2$ ). There has been no suggestion that WLS will have any adverse effect on interoperability, and indeed it will not, so interoperability is not an issue here.

#### WLS Cannot Be An Evasion of The Price Cap for Basic Registration Services

To make sure that registrants who have made an initial investment in a domain name won't be "locked-in" to paying high prices later for *mandatory* services that are inextricably intertwined with their registrations, ICANN is permitted to make sure that the registry may not charge an unreasonably high price for a new *mandatory* service in order to avoid the protections provided by the contractual price cap on basic registration services (*e.g.,* .com Registry agreement, Appendix G and Section 22(B)<sup>3</sup>). This price approval mechanism was intended to avoid, for example, a registry selling Yahoo! the domain name yahoo.com for \$35 in 1995, and then charging a "hold-up" price on renewal of that name in 2003.

In the case of WLS, which is both reasonably- and market-priced and *optional*, concerns about the "lock-in" effect caused by fees charged for mandatory services are non-issues as well.

WLS is not a mandatory service. Unlike registrants who could be extorted on the price for renewal of a now-valuable domain name, no registrant has to buy a subscription to WLS. To protect their existing registrations, registrants merely have to remember to renew their names on time, or to continue to purchase multi-year registrations. Registrars properly bear the burden of providing ample notice to their customers of the need to renew; indeed, only registrars (not the registry which would be offering WLS) have the customer's contact information, and registrars have every financial incentive to use it. (And if they do not, the existence of the WLS will not change the status quo today, where someone other than the original owner will *still* get the name – albeit through *non-transparent* arrangements with registrars for privileged VGRS access.)

WLS is an optional service for would-be registrants who don't know (and don't have the time or want to know) the timing of every batch-delete file, and who don't want to have to check a name's availability every day or even every few hours, but who do want the convenience of knowing they will be first in line for a name registration. These potential registrants want to know that if that particular name becomes available (as up to 800,000 have per month), it will be reliably theirs. Because WLS is not a mandatory service (and is offered at a price reasonably related to its value), there will be no end-run around the protections

provided by the basic registration services price cap.

#### No Consensus Policy Exists Prohibiting the WLS

ICANN may consider whether a new service is *prohibited* by an *existing* (and binding) consensus policy. (*e.g.*, .com Registry Agreement, Section  $I(3)(A)(ii)^4$ ). With regard to the WLS, there is no such policy.

While some have suggested that ICANN's decision on the requested amendment should itself be subject to the "consensus process," the consensus process does not apply to this type of decision. The consensus policy clause in the contracts that registries have signed with ICANN concerns mandatory policies that (a) *all* registries must follow and that (b) deal with generally applicable future rules - not with a question whether a particular new service may be priced at a certain level by a particular registry. The whole purpose of the consensus policy process outlined in these registry agreements was to make clear that registries are *free* to innovate unless and until a consensus policy is created to *prohibit* some particular practice – not, as has been stated, that a registry requires a consensus *in order to* innovate.

Moreover, because there is no Independent Review Panel, as required for consensus policymaking, registries are not even contractually bound to follow consensus policies arising out of such non-compliant consensus processes. (.com Registry Agreement, Section  $I(1)(F)^5$ .) In any event, there is clearly no consensus here that services like WLS may not be offered by registries.

#### ICANN's Review Is Limited to Considering Whether the Proposed Price for the WLS Is Unreasonable

ICANN's obligation under its agreements with registries is to consider only questions bearing on the

reasonableness of the proposed price. ICANN is not entitled, under these contracts, to consider whether or not it (or possible competitors) considers the service to be valuable or desirable – that is for the market to decide. Nor does ICANN have any role in deciding questions of legal or economic policy, competition, market demand or innovation, or modifications to the specs of a registry's technology. Indeed, ICANN is not allowed to disapprove *any* new registry services (even "mandatory services") that are provided for free. (The contract provides only that a registry may not charge a price exceeding one set forth in Appendix G.) The fact that ICANN cannot disapprove free services demonstrates that the purpose of the review sought here is solely to prevent unreasonable prices, and that ICANN may not withhold approval for any ulterior or extraneous purposes. Of course, some Board members have indicated in the past that they should have no role at all in price-setting, including because no other private company has ever attempted to exercise such power in an industry, and of course such Board members may elect to apply a more deferential standard, including the traditional standard of permitting the market to set prices.

#### The Proposed Price for the WLS Is Reasonable

Although there might theoretically be cases where a price being charged for a new registry service is so out of line with the value of that new service that ICANN should disapprove the price, that is not the case here. WLS is reasonably priced in relationship to its value. At a wholesale price of \$24-\$28 (following a planned rebate to registrars from VeriSign), WLS will clearly provide benefits, for those who choose to use it, that far exceed the proposed cost.

For higher prices, registrars are currently offering to a few exclusive customers their own services to access the registry for deleting names, and those services are inescapably inferior. As just a few examples, there is an American registrar who charges ten speculators each \$2500 per month for preferential access to VGRS, *plus* registration fees; a Russian registrar and partner who charge \$669 for enhanced-access "membership," plus \$100 registration fees; and a Korean registrar who charges \$237 per name registered through privileged access – all of these charges far exceed the proposed price for WLS, but the services provided in exchange for these prices are far less effective and reliable than the WLS, in addition to being only selectively available. ("Part II: The Merits of the WLS" sets forth pricing information in even greater detail at pages 17-20. See: <u>www.snapnames.com/wls.html</u>)

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#### ICANN Is Required To Foster Competition and Innovation, Not Prevent It

It is not clear that ICANN has contractual or other authority (absent an existing and properly documented consensus policy, which does not exist here) to prevent new services from being offered by registries; its only authority relates to adding the price of those services to the registry agreement(s). ICANN is required by its bylaws and contracts to foster competition, not to favor or disfavor particular competitors or services. (See, e.g., .com Registry Agreement, Section II(4)<sup>6</sup>). Indeed, denying the proposed amendment to Appendix G on the basis of considerations advanced by competitors (who make up the bulk of the very vocal minority critical of WLS) who are arguing for prohibition of a new service would raise very serious antitrust issues, violate the implied duty of good faith and fair dealing that accompanies every contract, and raise other questions regarding ICANN's authority and legitimacy.

In contrast, carefully limiting the Board's actions in compliance with the contractual interpretation set forth above would avoid such questions. And, of course, contracts should be interpreted so as to avoid the implication that the parties agreed to any unlawful course of action.

Thus, any decision by the Board to prevent introduction of WLS – whether based on a claimed consensus or otherwise – would raise substantial legal questions. ICANN should not put itself in the position of protecting particular competing parties from new competition. The antitrust laws protect only competition, not individual competitors.

WLS will be a lawful and voluntary new service. The market should and will decide whether WLS is a valuable service. Because the proposed price for WLS is demonstrably reasonable, and no contrary evidence exists or could be supplied, ICANN should not, consistently with its contracts and authorized role, decline to approve the proposed amendment on the basis of the circumstances present in this case.

*War hath no fury like a non-combatant.* - C.E. Montague, *Disenchantment*, 1922

Registry Services provided by Registry Operator shall be provided under this Agreement and shall meet the functional specifications

#### Footnotes: <sup>1</sup> <u>http://forum.icann.org/cgi-</u> <u>bin/rpgmessage.cgi?wls;3D1277A300000087</u>.

<sup>2</sup> Section 3.2 <u>Functional Specifications for Registry Services</u>. All

established by ICANN. The initial functional specifications are set forth in <u>Appendix C</u>. Non-material changes and additions to the functional specifications may be made by Registry Operator with prior written notice to ICANN and any affected ICANN-Accredited Registrars. All other changes and additions to the functional specifications may be made only with the mutual written consent of ICANN and Registry Operator (which neither party shall withhold without reason) or in the manner provided in Subsections 4.3 through 4.6.

<sup>3</sup> Section 22(B). Registry Operator may, at its option and with thirty days written notice to ICANN and to all ICANN-accredited registrars, revise the prices charged to registrars under the Registry-Registrar Agreement, provided that (i) the same price shall be charged for services charged to all ICANN-accredited registrars (provided that volume adjustments may be made if the same opportunities to qualify for those adjustments is available to all ICANN-accredited registrars) and (ii) the prices shall not exceed those set forth in <u>Appendix G</u>

- 4. Section II(3)(A)(ii). Registry Operator shall comply, in its operation of the registry, with all Consensus Policies insofar as they:
  (a) are adopted by ICANN in compliance with Section 4 below,
  (b) relate to one or more of the following:
  - (1) issues for which uniform or coordinated resolution is reasonably necessary to facilitate interoperability, technical reliability and/or stable operation of the Internet or DNS,
  - (2) registry policies reasonably necessary to implement Consensus Policies relating to registrars, or (3) resolution of disputes regarding the registration of domain names (as opposed to the use of such domain names), and
- (c) do not unreasonably restrain competition.

<sup>5</sup> Section I(1)(F). In the event that, at the time the ICANN Board establishes a specification or policy under the first paragraph of Definition 1 above during the term of this Agreement, ICANN does not have in place an Independent Review Panel established under ICANN's bylaws, the fifteen working day period allowed under Subsection (A) above to seek review shall be extended until fifteen working days after ICANN does have such an Independent Review Panel in place and Registry Operator shall not be obligated to comply with the specifications or policy in the interim.

<sup>6</sup> Section II(4). <u>General Obligations of ICANN</u>. With respect to all matters that impact the rights, obligations, or role of Registry Operator, ICANN shall during the Term of this Agreement

- A. exercise its responsibilities in an open and transparent manner;
- B. not unreasonably restrain competition and, to the extent feasible, promote and encourage robust competition;
- C. not apply standards, policies, procedures or practices arbitrarily, unjustifiably, or inequitably and not single out Registry Operator for disparate treatment unless justified by substantial and reasonable cause; and
- D. ensure, through its reconsideration and independent review policies, adequate appeal procedures for Registry Operator, to the extent it is adversely affected by ICANN standards, policies, procedures or practices.

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### Methodologies & Statistical Accuracy

napNames' domain name industry data is generated using domain names listed in the COM, NET, ORG, BIZ, INFO, NAME and US zone files. Only active domain names appear in the zone file, although a domain name does not have to be attached to a web site to be considered active. It is possible that a registrar could have domain names that are on hold, or domain names that do not have name servers listed, thus causing our report-generating process not to "credit" the registrar with such domain names. Overall industry reports are run monthly from zone files produced on the first calendar day of each month. Because some domain names may be transferred, expire, or expire and be re-registered by another registrar during the report production period, it is possible for those names not to be included in the report.

Daily reports are the result of the difference between two zone files monitored 24 hours apart. A domain name appears on or disappears from a zone file if:

- It was just registered and is being placed into the zone file;
- Its status is being changed from registrar or registry "hold" to "active";
- It is being placed on hold in the normal process of expiration;
- It is being placed on hold because of a dispute;
- Its name servers are being permanently disassociated from the domain; and

• Name server changes are made during the cycle when the zone file is generated.

Often registrars will report numbers of current registrations and percentages of market share that are larger than those documented in this report. This may be due to a number of reasons, including, but not limited to:

- Transfer of names from one registrar's accreditation to another's (perhaps the result of an acquisition);
- Allocation of names from a reseller (operating under another registrar's accreditation) to its own accreditation (in order to avoid double-counting, in this report's compilations, each registration is assigned to the actual registrar of record as documented in the zone file, regardless of the reseller that technically sold the name and manages the customer); or
- Inclusion of ccTLD registration totals or other types of names.

The above information is accurate to the best of SnapNames' knowledge and within reasonable margins of error. SnapNames is not liable for any reliance on this information. Persons with corrections or other comments are encourages to immediately bring them to SnapNames' attention. Please forward comments or questions to <u>publisher@sotd.info</u>.