



**Hong Kong Internet Registration Corporation Limited**

香港互聯網註冊管理有限公司

**Hong Kong Domain Name Registration Company Limited**

香港域名註冊有限公司

*A Wholly-Owned Subsidiary of HKIRC*

[www.hkirc.net.hk](http://www.hkirc.net.hk)

# Public Comments on .hk Chinese Domain Name Soft Launch and Reserved .hk Chinese Domain Name Categories

**Hong Kong Internet Registration Corporation Limited  
Hong Kong Domain Name Registration Company Limited**

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## Section 1

### List of Submissions

12 submissions were received during the public consultation period. The submissions of those who have consented to have their submissions posted for public information can be viewed below:

Reference No.	Date	Submitted By
C001	1-Mar-06	Mr. Alex Lo ( 勞永富 ) <i>E &amp; A Development ( 盈安發展 )</i>
C002	2-Mar-06	Mr. Nigel Ko <i>Infrared Engineering &amp; Consultants Limited</i> <i>Infrared Diagnostic Services Co.</i>
C003	2-Mar-06	香草天空
C004	7-Mar-06	Mr. Gregory Ho 河國榮
C005	9-Mar-06	<Do not consent to have the submission posted>
C006	9-Mar-06	<Do not consent to have the submission posted>
C007	20-Mar-06	Mr. Micheal Huddart <i>EVP &amp; General Manager</i> <i>Manulife (International) Limited</i>
C008	7-Apr-06	Mr. Jonathan Bradbury <i>Chief Financial Officer</i> <i>Winterthur Life (Hong Kong) Limited</i>
C009	10-Apr-06	<Do not consent to have the submission posted>
C010	11-Apr-06	Mr. Tommy Chan <i>Senior Consultant</i> <i>Vision Express Limited</i>
C011	13-Apr-06	Mr. Newton Lau <i>(for Government Chief Information Officer)</i>

<b>C012</b>	13-Apr-06	Mr. Dale Johnstone <i>Principal Consultant</i> <i>PCCW</i>
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## Section 2

### Details of Public Comments

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#### 2.1 Details of Submissions

**Reference No.:** C001

**Date of Submission:** 1-Mar-2006

**Submitted by :** Alex LO ( 勞永富 ), E & A Development ( 盈安發展 )

Dear Sirs,

Actually I am not interested in this 中文域名 but I afraid my Chinese 域名 may be registered by someone else.

If you launch such 中文域名, I have no choice but have to register.

Alex LO ( 勞永富 )

E & A Development ( 盈安發展 )

**Reference No.:** C002

**Date of Submission:** 2-Mar-2006

**Submitted by:** Nigel Ko, Infrared Engineering & Consultants Limited & Infrared Diagnostic Services Co.

Dear Sirs/Madams,

Having known that priority will be given to those domain owners have its key words in their domain name trademarked, we are not totally agree eith this arrangement and proposal.

Such proposal is only good for manufacturing industries, as well as other intellectual property sensitive industries. For company like us is a professional services provider, we have been using "infrared.com.hk & infrared.hk" for 1 - 4 years. It is not common and cost-effective for small professional company like us to have our domain name trademarked, though we are now considering that because of your proposal.

Therefore, we strongly recommend your organisation and board committee to consider and count the ealiest time the english domain name used by the owner first. That is even if the domain name has been trademarked after the date of the first english domain name have been used, the first domain name user should entitle and have the priority right to use the chinese domain name.

By the way, we are looking forward to having your reply soon.

Regards  
Infrared Engineering & Consultants Limited  
Infrared Diagnostic Services Co.  
Nigel Ko  
Level III Thermographer

**Reference No.: C003****Date of Submission: 2-Mar-2006****Submitted by: 香草天空**

我希望，我们这些已经申请了.hk 域名的客户，也可以预先参加申请中文.hk！

香草天空  
2006-03-02

**Reference No.: C004****Date of Submission: 7-Mar-2006****Submitted by: Mr. Gregory Ho 河國榮**

with regard to:

"Illustration 1.2, Allocation for second level Chinese domain name with more than one applicants"

I have a second-level DN based on my chinese name: "hokwokwing.hk". I plan on applying for second-level CDNs for both simplified and traditional characters of my name: i.e., "河國榮.hk".

I believe a second rule should be set for individuals applying for a CDN based on the identity of the applicants. someone who is not the individual "個人名" should not be allowed to apply for the "個人名.hk" CDN.

or alternatively, if more than one applicant apply for the "個人名.hk" CDN, the CDN should be given to the first applicant whose name is 個人名 based on their ID document.

furthermore, rules should be instated to prevent people from registering individual domains without the consent of the targeted individual. for example, no one should be allowed to set up any site involving the name

河國榮 without my written consent; eg, "河國榮演迷會.組織.hk" or "我憎河國榮.hk".

yours sincerely,  
Gregory 河國榮

**Reference No.: C005**

**Date of Submission: 9-Mar-2006**

**Submitted by: <Do not consent to have the submission posted>**

**Reference No.: C006**

**Date of Submission: 9-Mar-2006**

**Submitted by: <Do not consent to have the submission posted>**

**Reference No.: C007**

**Date of Submission: 20-Mar-2006**

**Submitted by: Mr. Micheal Huddart, Manulife (International) Limited**

Dear Ms. Chow,

I am the CEO for Manulife in HK. Thank you for forwarding the public consultation document on .hk Chinese domain names.

Our comments are: -

From the prospective of a potential registration applicant, we cannot see the mechanism how they will inform the trademark holder or at least provide a notice mechanism that we can search over to see if our name is being adopted in part or as a whole by other applicants. If there is a mechanism available for Chinese domain name registration, we would appreciate that it would be covered in the paper.

Even though there is an objection mechanism, it seems like we will only use it when we are registering identical domain name. If the domain names are not exactly identical but has the potential to be confusing to Internet users, we have no means to know that there is such a registration taking place. We would appreciate it if the document could elaborate a bit more on this so that we know how to exercise reasonable control measures.

Regards  
Michael Huddart  
EVP & General Manager  
Manulife (International) Limited

**Reference No.: C008**

**Date of Submission: 7-Apr-2006**

**Submitted by: Mr. Jonathan Bradbury, Winterthur Life (Hong Kong) Limited**

Dear Sir,

**Public Consultation on .hk Chinese Domain Name Soft Launch and Reserved .hk Chinese Domain Name Categories**

We have the following comments on the following sections of the consultation paper.

2.5 --- Since there is a 20 characters limit for the domain name, will Chinese and English characters each be counted as 1 character?

2.5 --- Please advise why a “hyphen” is not allowed in the 3<sup>rd</sup> and 4<sup>th</sup> characters?

3.2.2 - There do not appear to be any details on how to handle special Chinese characters like “保險”.

3.3.1 - Please provide more details on registering Reserved Chinese characters like “保險”.

4.0 --- Please provide more details on registering Reserved Chinese characters like “保險”.

We hope that our comments can assist you in preparing for this welcomed change.

Yours faithfully

For and on behalf of

Winterthur Life (Hong Kong) Limited

Jonathan Bradbury

Chief Financial Officer

**Reference No.: C009**

**Date of Submission: 10-Apr-2006**

**Submitted by: <Do not consent to have the submission posted>**

**Reference No.: C010**

**Date of Submission: 11-Apr-2006**

**Submitted by: Mr. Tommy Chan, Vision Express Limited**

Dear Sir/Madam

Our company is Vision Express Ltd. (先知傳訊), we are a member of the Federation of Hong Kong Industries and from whom we received the Hong Kong Domain Name Registration announcement.

We have the following comment about the .hk Chinese domain name soft launch. We think that the .hk Chinese Domain Name Soft Launch is fine, except one particular arrangement that may lead to controversy.

P.13 and 14 of the consultation paper describes the whole arrangement of the pre-registration period. First Paragraph of P.14 – Domain Name Allocation:

**“Domain Name Allocation**

3.3.5 Applications for third level CDNs will be collected in one batch during the soft launch. If more than one applicants apply for the same CDN, priority in domain name allocation will be given to the applicant having an earlier commencement date for the relevant EDN over those who have a later date. If the commencement date of the relevant EDN of such applicants is the same, allocation of the domain name will be decided by random draw . (See Illustration 1.1)

3.3.6 In the case of second level CDNs, applications for the same .hk domain name will be resolved based on the sector type of the applicants. Priority will be given firstly to government departments, then statutory bodies, followed by organizational applicants and lastly individual applicants. If there are more than one applicants applying for the same second level CDN in the same sector, priority will be given to the applicant with the earliest commencement date. If applicants in the same sector have the same commencement date, allocation of such name will be decided by random draw. (See Illustration 1.2)”

For instance, if [WWW.ABC.com.hk](http://WWW.ABC.com.hk) is a EDN (English Domain Name) has an earlier commencement date than [WWW.visionexpress.com.hk](http://WWW.visionexpress.com.hk), and 先知傳訊 is not a registered trademark, than [WWW.ABC.com.hk](http://WWW.ABC.com.hk) will have the priority to use WWW.先知傳訊.公司.hk as it CDN (Chinese Domain Name). This domain name allocation method as suggested in this consultation paper is easy to administer, but **may arouse many later disputes and resolutions.**

Best regards,

Tommy Chan  
Senior Consultant.  
Vision Express Limited.



**Reference No.: C011**

**Date of Submission: 13-Apr-2006**

**Submitted by: Mr. Newton Lau (for Government Chief Information Officer)**

Dear Jonathan,

**Re: Public Consultation on .hk Chinese Domain Name**

I refer to your letter of 1 March 2006 inviting our support for collecting feedback from Government Bureaux and Departments on the public consultation on .hk Chinese Domain Name.

Please find attached the comments/queries we received so far. If you need further information, please contact the undersigned.

Yours faithfully,

(Newton Lau)

for Government Chief Information Officer

**Comments/Queries received from**

**Government Bureaux and Departments (as at 8 Apr 2006)**

**(A) Soft Launch Period**

1. It is noted that paragraphs 3.2.2 (p.11) and 3.3 (p.13) of the consultation paper indicate the domain name with the characters “保險” should be handled in a manner complying with the Laws of Hong Kong. This arrangement is welcome.

Please note that section 56A of the Insurance Companies Ordinance (“ICO”) prohibits any person, other than an authorized insurer, and approved association of underwriters, Lloyd’s, and appointed insurance agent or an authorized insurance broker, to use “保險” in the description or name under which the person is carrying on business in or from Hong Kong without the written consent of the Insurance Authority.

It is learned from HKDNR that HKDNR will obtain all necessary documents, including the said consent, from the applicants when processing the cases that fall into the description of section 56A of the ICO. We hope that the HKDNR will keep close contact with the Insurance Authority in case of any doubts arising from the abovementioned applications.

2. If the government holder of an existing EDN (say, xxx.org.hk) gives up the chance of registering an equivalent CDN, will other entities be allowed to register such CDN?
3. It is not clear whether the CDN will support the HK supplementary character set.
4. It is not clear whether government departments can register in the priority registration period as applicants for that period are restricted to ‘Registered Hong Kong trademark/service mark holders’.
5. According to paragraph 3.3.3 (page 13), each EDN will give the holder an opportunity to apply for CDN of an identical level and equivalent category. Two EDNs will give two and

so on. It would be desirable if government departments could register for additional domain names before the phase III period because different names in Chinese may be linked to the same name in English.

6. We support the arrangement that priority will be given first to government departments in the case of second level CDN application.

#### **(B) Categories of Reserved .hk Chinese Domain Names**

1. There are six proposed categories of reserved .hk Chinese Domain Names (para 4. page 18). HKDNR may wish to make reference to international practice and explore whether other categories should be included, such as the names of Mainland authorities, HKSARG Departments/Bureaux/Government bodies etc;
2. Regarding the proposed categories of reserved names, it is suggested adding “政府部門名稱” to protect the interest of the government bureaux/departments.
3. Please clarify the scope of the second category concerning “Chinese-speaking countries/regions”. Will this include Mainland provinces/municipalities? Why only Chinese-speaking countries/regions are reserved? How about Korea and Japan that still use Chinese characters to a limited extent? How about names of other countries in Chinese?
4. On the reserved words regarding 中国、台湾、澳门、政府、香港政府、香港特区政府, instead of setting out a list of synonyms, I think it is better to cover all the derivatives of the above names, including official and non-official ones, and combinations of mixed-languages. An example of the latter is 大陆、中国大陆, although strictly speaking the derivatives may carry slightly different meaning. It is difficult, if not impossible to give an exhaustive list of the derivatives and each case should be considered individually. HKDNR should exercise due care, diligence, common sense and political acumen in searching for and handling the possible derivatives. In case of doubt, it is better to err on the safe side.
5. We understand that IDN has been launched in other economies such as China, Japan, Korea and Taiwan. Please make reference to the reserved list and the mechanism to update the reserved list in other economies as well.

#### **(C) Eligibility Checking on Government Applications**

1. HKDNR has not mentioned in detail their requirements for a government applicant to prove her eligibility for the priority registration of a second-level CDN and the registration of a third-level CDN under the category “政府.hk”. Please clarify on this arrangement.

**Reference No.: C012****Date of Submission: 13-Apr-2006****Submitted by: Mr. Dale Johnstone, PCCW**

Good afternoon,

Please accept the following comments submitted on behalf of PCCW-HKT DataCom Services Limited ("PCCW").

(1) Clause 3.2.1 - PCCW is not supportive of allowing a "mark containing the sequence '美麗酒家' with other marks" as an option for providing preferential treatment. This approach is likely to cause concern with respect to the fair allocation of a domain name to an entity which has a registered Mark identical to the domain name being applied for. The only exception is a registered Mark comprising the identical sequence combined with a device or logo.

(2) Clause 3.2.1 - PCCW is supportive of including multiple marks which when combined together sequentially contain the exact sequence '美麗' and '酒家' in either order.

(3) Clause 3.2.9 - PCCW is not supportive of allowing a "Random Draw" to occur without additional clauses having to be satisfied along the lines of "where two or more applications are received for the same CDN from confirmed registered Mark holders, priority will be assigned to the applicant that is holding the greater number of active .hk domain name(s)". In this context "active" relates to a fully operational domain name that clearly points to an operational web site - domain for sale or parked websites are not considered "operational". Where the number of active domain names held is identical, the principle applied in clause 3.3.5 should be applied (i.e. priority provided to the applicant having an earlier commencement date of an active domain name), and the principle with respect to identical sequencing discussed above in (1) should also be taken into consideration.

(4) Clause 3.3.1 - PCCW supports the inclusion of a "specific date" to ensure a fair process for existing eligible .hk EDN holders who are holding active .hk domain name(s) with a commencement date on or before a specific day registering in Phase II. As discussed in Point (3) PCCW would like to see the strict enforcement of "active" as linked to a fully operational domain name.

(5) Clause 3.3.5 - PCCW is not supportive of allowing a "Random Draw" to occur without additional clauses having to be satisfied along the lines of the EDN(s) (i) being considered in terms of their activeness (i.e. as discussed in (3) above), (ii) priority provided to holders of EDN(s) with earlier commencement dates; and (iii) identical sequence of the EDN.

(6) Clause 2.6 - PCCW is not supportive that the only requirement to acquire a 個人.hk domain name is for an individual to "prove his/her identity as a resident of HKSAR". An additional requirement should be stipulated that the individual is required to "prove that his/her identity as displayed on the HKID card represents the domain name being applied for" in addition to proving "his/her status as a resident of the HKSAR".

Please feel free to contact the undersigned should you like to seek clarification on any of the comments offered throughout this response.

Regards,  
Dale Johnstone  
Principal Consultant  
PCCW

~~ END ~~