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CADNA Responds to ICA's Adoption of a Member Code of Conduct

WASHINGTON, September 27 – CADNA welcomes the Internet Commerce Association's (ICA) recently announced adoption of an eight-point member code of conduct detailing best practices designed to promote fair and ethical business conduct in the domain name industry.

On behalf of the Internet community, CADNA also welcomes the potential benefits of the member code of conduct adopted by the ICA, and we are encouraged by the proactive measures their member organizations are taking to combat and deter domain name abuse.

Establishing this list of best practices clearly details many of the problems currently plaguing the Internet space. Recognition of the ICA member code of conduct will serve to create awareness of the dangers associated with practices such as cybersquatting, domain tasting, and domain kiting. The adoption of the self-regulatory approach taken by the ICA is a positive step towards bringing about needed changes in the domain name industry.

In addition to the eight-point plan that the ICA has adopted, CADNA offers several suggestions that would help fortify the member code of conduct. We present these suggestions as a challenge to ICA members to take a more firm position against domain name abuse.

First, ICA members should oppose domain name tasting (not just kiting), and using a third party's brand, or other trademark misuses, without permission. Such actions should be avoided altogether, even if the name is registered for less than five days.

Secondly, ICA members will not monetize (serve ads) on behalf of their third party customers' domains that infringe upon brand names without explicit permission of the trademark holder. This commitment includes agreeing not to register domains that are confusingly similar to brands.

Lastly, ICA members who are registrars will not taste domain names themselves, and they will not wait for ICANN to establish a policy to uphold their fiduciary obligations to the public.

Inherently associated with any set of best practices is the issue of their effectiveness. If ICA members follow the ICA member code of conduct, it should help to alleviate some problems in the domain name industry. Additional actions will continue to be necessary, however, because self-regulation alone by a segment of the market will not stop all of the abusive actions in the domain marketplace. Other forms of deterrence to prevent these types of unethical and damaging practices must accompany the ICA member code of conduct.

Adding the three points CADNA suggests above to the ICA member code of conduct – and having those points followed – will go a long way toward preventing the most prevalent domain name abuses today.

CADNA supports the ICA member code of conduct while emphasizing that a list of best practices alone is not enough to combat widespread abuse in the domain name industry. CADNA remains committed to bringing about changes in the Internet space, and working towards stopping all forms of domain name abuse.

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