

Thursday, June 21, 2007

Anti-Domain Parking "Petition" an anti-free market nightmare

I think much of my initial reaction to the petition to "Stop Domain Name Parking and Cybersquatting" has already been said in my Attack of the TechnoPinkos post of a couple weeks ago. This is a typical example of leftist angst stemming from the fact that people actually earn a living and gasp generate profits from monetizing domain names.

As somebody in the domain industry (we aren't a big domain parking player and as a registrar we have exactly 0% of the domainer market, and most people know how I feel about the aftermarket and how overheated it is), there are a few issues with this "petition" that I feel duty bound to point out.

Domain Parking is not the same thing as Cybersquatting. Anybody who equates the two removes any doubt to their utter cluelessness about the entire domain industry. Cybersquatting involves registering a domain that is somebody else's trademark

Domain parking is a legitimate use for a domain. If you advocate rules or laws against domain parking then you are making rules for how other people can or can not use their domains. You are regulating content, which is indeed, one slippery slope.

Trying to outlaw domain parking and cybersquatting in the same petition is like trying to outlaw toxic waste and MacDonald's Happy Meals at the same time.

The petition calls for ICANN to "ensure that a domain names that are parked would be available for sale at a price tag that would not be considered extortion". This advocates price fixing and completely revokes domain registrants rights to their own domains. The request is outlandish. Check out wealth.net. Egad! It's parked. So I'm to understand if one of these pinkos thought they had a legitimate "claim" to this domain, under their rules ICANN would force me to sell it to them at a "reasonable" price because they don't think I'm using it? I paid an enormous sum for that name in the aftermarket. It's mine, it's parked, get over it, screw you.

Somebody else parking a domain doesn't prevent anybody from doing anything. Yes, domain names in themselves can be built into powerful brands, and many of them earn substantial income from type-in traffic and PPC, but at the end of the day, the map is not the territory. Owning a generic keyword domain doesn't bar the rest of the world concerned with that keyword from carrying on about their business. I own ravingpinkos.com, I just snagged it moments ago and now I'm monetizing it via parked.com. That doesn't prevent any of the saps who signed this petition from starting their own raving pinko website, circulate their raving pinko petitions, and try to build their raving pinko utopia. They just can't call it ravingpinkos.com.

The text of the "petition" was changed mid-stream. One of the reasons I keep using the word "petition" in quotes. After one very shrewd and well said comment on the message boards (written by Johnny B) about this initiative, they subsequently posted that they changed the text of the petition (!). Which means that the people who signed their names before the edit then had what they were petitioning arbitrarily changed.

Having said all this, anybody who knows the difference between Twisted Sister and twisted pair can tell you this "petition" is a joke.

Posted by Mark Jeftovic in Nutjob Watch at 21:04

Perhaps "Cybersquatting" is a term now too narrowly defined as well...In this case limited to trademark infringements only....rather than all forms of "squatting"

(ie. typo, trademark, keyword, etc...)
Anonymous on Jun 28 2007, 23:05

Domaineering is the web-based marketing business of acquiring and monetizing Internet domain names focusing on their use specifically as an advertising medium rather than primarily speculating on domains as intellectual property investments for resale as in domaining where generating advertising revenue is considered more of a bonus while awaiting a sale. In essence, the domain names function as virtual Internet billboards with generic domain names being highly valued for their revenue generating potential derived from attracting Internet traffic hits. Revenue is earned as potential customers view pay per click (PPC) ads or the Internet traffic attracted may be redirected to another website. Hence, the domain name itself is the revenue generating asset conveying information beyond just functioning as a typical web address. As the value here is intrinsically in the domain name and not in a website's products or services, these domains are developed for advertising, (i.e. "parked"), and not into "conventional" websites. As with traditional advertising, domaineering is part art and part science. Often to be the most effective as an advertising tool, the domain names and

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their corresponding landing pages must be engineered or optimized to produce maximum revenue which may require considerable skill and keen knowledge of search engine optimization (SEO) practices, marketing psychology and an understanding of the target market audience. Domaineering generally utilizes a firm offering domain parking services to provide the sponsored "feed" of a word or phrase searched for thus creating a mini-directory populated largely by advertisers paying to promote their products and services under a relevant generic keyword domain. Occasionally content is added to develop a functional mini-website. Domaineers contend that their product, i.e., "domain advertising", is a bona fide offering of goods or services in and of itself which provides rights to and legitimate interests in the generic domains they use. This serves as a rebuttal or defense in addressing occasional accusations of cybersquatting. Domaineers and some of those who advertise online using keywords believe domaineering provides a useful, legal and legitimate Internet marketing service while opponents of domaineering decry the practice as increasing the ubiquitous commercialization of the world wide web. Domaineering aka "domain advertising" is practiced by both large organizations which may have registered hundreds or even thousands of domains to individual entrepreneurial minded domaineers who may only own one or a few. The earliest known verifiable identification and defining of domaineering as a distinct Internet advertising practice is attributed to Canadian Professor William Lorenz.

Anonymous on May 2 2009, 03:10