Who owns your SA domain?

Users of CO.ZA domain names need to ensure that their company or entity actually owns the South African domain they are using to conduct their business.

"There are many examples of commercial organisations whose Internet Service Provider (ISP), webmaster or employee has failed to register the domain name in the name of the organisation, as instructed," says Neil Dundas, policy and legal advisor of UniForum South Africa, the organisation responsible for the CO.ZA South African domain name registry. "In these instances, there could be disastrous financial and business consequences for the business."

In some cases, the only recourse would be to register an alternate domain name or to dispute the domain name registration through, for example, the .ZA Dispute Resolution Procedure (ADR).

While the situation is set to improve in the medium term with the formalisation by the company of the relationship between registry, registrar (e.g: an ISP) and registrant (e.g: a company), there have been cases where ISPs or webmasters have refused to relinquish control of a domain to a client wishing to switch to a new service provider. Any other number of conflicts may arise between ISPs and clients on whose behalf they have registered domain names.

Disputes can be lengthy, costly

"Whatever the cause of a dispute between an ISP/webmaster and its client, the end result is always the same. If the ISP/webmaster has registered your CO.ZA domain in its name, even if this is against your original instructions, it will have the administrative power to veto any changes to the domain name record," he adds.

In the event of any request to change a domain's registered details, the company's Terms & Conditions clearly state that the CO.ZA registry honours the instructions of the registrant.

Disputes have the potential to escalate into full-blown litigation or disciplinary hearings conducted under the auspices of a breach of the Internet Service Providers' Association of SA's (ISPA's) Code of Conduct. Accessible at www.ispa.org.za, it maintains a list of reputable ISPs who have committed to registering domains in client's names. The disciplinary process can also be found on ISPA's homepage.

Check your site

To check a domain's registrant go to www.coza.net.za, click on the 'Whois' tab on the left side of the page and then type in the relevant domain name in the space provided. The most important information one would need to check is that contained in Section 2(a). If the listed details do not match what was provided, then the company may be in line for some

unpleasantness in the event of it requesting an update of any other details contained in the domain's registry listing.

"South African domain names are becoming increasingly valuable as the number of desirable options is exhausted. They form such a critical part of a business's brand identity and communication systems that it would be well worth one's while to immediately log on to the facility and confirm that your domain name details are correct," concludes Dundas.

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