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Abbreviations

ARPA	Advanced Research Projects Agency
ccNSO	Country Code Names Supporting Organisation
CENTR	Council of European National Top Level Domain Registries
DNS	Domain Name System
ETH	Eidgenössissche Technische Hochschule (Swiss Federal Institute of Technology)
IANA	Internet Assigned Numbers Authority
ICANN	The Internet Corporation for Assigned Names and Numbers
ICP	Internet Coordination Policy
LIC	Local Internet Community
LTC	Loi sur les Telecommunications
OFCOM	Office Fédéral de la Communication
RS	Recueil Systematique du droit Suisse
TLD	Top Level Domain
wwTLD	Worldwide Alliance of Top Level Domain

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1 Introduction

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2 Legacy system: a private sector model

In May 1987 researchers of the Swiss Federal Institute of Technology (ETH), Zürich, requested the entry of the "CH" TLD in the IANA WHOIS data base. On 20 May 1987 this topographic TLD was added as 14th ccTLD [1] to the IANA WHOIS data base together with corresponding contact information. The IANA function at that time was performed on behalf of the US Department of Defense under the ARPA contract. In May 1987 no formal requirements existed for management of TLD's.

In October 1987 the foundation of the private sector SWITCH was established in order to develop and maintain the Swiss education and research network. Founding members were the Swiss government (Federal Department of Home Affairs) and eight cantons with universities. Management of the "CH" TLD was subsequently transferred from ETH to SWITCH and the entries in the root data base were modified accordingly [2, 3]. The first registrations of second level domains under "CH" were performed by SWITCH in early 1988.

In November 1987 RFC-1034 [4] was published, describing technical details of the Domain Name System (DNS). The first document devoted to the management of "delegated" TLD's, RFC-1591 [5], was published in March 1994 and this RFC is since then the basic document for the relationship between the entity performing the IANA function and a TLD registry. Its successor, ICP-1 [6], published in 1999 by ICANN, was never formally approved by the registries of "country code" TLD's.

In the beginning, domain names were registered by means of e-mail, fax messages or even phone calls from registrants and entered in the then commonly used ASCII application form employed for both domain name and IP address allocation. By the end of 1995 1'300 domain names were registered under "CH" and it was felt necessary to enhance the system by introducing a liberal policy, registration software for fast machine-controlled non-discriminatory and well documented registration, websites, were registrants could apply for names and maintain them, and finally by introducing a charging system for each registered domain name [7]. The new liberal registration policy was praised at its introduction as more advanced and better reflecting the important principles of equal treatment than policies by other registries. Para. 3 of all registration policy versions [8] state that "any entity may register domain names, independent of the location of the entity. It is, however, recommended to register or reserve second level domain names below CH and LI top level domains only for entities located in said countries". Fees for registration services have been decreased several times since 1996.

Due to the explosive growth of the Internet in Switzerland since 1996 – by the end of 1999 170'410 domain names were registered under "CH" – further improvements were made: user identification numbers, passwords and a new data base system as early measures to provide registration and modification security. Many more enhancements were made since then; a registration system is in constant need to be adapted to the latest developments.

Currently (as per February 2003), more than 500'000 domain names are registered under "CH", seven name servers are resolving "CH" second level domain names worldwide (3 in Europe, 2 in the US, 1 in Australia, 1 in Argentina) and SWITCH customer care personnel communicate in three official languages (French, German and Italian) and have additional language skills in English, Spanish, Portuguese and Serbo-Croatian. The number of registrations compared to the number of

inhabitants in Switzerland (ca. 7 Million) exhibits a high "domain name density" and it is estimated that more than 1 Million hosts are connected to the Internet at this time.

Solving conflicts: no special or alternative dispute resolution process has been considered as necessary because

- Swiss public courts apply fast and cost effective administrative procedures and

- most disputes involve claimants and respondents residing in Switzerland and

- the number of disputes under "CH" is generally low.

Some of the reasons for having a very limited number of disputes have been due to the fact that applicants were warned prior to registration of possible disputes that may arise when an application for a "well known name" was received and due to the fact that Swiss community names were "screened" by the registry since early 1997. The "screening" procedure usually requires a written confirmation submitted to the registry by the authorities of the community concerned. Such a "sunrise period" for community names has been felt as absolutely necessary.

SWITCH is a founding member of CENTR [9] and the Worldwide Alliance of Top Level Domain [10] (wwTLD) – this group was established in Geneva in 1998 –, a supporting member of ICANN and is participating in many other European and international organizations, both policy and technical standard settings bodies. It is anticipated that SWITCH will also become a member of the future ICANN ccNSO.

Any TLD registry has to rely on the IANA function for maintaining the entries in the TLD WHOIS data base and on the root name server operators for keeping the Domain Name System operational. Additionally, registries of the private sector need support from the local Internet community (LIC) since it is commonly understood that the authority of a registry is derived from the LIC [11]. An alternative form, one where the responsible government assumes authority over a ccTLD registry and represents the interests of the LIC is outlined below.

References

[1] http://www.wwtld.org/aboutcctld/history/wwtld1999/ccTLDs-by-date.html

[2] Schneider, Marcel: Die Verordnung des Bundes über die Vergabe von Domain-Namen. SWITCHjournal 1/2002, pp. 14-17

[3] http://www.iana.org/root-whois/ch.htm

[4] http://sunsite.cnlab-switch.ch/ftp/doc/standard/rfc/10xx/1034, November 1987

[5] http://sunsite.cnlab-switch.ch/ftp/doc/standard/rfc/15xx/1591, March 1994

[6] http://www.icann.org/icp/icp-1.htm, May 1999

[7] http://people.itu.int/~shaw/docs/dns.html

[8] http://www.switch.ch/id/terms/policy.html

[9] http://www.centr.org/

[10] http://www.wwtld.org/

[11] http://www.centr.org/docs/legal/best-practice.html

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