

Article Information

Authors: Tim O'Callaghan, Emily Alexander

Service: Intellectual Property

.au Domain Registrations Available from 24 March 2022

From 24 March 2022, it will be possible to register a '.au' domain.

The '.au' domain registration process will be conducted through all domain registrars and has the same eligibility requirements as 'com.au' and 'net.au' domain registrations. One of those requirements is that the registrant have an Australian presence. A foreign entity can establish an Australian presence by having on the Australian Trade Marks Office, a trade mark corresponding to the domain name.

Applicants who already hold a 'com.au' or 'net.au' domain registration will, during the 6 month priority application period from 24 March 2022 to 20 September 2022, be given an opportunity to have priority status to apply for the corresponding '.au' registration.

During this period, all domain names in the Australian Registry will be reserved and owners of pre-existing domains will have the opportunity to apply to place a priority hold on the '.au' equivalent domain name. If no such hold is placed on the domain during the priority application period, the domain name will be made available to the public.

In the event that more than one owner of a pre-existing domain applies for a priority hold on the corresponding '.au' registration, the following priority system will be applied:

- applicants who created a domain before 4 February 2018 (Category 1) will have priority over applicants who created a domain after 4 February 2018 (Category 2);
- if there is more than one applicant from Category 1, the domain name will be allocated based on an agreement between the applicants. If the applicants cannot reach an agreement, the '.au' domain name will remain subject to priority hold until there is only one application;
- if there is no applicant from Category 1, but more than one applicant from Category 2, the domain name will be allocated to the applicant with the earliest pre-existing domain creation date;
- applicants who are successful against multiple applicants, in applying for a domain name under this process, may only register that domain name on a yearly basis. Presumably this is to give the unsuccessful applicants a chance to secure the domain at a later date.

Of course, 'com.au' and 'net.au' registrations remain in place after the 24 March 2022, so the rights of owners of those domains remain unaffected.

Please reach out and call us if you would like our assistance with this.