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**SENT VIA E-MAIL, U.S. MAIL, AND BY FAX TO (310) 823-8649**

19 January 2002

Louis Touton, Esq.  
Administrator of the Internet Assigned Numbers Authority Function  
Internet Corporation for Assigned Names & Numbers  
4676 Admiralty Way, Suite 330  
Marina Del Rey, CA 90292-6601

**Re: .cx ccTLD Nameserver Changes and IANA Database  
Correction; Your 13 December 2001 Message**

Dear Mr. Touton:

Thank you for your 21 December 2001 e-mail message in reply to my 13 December 2001 letter on behalf of Dot CX Limited ("Dot CX") in which we requested (i) complete nameserver changes for the <.cx> top-level domain (the "CX ccTLD"); and (ii) that the IANA correct its database of ccTLD contacts (the "IANA Database") to reflect Dot CX as the manager of the CX ccTLD.

Dot CX wishes to correct a few misunderstandings indicated by, and/or misstatements contained in, your message.

First, your message stated that "The IANA understands that Dot CX Limited and the administrative and technical contacts have discussed arrangements for a change in trusteeship for the .cx (Christmas Island) top-level domain." We assume that statement was in error. As you know from several letters and other documents delivered to you, the former designated manager for the CX ccTLD (*i.e.*, Planet Three, which is now insolvent) and the former administrative and technical contacts for the CX ccTLD (*i.e.*, Chris and Katrina Love) transferred their rights and responsibilities relating to the management of the CX ccTLD to Dot CX about two years ago. Those parties have repeatedly advised you of their desire for the IANA to reflect CX ccTLD nameservers and contact information consistent with Dot CX requests. Attached, please find the 22 December 2001 letter from the former administrative contact of the CX ccTLD to you instructing the IANA to act on any requests from Dot CX concerning the CX ccTLD.

The current administrative and technical contacts for the CX ccTLD (*i.e.*,

*Louis Touton, Esq.*  
*19 January 2002*  
*Page 2 of 3*

Alan Fealy and Brad Waugh) have not discussed any change in trusteeship for the .cx top-level domain. In fact, our consistent request is that the IANA indicate these contacts in the IANA Database. As the IANA noted in its report regarding the .us redelegation, failure to reflect the correct administrator of a ccTLD in the IANA Database has a real and substantive impact on the stability, security and integrity of the Internet.

Second, your message indicates that the territory identified by the CX ccTLD has not approved of Dot CX as trustee for the domain. As the IANA wrote in its report concerning the Palestine (.ps) country code top-level domain, "A fundamental principle reflected in ICP-1 is that ccTLDs are intended to be operated for the benefit of the Internet community in the nation or other territory with which the country-code is associated." In this case, the CX ccTLD is associated with the territory of Christmas Island. The transfer of management of the CX ccTLD from a uninterested United Kingdom company to the community owned, non profit, Christmas Island based Dot CX Limited was uncontested. Both the Christmas Island Internet community, and locally elected representative government, continue to endorse Dot CX's management of the CX ccTLD. Dot CX operates the CX ccTLD responsibly and is accountable to the local Internet community, and the worldwide Internet community at large.

Third, your message indicates that there is discussion between the Commonwealth of Australia (the "Commonwealth") and Dot CX relating to an agreement calling for Commonwealth supervision of Dot CX's CX ccTLD trusteeship. This is not correct. Dot CX has discussed with the Commonwealth an endorsement by the Commonwealth of Dot CX's trusteeship, but there has never been any communications regarding supervision or the like. As the Commonwealth Minister of Communications noted in documents relating to the .au re-delegation, the Commonwealth desires a hands-off approach and feels strongly that the administration of Internet registries should remain a self-regulated private sector activity. As a responsible ccTLD administrator, Dot CX seeks to build consensus and earn endorsement from all interested parties, including the Commonwealth of Australia. Of course, Dot CX will abide by all binding law, including any regulations or restrictions which the Commonwealth may promulgate.

Your message implies that ICANN will correct the IANA Database and make the requested nameserver changes after (i) the trusteeship changes hands from Planet Three to Dot CX; (ii) the relevant government endorses Dot CX's trusteeship; and (iii) supervision of Dot CX's trusteeship is complete. As the IANA is aware (i) the trusteeship changed hands from Planet Three to Dot CX in March 2000; (ii) the representative and directly elected government in the community identified by the ISO 3166 code has already endorsed Dot CX's trusteeship; and (iii) Dot CX recognizes that the naming system is a global resource and will agree to a reasonable contract with ICANN concerning supervision of Dot CX's trusteeship.

*Louis Touton, Esq.*  
*19 January 2002*  
*Page 3 of 3*

Therefore, in accordance with the requirements set forth in your message, and the several authorities cited in our many appeals to you, we respectfully request that ICANN update the IANA Database to reflect the proper contact details with respect to the CX ccTLD. Further, please immediately cause the nameserver changes Dot CX requests, as the stability of the Internet is threatened until the changes are complete. For your quick reference, we attach to this letter Dot CX's nameserver modification request and proper contact information.

We would appreciate a substantive response to this letter by Friday, 25 January 2002.

Thank you.

Very Truly Yours,

NEWMAN & NEWMAN,  
ATTORNEYS AT LAW, LLP

A handwritten signature in black ink, appearing to read 'D. Newman', written over a light gray dotted grid background.

Derek A. Newman

cc: Dot CX Limited

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Dear Mr. Tuton,

Brad Waugh, the current Technical contact for the cxTLD has forwarded to me a copy of your email dated December 22,2001. (since the insolvency of Planet Three any attempts to contact me via [chris@planet-three.com](mailto:chris@planet-three.com) will be bounced)  
As you are aware all policy setting, trustee and technical administration functions for the administration of the cx ccTLD were transferred from Planet Three to Dot CX Limited on March 6th 2000.

I understand that Dot CX's counsel provided all this information to you at the Yokohama ICANN conference (June 2000). Copies of the letters, agreements and memorandum of understanding may never the less be found on the Dot CX website. ([www.nic.cx](http://www.nic.cx))

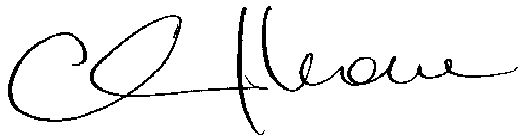
As a result of insolvency Planet Three ceased to provided secondary DNS services for the cx ccTLD in June of 2001.

As has been communicated to the IANA on several occasions Katrina Love and myself no longer have anything to do with the administration of the cx ccTLD and desire to a.) have our names removed from the IANA database and b.) have

the IANA database corrected to reflect the true administrators of the Christmas Island Internet Domain.

Should you receive any communications from Dot CX Limited or their counsel regarding name server changes or any other issue please act on those requests.

Sincerely

A handwritten signature in black ink, appearing to read "Chris Love". The signature is written in a cursive style with a large initial "C" and a long horizontal stroke.

Chris Love

December 22, 2001



## PROPER ROOT-ZONE WHOIS INFORMATION FOR THE <.CX> ccTLD

### Sponsoring Organization:

Dot CX Limited  
Christmas Island Technology Centre (VLU2)  
Nursery Road, Drumsite  
Christmas Island  
Indian Ocean, 6798  
Voice: + 61 (0)8.9164.8808  
Fax: + 61 (0)8.9164.8879

### Administrative Contact:

Alan Fealy, Managing Director  
Dot CX Limited  
Christmas Island Technology Centre (VLU2)  
Nursery Road, Drumsite  
Christmas Island  
Indian Ocean, 6798  
E-mail: [alan.fealy@nic.cx](mailto:alan.fealy@nic.cx)  
Voice: + 61 (0)8.9164.8808  
Fax: + 61 (0)8.9164.8879

### Technical Contact:

Brad Waugh, Technology Manager  
Dot CX Limited  
Christmas Island Technology Centre (VLU2)  
Nursery Road, Drumsite  
Christmas Island  
Indian Ocean, 6798  
E-mail: [brad.waugh@nic.cx](mailto:brad.waugh@nic.cx)  
Voice: + 61 (0)8.9164.8808  
Fax: + 61 (0)8.9164.8879

URL for Registration Services: <http://www.nic.cx>



## NAMESERVER MODIFICATION REQUEST

POSITION	EXISTING HOST	IP	INSTRUCTION	NEW HOST	NEW IP
Primary	NS5.NETDNS.CO.NZ	206.253.214.140	<b>REPLACE</b>	NS1.CX-NIC.ORG	206.253.214.136
Secondary	NS0.FLIRBLE.ORG	195.40.6.20	<b>REPLACE</b>	NS2.CX-NIC.ORG	206.253.214.122
Secondary	NS.CIX.CX	195.222.235.217	<b>REPLACE</b>	NS.CX-NIC.ORG.NZ	210.54.90.174
Secondary	NS2.CCSRS.NET	206.253.214.73	<b>REPLACE</b>	NS.CX-NIC.CC	206.191.159.222
Secondary	NS1.CCSRS.NET	206.191.159.73	<b>REPLACE</b>	NS1.CX-NIC.CX	203.132.96.8
Secondary	NS2.COCONUTCOMPUTING.NET	203.132.88.17	<b>REMOVE</b>		