Via email: registry@nixi.in; ceo@nixi.in;
legal@nixi.in; support@nixi.in

July 10, 2026

National Internet Exchange of India
B-901, 9th Floor, Tower B
World Trade Center, Nauroji Nagar
New Delhi 110 029

Attn: Dr. Devesh Tyagi, Chief Executive Officer

Dear Dr. Tyagi:

RE: Advisory to all .IN Domain Name Registrants and Accredited Registrars, May 11, 2026

I write on behalf of the Internet Commerce Association, further to our letter to NIXI of July 11, 2023, responding to NIXI's public consultation, "Draft Amendments in Terms and Conditions for Registrants." Founded in 2006, the ICA is a non-profit trade organization representing domain name investors, secondary marketplaces, brokers, escrow service companies, registries, and related service providers worldwide, including in India.

Our 2023 letter posed specific questions to NIXI. So far as we are aware, and on the public record, those questions have not been answered. The Advisory of May 11, 2026[1] now purports to enforce, with immediate effect and under threat of "Server Hold"/suspension without prior notice - substantially the same registrant-level restriction that was the subject of that consultation. Respectfully, the public record does not show that any such restriction was ever adopted as a binding registrant-facing rule, and we therefore ask NIXI to answer the questions set out below - questions NIXI should readily be able to answer if the restriction was validly made.

1. NIXI's own 2023 consultation acknowledged that no registrant-level restriction existed. The consultation document stated, in NIXI's own words, that "there is no clause mentioned in the Terms and Conditions for Registrants which states about the protection of already

[1] https://www.registry.in/registry-advisory-2026-05-11 (including the update dated June 12, 2026 appended to that page)

registered domain names from auction or reselling the domain name at higher/unjust prices," and that "there is no restrictions placed on the Registrants."[2] Having acknowledged the absence of any restriction, NIXI proposed creating one, by substituting "Registrar/Registrant" for "Registrar" in existing registrar-facing rules. In our July 11, 2023 letter, we requested that NIXI publish the actual proposed text of any amendment to the Registrant Terms and Conditions for comment. No such text was ever published.

2. **On the public record, the proposal was never adopted.** The Terms and Conditions for Registrants currently published on the Registry's website contain no express prohibition on auctioning, bidding, speculative sale, resale, hoarding, drop-catching, or sale above any MRP, and no "Registrar/Registrant" substitution of the kind proposed in 2023.[3] We recognize that the published Terms contain general "bad faith or unlawful purpose" and reservation-of-rights clauses. But those general clauses are not the registrant-level resale restriction NIXI proposed in 2023, and they do not answer the provenance question created by NIXI's own consultation: if there was already authority to prohibit registrant resale, why did NIXI state in 2023 that "there is no restrictions placed on the Registrants" and propose creating such a restriction? The Registry's own Public Comments page lists the 2023 consultation as its only item, with no outcome notice, no feedback summary, and no final amended text.[4] By contrast, NIXI's INDRP framework reflects a public amendment model involving publication of final text and a defined effective date. If a registrant-level restriction had been adopted at any time after the 2023 consultation, NIXI should be able to identify a comparable record - final text, approval, publication date, and effective date. None has surfaced on the public record. We note as well that the Advisory states it "shall come into effect immediately" - language more consistent with the announcement of a new restriction than with a restatement of an existing obligation.

3. **The Registrar Accreditation Agreement cannot supply the missing registrant-facing rule.** The update appended to the Advisory on June 12, 2026 states that the Advisory is "well within the ambit of Registrar Accreditation Agreement (RAA) under Clause 6.1." But the RAA is the contract between NIXI and its accredited registrars.[5] Registrants are not parties to it. Clause 6.1 is directed to registrar conduct, expressly including conduct through resellers; NIXI's own 2023 rationale also referred to registrars using registrants as proxy. It may therefore support registrar-facing enforcement against the mischief NIXI itself identified in 2023 - registrar proxy abuse - but it does not identify the instrument by which every registrant became bound by a substantive prohibition on ordinary resale, auction, bidding, or speculative sale. In any event, a literal "Registrar/Registrant" substitution of the kind proposed in 2023 would produce incoherent obligations as applied to registrants, who publish no MRP and perform no drop-catching functions - underscoring that a coherent registrant-facing rule would have required separately drafted and published terms. Nor does the fact that the RAA may require registrars to comply with Registry

[2] https://registry.in/system/files/public-consultation-document-terms-and-condition-for-registrants.pdf
[3] https://www.registry.in/system/files/Terms_and_Conditions_for_Registrants.pdf
[4] https://www.registry.in/public-comments
[5] https://registry.in/system/files/RAA_28042022.pdf

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policies or advisories answer the prior question: what validly adopted registrant-facing policy or term does the Advisory purport to enforce?

4. The issue raised here is a narrow one. To avoid any possible misunderstanding, the ICA does not suggest that NIXI should tolerate fraud, trademark abuse, cybersquatting, KYC evasion, inaccurate registrant data, registrar self-dealing, or proxy abuse. Those matters can and should be addressed through clear, published, proportionate rules and existing enforcement tools. The question is whether lawful, transparent transfers of already-registered .IN domain names between willing parties can be prohibited, or punished by no-notice suspension, without publication of a binding registrant-facing rule defining the prohibited conduct.

5. The practical questions we posed in 2023 remain unanswered - and are now urgent. Our 2023 letter asked how any such restriction would treat ordinary commercial reality: a business selling its domain name asset to another business; a company acquired together with the domain names it owns; a bankruptcy trustee selling a defunct company's domain name; a company selling its shares rather than the domain name; a domain name sold together with a website; and how "an exceptionally higher price than the published MRP" would even be calculated. Registrants now face the threat of suspension without prior notice under an instrument whose reach no one - registrant, registrar, or marketplace - can determine from its text. At minimum, and without prejudice to the provenance point above, we ask NIXI to confirm that the Advisory is confined to the conduct its operative words actually describe and does not reach ordinary transfers of already-registered .IN domain names between willing parties.

6. The .IN Auction Portal requires reconciliation with the Advisory. On June 19, 2026, the Press Information Bureau reported that NIXI launched an official ".IN Auction Portal" at its 23rd Foundation Day.[6] The Advisory states that auctioning of "any" .IN domain name is strictly non-permissible. We do not assume a contradiction, but the two public records must be reconciled: which auctions are permitted, which are prohibited, who may conduct them, and where is that distinction written down? We ask NIXI to publish the Portal's terms, the categories of names it covers, and the instrument that draws the line between permitted official auction activity and the private-market activity the Advisory prohibits.

7. A constructive path exists. The ICA supports NIXI's legitimate objectives of registrant verification, fraud prevention, consumer protection, and traceability. Those objectives are better served by a regulated, transparent secondary market - with KYC-verified parties, documented transfers, and clear limits on fraud and abuse - than by an undefined restriction that risks pushing legitimate transactions into opaque private channels. An open, regulated secondary market is also the settled international norm: as we noted in 2023, we are unaware of any other registry that prohibits registrants from reselling their domain names. The world's leading country-code registries - including .UK, .DE, and .CA - permit lawful, transparent transfers of registered domain

[6]Press Information Bureau, "NIXI Marks 23rd Foundation Day", June 19, 2026, Release ID 2275446: https://www.pib.gov.in/PressReleasePage.aspx?PRID=2275446

names while maintaining registry security and public trust. Nominet's .UK dispute resolution policy, for example, expressly provides that "trading in domain names for profit, and holding a large portfolio of domain names, are of themselves lawful activities," with each case reviewed on its merits.[7] Keeping transactions within clear, verified, and contractually auditable channels strengthens rather than compromises registry integrity. Indeed, NIXI's own recent initiatives - registrant verification, AI-powered WHOIS screening, and an official auction platform - demonstrate that the infrastructure for transparent, traceable transfers already exists. A transparent framework would also better align the .IN namespace with the Government of India's declared policy direction in favour of commercialization, valuation, and financing of intangible and IP assets - a direction that expressly extends to facilitating investment through a proposed IP Exchange bringing investors and IP owners together,[8] without suggesting that domain registrations are identical to statutory IP rights. Indian courts have also long recognized domain names as commercially significant business identifiers.[9] The ICA and its members, including stakeholders in India, are ready to engage with NIXI on such a framework.

Accordingly, we respectfully request that NIXI: (a) identify the instrument, if any, by which a registrant-level restriction on the sale, auction, bidding, speculative sale, or facilitation of auction of .IN domain names was adopted, together with its final text, approval chain, publication date, and effective date; (b) failing that, withdraw or suspend the Advisory as against registrants unless and until any proposed restriction is properly developed and adopted through public consultation, including publication of the actual proposed text for comment as we requested in 2023; (c) confirm the Advisory's scope with respect to ordinary commercial transfers, including the transactions described above; (d) confirm that no registrant will be subjected to Server Hold or suspension for alleged secondary-market activity without advance notice and a reasonable opportunity to respond, absent fraud, cyber-abuse, court order, or other exigent circumstances; and (e) publish the terms and legal basis of the .IN Auction Portal.

We would welcome NIXI's response and remain available to discuss any of the above.

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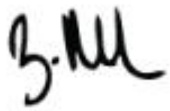
[7]Nominet UK, Dispute Resolution Service Policy, paragraph 4(d): https://nominet.uk/wp-content/uploads/2025/03/DRS_Policy.pdf

[8]National IPR Policy, 2016, Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry, including clause 5.11.2 ("Facilitating investments in IP driven industries and services through the proposed IP Exchange for bringing investors/ funding agencies and IP owners/ users together"): https://ipindia.gov.in/storage/uploads/media/2016-_National_IPR_Policy-2016__English_and_Hindi.pdf

[9]Yahoo! Inc. v. Akash Arora, 1999 IIAD Delhi 229 (Delhi High Court); Satyam Infoway Ltd. v. Sifynet Solutions Pvt. Ltd., (2004) 6 SCC 145 (Supreme Court of India).

Yours truly,
INTERNET COMMERCE ASSOCIATION



Per:
Zak Muscovitch
General Counsel

cc: Shri S. Krishnan, IAS, Secretary, Ministry of Electronics and Information Technology, and Chairman, NIXI

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