

# Need to Know Basics

The process & legal obligations to having a web presence in Canada

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## The process & legal obligations to having a web presence in Canada

### FIRST THINGS FIRST

Many people don't know the steps to owning your own Domain Name(s) to make web pages visible on the web and only learn after making some very common mistakes. This document is to help prevent the frustration in starting the process and especially when all-of-a-sudden your site is replaced with a 404 (Page Not Found) notice.

**These are legal contracts. File your invoices, emails, contracts, renewal dates, passwords and above all ... contact email address associated with your Domain Name registration and update any changes to that email. Without it, your Domain Name, hosting and/or reputation as a business person...etc. could be placed in jeopardy.**

*I can't tell you how many times I have taken on a client that no one else would help because they were so frustrated and un-trusting of the process from being un-informed. Inform yourself.*

Most of us have an Internet Service Provider for email and Internet access. Assuming either you have downloaded this off the web or I have emailed it to you, speaks for itself. Legal contact information is required when purchasing a Domain Name or acquiring hosting services for many reasons. The process is on-line. *I have served clients who don't have access or ability but have viable trades to offer services. It is more complicated but can be done.*

It is acceptable to use a Hotmail or similar free email address to register a Domain Name but you must maintain that email address. If it gets lost, you will have difficulty proving your identity to a computer if something like missing your renewal notice happens. It can't be stressed enough -- If it changes, you close it, stop using it for any reason, change your Domain contact email with your Registrar. If your address changes, do the same. A legal name and address is also required. You do not register a Domain Name to princess2517 or a false name and your address must be a physical address and not a P.O. Box. People do it, and usually regret it one way or another.

#### INTERNET ACCESS

- Contact Email
- Legal Contact Information

#### DOMAIN NAME

- Registrar (Legal Contract)
- Host (Legal Contract)

#### DESIGN, DEVELOPMENT & MANAGEMENT

- Designer (Contracted Service)
- Developer (Contracted Service)
- Management (Contracted Service)

## THE PROCESS

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## Owning a Domain

Some would think that all you must do is buy a Domain and it goes on the web. Some think of it as theirs forever or similar; their home is their Domain. Not so...

Domain is the shortened form of Domain Name. When you purchase a Domain, you are paying a yearly fee or royalty for the right to use the name you chose, for the (www.name) world wide web. Very basically that is all – the right, no one else can use it when you pay your yearly fee on time. The right doesn't connect it to the web.

Where you live and where you make the purchase might be important. Canada or United States; .ca or .com (the extension on other side of your Domain Name between the dots). Your approved choice is maintained and recorded legally by the governing body of Domain Name extension corresponding to the Country authorized to maintain it. CIRA (Canadian Internet Registration Authority) manage .ca top level Domain Registry. In the United States, ICANN (Internet Corporation for Assigned Names and Numbers) manage top level Domain Registry for .com, .net, .org, .biz and much more. IANA (Internet Assigned Numbers Authority) globally manages the database of top level Domains as well as IP addresses and Domain Name Servers. There are some restrictions on names and extensions without providing qualifications but it is not important for this document. The name you choose will be approved or not, available or not upon your name search<sup>1</sup>.

If you live in Canada, the best advice would be not to purchase of any extension outside North America for your main Domain unless you are purchasing both .ca and .com. A .ca Domain Name is best because it falls under Canadian Law. Purchasing both is simply a smart business practice, however if you lose the contact email address for any reason, a .com may be difficult or costly to re-obtain under American Law.

There are those that, using WHOIS data will buy up all the other names so that you would have to pay more to own them. Much like scalping tickets. This is illegal in Canada but not in the United States or other Countries. There is a SPAM mailing that almost every client gets and 'freaks out' over. Using WHOIS<sup>2</sup> information, some companies will send out official looking snail mail that warns in big writing or otherwise eye attracting text that you are in risk of losing your Domain Name. This immediately triggers a panic response and people don't usually read the whole letter or can't understand it because of the panic and the Company counts on that to make money. This is illegal in Canada also. Upon reading the letter, and with rational thought, the Domain owner would see that the letter simply states the actual renewal date and then states the obvious – if you don't pay it when it is due, you run the risk of losing the Domain Name. They don't say anything that is un-truthful but the goal is to have you panic and pay them at a higher rate and if you do, you will have signed over the Registrar rights.

**Don't ever do that.** Registrar transfer is easily/cheaply done when asked for.



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<sup>1</sup> Many tools are available across the web to perform a Domain Name search. These tools will tell you if a domain name is available to purchase. CIRA (Canadian Internet Registration Authority) at <https://cira.ca/> has a search on the main page.

<sup>2</sup> WHOIS is a database lookup of domain registrations. A .ca domain name is automatically blocked from accessing ownership information because of Canadian privacy laws, unless the owner allows it. Pretty much any other extension is in this database. The US and other Countries charge to have your information blocked from being accessed with .com and other extensions. This information can be found by anyone and CIRA (Canadian Internet Registration Authority) provides a WHOIS lookup page.

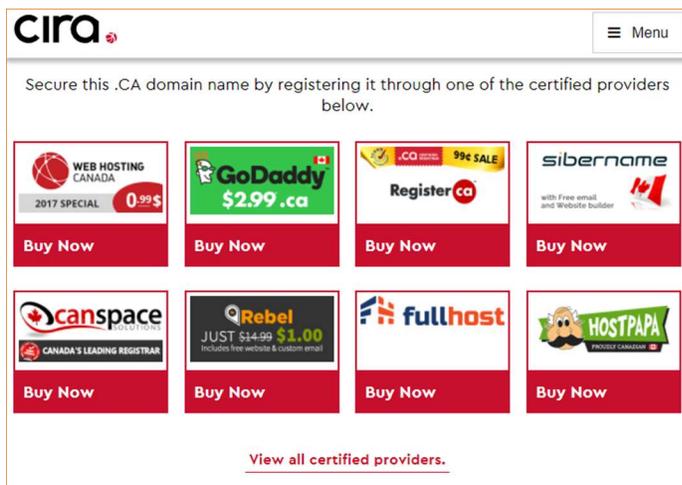
## Purchasing a Domain

To purchase the Domain, you must go through a registrar. Think of it as an insurance company where you go through a broker. The difference would be that you must do the search for the registrar and the registrar would then set it up with the governing body upon purchase. Registrars differ. Some are Canadian and can only service Canada, some service both Canada and the US, some are US based only and some offer Canadian Domains as well. Registrars would be **certified** to sell by ICANN and/or CIRA and that is something to verify.

Some Registrars offer hosting and some offer hosting and other services in an a-la-carte manner. Some offer a service and you get a Domain Name, but be careful, usually the provider owns the Domain and not you. The easiest thing for everybody involved is to choose a Domain Name from the Country you live. You can search out Domain Names at CIRA <https://cira.ca/> for Canadian Domain Names, however, some prefer the .com, .org or .net, etc. for their own reasons and they can be searched at ICANN <https://whois.icann.org/>. The Canadian site will only tell you if .ca is available for your name search and the American site will only tell you if the name you searched hasn't been registered and offer you a link to IANA <https://www.iana.org/>, to double check. It is always prudent to be informed as it could possibly save you money, which is the next thing on our list to talk about.

## How to Choose a Registrar

My best advice is to use the search at CIRA for Canadian Domain Names. When you find yours available and you click to buy, several options will come up. It looks like the following snap taken from the site:



Notice the link at the bottom to view all certified providers. It is the recommended place to start to look at various Registrars. The ones that are shown as icons are paid advertising and not all the Registrars shown as icons are Canadian based, but they would let you believe they are. This is not to say that there is no reputable Registrar advertised. Only that it is there to draw your attention and sometimes a good deal now isn't a good deal later.

It is up to you to be informed and search it out, look at their pages, do a search for reviews or issues with them, call them and ask questions like: "What is the fee for a Domain Name and the cost

for hosting after the initial contract renews?" The standard Domain Name renewal fee varies from \$10 to \$30 from Registrar to Registrar. Some contracts are yearly; some insist on multiple years. *This seems daunting, I understand. Having someone like me in your life is a sometimes a great help.*

## About Hosting with a Registrar

Hosting is storage space on a super computer called a server that is connected to the world wide web (www). Servers take the computer language (code) that your developer/designer place in the website content that enable browsers such as Chrome, Firefox, Internet Explorer and Opera, to read and make the format visible on the web.

Hosts and Registrars used to be separate entities. This made the research process easier but technically you can register your Domain Name with one Registrar and purchase hosting with another because of the laws governing Domain Registry. If you choose a host that offers everything you need for the price you want to pay, then usually

your main Domain Name will be free for as long as you host<sup>3</sup> your site with them. That is one of the bonuses when choosing a web hosting service provider that is also a Registrar. Registrars usually provide other services and technologies that you need but mostly, you need to have the control of your Domain Name.

You would also need to know in advance what you require like email so that you aren't using a free and monitored email account to do business. Free is free for a reason but we won't get in to that here. Some web hosting companies will make you pay for each email or service. You should stay clear if you can't set up and maintain your own email. It is a sign that everything is a-la-carte. That can become expensive in a start-up. Some hosting comes with PHP and MySQL (programming languages) which enables someone like me to build you a store from a data base of your products and some come with options for one-click add-on stores that may cost or not, but there are always other options too; like PayPal buttons and it just depends on your requirements.

*There are so many aspects to owning and managing your own website that many people stick to Facebook or WordPress and learn other lessons or discover as they grow that it really doesn't meet their needs. Attempts are made to build their own website with free pre-programmed tools and then can't get them to do what they want. Inevitably, they require help. It could be a friend that learned the basics in high-school. Sometimes that doesn't work the way they expect either. I took Science in high-school. Do you think you would hire me to develop an anti-vaccine? No, you wouldn't...not even if I took a college course. You wouldn't trust me with your life in that way, and you need the same kind of help with the management of your website (possibly connected to your livelihood; your income; your reputation). If you don't have the time and you don't want to do the research yourself, consider asking for help from a knowledgeable and qualified person in the field.*

### Basic Technology Requirements Needed

If you choose a Canadian Certified Registrar that is also a Web Hosting Service Provider that provides the following basic services and technologies, you should be safe now and in the future:

- Control panel access (dashboard to access all)
- One or more free Domain Name(s)
- Free multiple Domain storage (parked or add-on)
- Control of your Domains (make changes directly)
- Ability to set up multiple email accounts
- Ability to set up PHP / My SQL database(s)
- Ability to set up ftp accounts
- Ability to set up manager access for others
- SSL (shared for free, ability for paid private)
- Free one-click software (shops, blogs, etc.)
- 24-hour telephone and/or online tech support
- Help files for self-learning
- Hosting discount in first year or for multiple years



One Sample Style of a Control Panel

<sup>3</sup> To host is a term used when you have purchased/rented space on a server to store the coded files that represent your website with a web hosting service provider (hosting business). A host (also a web hosting service provider) provides the services and technologies needed for those coded files to be read by browser programs and be visible on the Internet.

## Legal Agreements

In the process of getting your website on-line, there are legal agreements made. Today, most people don't read them until something comes up.

Here is where you can get a copy of the agreement from CIRA that explains the rules:

Link: [www.jen.scotchlakefarm.com/docs/CIRA\\_Agreement.pdf](http://www.jen.scotchlakefarm.com/docs/CIRA_Agreement.pdf)

Here is where to start with the ICANN policies for registrants:

Link: [www.jen.scotchlakefarm.com/docs/ICANN\\_Beginners\\_Guide\\_to\\_Domain\\_Names.pdf](http://www.jen.scotchlakefarm.com/docs/ICANN_Beginners_Guide_to_Domain_Names.pdf)

Each Top-Level Domain Authority, Registrar and Web Host will have their policies available for their clients or registrants and Web Hosts will usually have the basic rules of owning a Domain Name.

## Design, Development & Management

Unless you are going to do it all yourself, you may enter into a contract with someone like me for design, development and/or management. It might help if you knew what they are.

**Design** is the format style and graphics of the website which sometimes involves development but not all designers are developers. Designers make it look good and if you are lucky to have one that develops even a little, money can be saved. They will contract what they can't do. Different designers, different costs. Minimum wage to thousands. You supply the content (text & photos) with spelling, grammar and/or translation complete unless also contracted.

**Development** is the coding in various computer languages such as: PHP, HTML, CSS, MySQL, JavaScript, jQuery, Pearl, etc. but, not all developers can develop with all the languages and there are many. Some can design as well, but for the most part, developers are the logic and are not concerned with design so they too contract what they can't do. Development is usually a higher cost because it is a higher skill and cost is usually in the thousands. The content is supplied here as well.

**Management** is the maintenance part. Managers make sure any changes to text and pictures are uploaded as per client request, contract out special needs, deal with Domain issues and changes to policies, inform the client, register search engines, spread the word, etc. Most managers are also designers or developers so you can usually count on them to be able to handle the small things but other items are extra. They can register or transfer your Domain, be the admin contact so nothing gets lost or forgotten, research and set up hosting for your specific needs and sometimes even explain it to you so you can take over. This all depends of course on what you want them to do in the contract and the cost varies accordingly and by how much time they must put in to updating your site. Generally, it doesn't cover design, extensive coding or major style changes but they will inform you if there is an added cost to a request.

*My services are all 3 – design, development and management. My start in computer programming in 1980 lead to taking registered and self-taught courses in HTML from its inception to HTML5; soon 6, CSS, PHP, JavaScript, jQuery, Corel Draw, Adobe Photoshop; InDesign; Illustrator; Dreamweaver & Acrobat because of my interest. My employment in private, public and not-for-profit offices in almost every position from clerk/receptionist to administrator over 25 years, made me expert in using Microsoft Office products and other software. As an Artisan, I have crafted in many media. At the same time and for the last 17 years, I have helped numerous people and companies grow by offering my skills and information at reasonable pricing with no-interest payment plans. It makes me feel good when a company outgrows my services.*

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