

Addisons FocusPapers

Call to Trade Mark Owners to Have Their Say - New Proposed Generic Top Level Domains

The domain name space is set for a dramatic change when the new proposed generic top level domains are introduced (gTLDs). The changes will allow the creation of new domains, for example **.your trademark** or **.your company name**. The stage is therefore set for conflicting interests in choice and use of such new domains on a global basis. Trade mark owners currently have an opportunity to consider the proposals for the new domains and have their say.

Trade mark protection has been identified as one of four major “overarching issues” to be resolved before the new gTLDs are introduced by the Internet Corporation for Assigned Names and Numbers (ICANN)¹.

Under instruction from ICANN to draft a report offering solutions to the potential for trade mark infringement in the new gTLDs, ICANN’s Intellectual Property Constituency (IPC) team (via its expert Implementation Recommendation Team (IRT) team) has completed its ‘Final Report on Trade Mark Protection in New gTLD’ (the Report). The Report can be accessed at <http://alturl.com/b2f4>.

The Report is open to public comment until **6 July 2009**. ICANN is accepting submissions through <http://alturl.com/naz7>. Comments and submissions already made can be viewed at <http://alturl.com/6byh>. This is an important opportunity for trade mark owners to consider the proposals and raise any comments or concerns. As ICANN expects to close off its work on the “overarching issues” by end August 2009, the time to have your say is **now**.

ICANN is also meeting in Sydney between 21 and 26 June 2009 in order to develop solutions to these “overarching issues”. Many of the session are open to the public (registration is required in some circumstances). The full program is accessible at <http://alturl.com/9i67>. Trade mark owners are also urged to attend and participate.

Please do not hesitate to contact any member of Addisons’ IP team for any further information or assistance.

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¹ Together with ‘The Economic Analysis of new gTLDs’, ‘Financial Analysis’ and ‘The Objection Process’.