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A new top level domain name (TLD) extension .xxx will be available to register domain names soon, and those trademark owners who do not want their trademarks to become associated with a .xxx domain may register to block use of their marks in this manner if they do so by October 28, 2011.

The .xxx domain is a “sponsored” TLD which is designed for companies and individuals in the adult entertainment industry, but will eventually be open for registration to the general public. If you want to help ensure that your trademark does not become registered by someone else and become associated with a .xxx domain name, you may file an application to block registration of your trademark as a .xxx domain name during the “Sunrise” period ending on October 28, 2011. This Sunrise period allows trademark owners to prevent registration of the .xxx domain prior to the time when the .xxx registry becomes generally open to the public.

The filing costs to do this will be \$200-300 per trademark and is non-refundable. In addition, you must own a trademark or service mark registration in a country in which you use the mark, prior to September 1, 2011.

Filing a blocking application does not guarantee you will receive the .xxx domain name registration associated with your mark, such as in those situations where a company in the adult entertainment industry has rights in the same mark and also applies during the applicable Sunrise period. But it should prevent someone else from attempting to register it later during the general availability period. If your application is granted, the .xxx domain name that corresponds to your mark (for example YellowTulips.xxx) will resolve to a page stating that the domain name is not available for registration.

Wendel Rosen can assist you in this process or you can find more information about the .xxx TLD and the Sunrise period at <http://www.icmregistry.com/launch/sunrise-b/> and apply to register directly.

Please contact Eugene Pak ([epak@wendel.com](mailto:epak@wendel.com)) or Anagha Dandekar Clifford ([adclifford@wendel.com](mailto:adclifford@wendel.com)) if you have any questions or need assistance.