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## Block Your Trademarks From Being Registered in the New .xxx Top-Level Domain

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The Internet Corporation for Assigned Names and Numbers (ICANN) approved the .xxx top-level domain (TLD) earlier this year. The .xxx TLD is intended for use by the adult entertainment industry.

As a result, your company's registered trademarks may be reserved by a third party in the adult entertainment industry and incorporated into a domain name with the .xxx TLD, which can tarnish your company's business image and erode valuable trademark rights by creating an improper association with the adult entertainment industry.

For this reason, ICM Registry, the registry operator for the .xxx TLD, is giving owners of registered trademarks the opportunity to opt out and block the registration of their marks in the .xxx TLD. Between September 7, 2011, and October 28, 2011, trademark owners can apply to reserve a domain name in the .xxx TLD, essentially removing a particular domain name from the pool of available domain names. It will only be possible to reserve or block a domain name during this period, referred to as "Sunrise B" by ICM Registry.

After October 28, 2011, trademark owners can prevent third parties from incorporating their trademarks into .xxx TLD registrations by obtaining defensive .xxx TLD registrations. However, defensive TLD registrations must be renewed and maintained, unlike the one-time opt out Sunrise B provision. ICM Registry also anticipates offering a number of post-registration rights protection mechanisms, but the specifics for these mechanisms have yet to be defined.

*Please contact Luce Forward to discuss how to protect your company's registered trademarks and make them unavailable for reservation as .xxx TLDs, or to discuss strategies related to other new developments in TLD registration.*