

## Update: Deadlines And Details To Keep Trademarked Domains Away From The Adult Entertainment Industry

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August 9, 2011



In a recent decision, ICANN, the Internet Corporation for Assigned Names and Numbers, approved the use of .xxx internet domain exclusively for the online adult entertainment industry. The move presents a time-sensitive issue for business and trademark owners across all industries. Despite that the decision helps internet users distinguish the adult industry domain from other domains such as .com, .org, and .net, it may create an opportunity for any third party to register almost any domain name.

Business and trademark owners can take steps to protect their companies and brands from being registered to an .xxx domain. Failure to do so would put companies at risk of association with the online adult entertainment industry.

In response to these concerns, the ICM Registry (the company operating the .xxx domain) created a defense registration process which is available for business and trademark owners who do not want to have their companies and brands associated with the adult industry. Trademark owners interested in protecting their non-adult brands are called "Sunrise B" applicants. "Sunrise B" applicants may block their names and trademarks for use as trademark.xxx domain during the sunrise period by payment of a nominal fee. The sunrise period is a limited time period (September 7th-October 28th) before the general public has access to buy .xxx domain names.

If the applicant successfully reserves his/her trademark, the domain names are blocked for ten years and cannot be purchased by anyone else. By defensively registering domain names during the sunrise period, trademark owners avoid a more costly legal battle in the future should a third party register their trademark to an .xxx domain. Registration is online through the designated registrars for the .xxx domain found at [www.icmregistry.com/registrars.php](http://www.icmregistry.com/registrars.php).

Please contact *Len Brignac* for more details and updates regarding this issue.