

New Global Level Domain Names Approved By ICANN

23/06/2011 by Rosemary Wallis

Business names or brands will soon be able to be registered as top level domain names. The Internet Corporation for Assigned Names and Numbers (ICANN) has approved a plan to increase the number of generic top-level domains (gTLDs) from the current limit of 22. gTLDs are domain name endings which come after the dot, such as .com or .info. This week's approval will allow domain names to end in almost any word in the any language, including business names or brands, such as .APPLE or .CANON, as well as geographical areas and keywords. ICANN hopes that the initiative will "unleash the global human imagination". It has the potential to radically change the way in which people locate information on the internet.

Any person or entity will be able to own and administer a gTLD. The privilege is not expected to be cheap, with estimates of the initial filing fee being approximately USD 185,000 and overall costs for the first 18 to 24 months estimated at between USD500,000 and USD1,000,000, once examination and opposition costs are taken into account.

While the new gTLDs will not be functional until 2013, the window for making an application for a gTLD will be from 12 January 2012 until 12 April 2012. Individuals or organisations will have to show that they have a legitimate claim to the name they are buying, and an opposition process will be available where applications are made which allegedly infringe third party intellectual property rights. If there are multiple multiple applications an auction process will take place.

Applications will follow a relatively complex format which will require the provision of both technical and financial information from the applicant.

Brand owners who do not wish to register their gTLD will still have the opportunity to "defend" their brands from use by other parties:

- from registration of their brand(s) as gTLDs by other parties;
- from the use of their brand(s) as second level domain names used with the new gTLDs; and
- through the use of a trade mark clearinghouse, uniform rapid suspension system
 (URS) and a post delegation dispute resolution procedure (PDDRP).

Should you have any queries please do not hesitate to contact Rosemary Wallis.

Written with assistance from Chloe Barker.