

brief guide to domain names

A domain name is a user friendly label for a unique Internet Protocol (IP) address - a number - which enables users to access a specified website on the Internet.

If used properly, domain names and their related websites, can be valuable sales and marketing tools. In view of this, many companies use their trade marks as domain names and it is wise to consider domain name registration strategy in the context of your brands.

Domain names are secured and registered through domain name registrars accredited by The Internet Corporation for Assigned Names and Numbers (ICANN). A directory of registrars can be obtained from ICANN at www.icann.org.

Domain names are roughly categorised by Top Level Domains (TLDs) consisting of either generic TLDs (gTLDs) or country code TLDs (ccTLDs). There are currently seven gTLDs : **.com**, **.net**, **.org**, **.aero**, **.biz**, **.coop**, **.info**, **.museum**, **.name**, **.pro**. In some countries ccTLDs have been further divided into Second Level Domains (SLD) - for example **.co.uk**, **.org.uk**, etc.

Domain Names are granted on a first come first served basis. There is no examination procedure and where a domain name registration conflicts with trade mark rights it is necessary to decide whether the best route to follow is litigation before the courts or the Uniform Domain Name Dispute Resolution Policy (UDRP).

The UDRP was developed and adopted by ICANN on the basis of recommendations made by the World Intellectual Property Organisation (WIPO) to provide a reliable and cost effective way of addressing conflicts between domain names and trade mark rights.

The majority of cases filed under the UDRP are processed through WIPO. This dispute resolution process is conducted through a panel of 1 or 3 neutral experts and the panel's decision is mandatory on the accredited domain name registrar, who is required to take the steps necessary to enforce the decision - unless the case is appealed to the courts. In practice appeals seldom happen. No monetary awards are made through the UDRP procedure and injunctive relief is not available.

Most domain name registrars require renewal fees to be paid annually. Failure to renew registrations in time can result in the domain name being released for re-registration to the public, potentially resulting in permanent loss of the domain.

how can we help you ?

We can advise you on all aspects of domain name adoption and registration strategy, including conducting any relevant searches, registering your domain names, ensuring that they are maintained and acting on your behalf if there is any dispute. For further assistance please contact us at:

HallMark IP Limited

1 Pemberton Row London EC4A 3BG

t + 44 (0) 20 3102 9000 • f + 44 (0)20 3102 9001

e-mail: info@hallmark-ip.com • www.hallmark-ip.com

This Brief Guide was prepared as an overview of the subject matter. It is not intended as a substitute for considered advice from one of our attorneys and should not be relied on as such. For assistance on IP related issues please contact the HallMark IP attorney who normally deals with your matters. Alternatively, you can make a general inquiry at info@hallmark-ip.com or call us on +44 (0)20 3102 9000. We look forward to helping you.

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