

# hallmark ip

## Newsletter June 2010

### Generic Top Level Domains

gTLD stands for generic top-level domains and is the technical term for the suffixes - extension of three or more characters like .com, .org or .info – which appear at the end of Internet addresses. They are part of the structure that forms the Internet's global addressing system, or domain-name system (DNS), and are used to route traffic through the Internet.

Generic top-level domain (gTLD) is one of the categories of top-level domains (TLDs) maintained by the Internet Assigned Numbers Authority (IANA). IANA is operated by the Internet Corporation for Assigned Names and Numbers, better known as ICANN. Overall, IANA currently distinguishes the following groups of top-level domains:

- infrastructure top-level domain
- country-code top-level domains (ccTLD)
- generic top-level domains (gTLD)

In the 1980s, eight gTLDs (.com, .edu, .gov, .int, .mil, .net, .arpa, and .org) were created.

In the years following the creation of the original gTLDs and following the creation of ICANN in 1998, ICANN introduced 13 further gTLDs – in 2000 (.aero, .biz, .coop, .info, .museum, .name and .pro) and in 2004 (.asia, .cat, .jobs, .mobi, .tel and .travel).

### Unrestricted gTLD

gTLDs are divided into two groups, (1) Unrestricted, and (2) Restricted (or Sponsored).

Generally speaking unrestricted generic top-level domains are those domains that are available for registration by any person or organization for any use. The prominent gTLDs in this group are .com, .net, .org, and .info. However, .info was the only one of these, and the first, that was explicitly chartered as unrestricted. The others initially had a specific target audience. However, due to lack of enforcement, they acquired an unrestricted character, which was later grandfathered.

### Restricted [Sponsored] gTLD

The term sponsored top-level domain is derived from the fact that these domains are based on theme concepts proposed by private agencies or organizations that establish and enforce rules restricting the eligibility of registrants to use the TLD. For example, the .aero gTLD is sponsored by the Société Internationale de Télécommunications Aéronautiques, which limits registrations to members of the air-transport industry.

### Geographic gTLD

A geographic TLD is a generic top-level domain using the name of or invoking an association with a geographical, geopolitical, ethnic, linguistic or cultural community. Only two GeoTLDs currently exist: the sponsored domains .cat, for the Catalan language and culture, and .asia, but many others have been proposed.

## New gTLDs

ICANN is currently in the midst of a new gTLD program, which is still at the consultation and implementation stages. There are currently 21 gTLDs.

- .aero = aviation
- .arpa = Internet infrastructure
- .asia = Asian business and individuals
- .biz = business
- .cat = Catalan community
- .com = Open, generally commercial
- .coop = cooperatives
- .edu = postsecondary education
- .gov = United States Government
- .info = Open, generally information
- .int = organizations established by treaties
- .jobs = employment
- .mil = United States Military
- .mobi = mobile electronics
- .museum = museums
- .name = individuals
- .net = Open, generally Internet
- .org = Open, intended for non-profits
- .post = Post Offices Worldwide. **Approved, not yet available**
- .pro = professionals
- .tel = Telephone/Communications
- .travel = travel industry

Each of the gTLDs has a designated “registry operator” according to a Registry Agreement between the operator (or sponsor) and ICANN. The registry operator is responsible for the technical operation of the TLD, including all of the names registered in that TLD. The gTLDs are served by over 900 registrars, who interact with registrants to perform domain name registration and other related services.

The new gTLD programme will create a means for prospective registry operators to apply for new gTLDs, and create and operate a registry business and sign a contract with ICANN.

## What is ICANN doing to protect trade mark owners?

First, an objection based process will enable rights holders to demonstrate that a proposed gTLD would infringe their legal rights. Second, applicants for new gTLDs will be required to describe in their applications the rights protection mechanism they propose for second level registrations, which must be made public. Third, all new gTLDs must ensure that second-level registrations are subject to ICANN’s Uniform Dispute Resolution Policy (UDRP), a process that has worked well to protect rights for many years.

## How many new gTLDs are expected?

There is no way of knowing the exact number of applications ICANN will receive during the 2010 application round or how many of these applications will qualify and become gTLD registries. Market speculations have estimated anything from hundreds to thousands.

If you require further advice please contact your attorney or e-mail HallMark at [info@hallmark-ip.com](mailto:info@hallmark-ip.com).