
ERIC POTTER CLARKSON

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DEVELOPMENTS IN DOMAIN NAME PROTECTION: “.biz”

As of 21 May, a new global top level domain (gtld) name Register has been established, namely *.biz*. This is one of the first new gtld's to be made available for over ten years and, over the coming months, further gtld's will be established, including *.name*, *.museum*, *.pro*, *.aero*, *.coop* and *.info*.

Registration of *.biz* domain names goes live on 1 October 2001 and *.biz* registrations are intended for parties who use their domain name for a “bona fide business or commercial use.”

Proprietors of the identical trademark (either registered or unregistered) for which *.biz* domain name protection is required can submit an Intellectual Property (IP) claim up until 9 July 2001. This will grant the trademark proprietor certain benefits prior to the launch of the Register in October and may help to prevent unauthorised third parties from registering a *.biz* domain name which is identical to the trademark.

Any *.biz* domain name applications filed after 1 October 2001 will be issued on a first come first served basis and the IP claim service will not be available to trademark proprietors.

Recommendation

1. If the *.biz* domain name is the same as a trademark that your company owns then we strongly recommend submitting an IP claim form, for which we will charge £220 (plus vat) inclusive of the official fees, provided that the trademark has been registered. (It is possible to base an IP claim on an unregistered trademark but the procedure is more complicated and our charges would be higher.) Please let us have your instructions by **22 June 2001**.

2. If you wish to obtain a *.biz* domain name registration please let us have instructions by **31 August 2001** in order that we can take steps to file an application, for which we will charge £105 (plus vat).

Please complete and return the attached reply slip if you require protection.

Please note that the timeframes outlined above are those that have been issued by the domain name authorities and could be subject to change but are not extendible.

If you require any further information or advice please contact Ian Buchan, David Minto, Sanjay Kapur or John Peacock.

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Reply slip to:

Trademark Formalities Dept
ERIC POTTER CLARKSON
Park View House
58 The Ropewalk
Nottingham
NG1 5DD

Email: epc@eric-potter.com
Fax : 0115 955 2201

We wish to register the following .biz domain names

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Please continue list on an additional sheet (if required)

We wish to submit IP claims for the following trademarks

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.....
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Please continue list on an additional sheet (if required)

Name of applicant:

Address of applicant:

Name and position of person authorising:

Date:

Please ensure that you obtain confirmation that your reply has been successfully received before the relevant deadline.

The information in this Newsletter was correct at the date of release. More up to date information is available by contacting Eric Potter Clarkson. All comments contained here are of a general nature and full professional advice should be sought on any specific problem.

Please note that all our Newsletters can be found on our website at www.eric-potter.com.

N:071/cld/sk/lc

7 June 2001

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