

## Explosion of new domain names presents risks for online brands

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On November 1, the Internet Corporation for Assigned Names and Numbers (ICANN) will meet in Cairo, Egypt to discuss the introduction of new top level domain names (gTLD), current examples in use are .com, .net, and .biz. The proposal calls for the adoption of new gTLDs to facilitate choice and competition in the domain name registration services. ICANN's proposal will include the introduction of geographic designations, such country or territory codes (.us and .uk) as well as city names. These new designations would require supporting documentation for registration.

"ICANN's goal is to give end-users more choice in their presence on the Internet and stimulate competition," said Darin M. Klemchuk. "However, critics have compared the introduction of new domains with the printing of money: the value of your current registration is decreased because of possible brand dilution and public confusion, while the cost of protecting one's brand increases."

ICANN encourages users to avoid registering gTLDs that are confusingly similar to an already existing gTLD in order to prevent confusion in the marketplace. The introduction of new gTLDs will increase the open avenues for registering confusingly similar variations of brand names. ICANN encourages applicants to adopt curative measures, such as Uniform Dispute Resolution Policy (UDRP), to cure such confusion. Additional preventative measures include the registration of many domain names. "With the multiplication of top level domain registrations, businesses will experience difficulty in policing their brands online and will likely incur substantial costs," noted Mr. Klemchuk. "This expansion of domain names will also make phishing schemes more prevalent. All of this will require businesses to be more vigilant and proactive in protecting their online brands."

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Darin M. Klemchuk, an intellectual property trial lawyer, focuses his practice on patent, trademark, copyright, trade secret and other intellectual property litigation and enforcement. In addition, Mr. Klemchuk has extensive experience representing clients in commercial and business disputes, particularly software development, trade-secret, and non-compete disputes. Recently named by D Magazine as one the "Best Lawyers in Dallas," for the second year in a row, Mr. Klemchuk also focuses on intellectual-property licensing and technology agreements and serves as local counsel for out of state plaintiffs and defendants involved in patent, trademark, copyright, IP, and commercial litigation in the state and federal courts in Dallas, Texas.

CKPT offers a broad range of services in addition to intellectual property including commercial litigation and business litigation as well as corporate counseling on mergers and acquisitions, private equity, and securities. Located in Dallas, Texas, CKPT supports a client base that ranges from individuals and startups to established companies. Further information on these services is available at [www.ckptlaw.com](http://www.ckptlaw.com). For more information on the intellectual property practice of CKPT, please visit [www.ckptip.com](http://www.ckptip.com).

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