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Largest Expansion of Domain Name System in History: New Domain Name Plan Approved by ICANN on June 20, 2011

Today, ICANN approved the launch of its new generic top level domain name (gTLD) plan. It will accept applications for new gTLDs from January 12, 2012, to April 12, 2012. Under ICANN's plan, anyone can apply to own and manage a gTLD, the part after the dot. However, the expense for doing so is expected to exceed \$500,000 over the first eighteen to twenty-four months, with significant yearly expenses thereafter.

This move follows years of ICANN wrangling with brand owners and governments over opposition to the plan. It is expected that the new gTLDs will not be functioning until 2013. Even if brand owners do not want to acquire their own gTLD, there will be several relevant periods for defensively protecting their brands. The first will be protecting their brands from being registered as gTLDs by others. The second will involve defensively protecting their brands as second level domain names in the new gTLDs. The final ICANN plan includes a trademark clearinghouse, a uniform rapid suspension system (URS) and a post-delegation dispute resolution procedure (PDDRP), all of which can be used by brand owners to help protect their brands. One controversial aspect of the draft plan that would require brand owners to prove use of their trademarks before they could be included in the trademark clearinghouse was maintained in the final plan approved by the ICANN Board.

Dorsey & Whitney's Trademark, Copyright and Brand Management Group would be pleased to assist your company in planning for the new gTLD launch. If you have questions, please contact one of our trademark attorneys.

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