Trademark Alert: .XXXtra Concerns for Trademark Owners: The New .XXX Domain Name

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The newest domain extension—.xxx—is about to make its debut, much to the chagrin of trademark owners who wince at the prospect of use of their trademark as a domain in an online space purportedly reserved for the adult entertainment industry. If you are concerned, you will want to apply to block .xxx domain names that correspond with your marks. You must act before October 28, 2011.

Q. When can I file to block these domains?

A. September 7, 2011 through October 28, 2011 (the "Sunrise" period) for owners of trademark registrations. Otherwise you have to wait until December 6, 2011 (the "General Availability" period) to apply.

Q. What does it cost?

A. Registrars are charging a nonrefundable fee of $200-300 per mark.

Q. What do I need to apply?

A. You must own a trademark or service mark registration from a country where you use the mark.

Q. Once I apply, am I guaranteed the .xxx domain name reservation?

A. No. During the Sunrise, applicants in the adult entertainment industry are given priority where they also own a trademark registration or have a domain name registration for your mark. Applications submitted during General Availability, however, are accepted on a first-come, first-served basis.

Q. What do I get out of this?

A. If your application is successful, the domain name that corresponds exactly with the word or words in your mark will resolve to a page indicating the domain name is not available for registration.

Q. Where do I apply?

A. We'll be happy to handle the application for you, or if you prefer to do it yourself, go to www.icmregistry.com.

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