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Trademark Enforcement in the New Internet Domain Landscape

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Hundreds of new generic top-level domains (gTLDs) will appear in the Domain Name System of the Internet later this year. These new gTLDs, such as .microsoft, .finance, .news, and .shop, will augment the longstanding gTLDs like .com and .net. The introduction of so many new domains means trademark owners could encounter increased incidents of online infringement or cybersquatting.

In addition to the usual tools available to those whose marks are infringed by domain names, the Internet Corporation for Assigned Names and Numbers ("ICANN") has launched a so-called "Trademark Clearinghouse," a global repository for trademark data, and the first such database ever introduced in the domain name area. ICANN developed the clearinghouse as a way for trademark owners to protect their intellectual property in the wake of the new gTLDs.

For a fee, trademark owners can record their marks with the Trademark Clearinghouse, and this information will be made available to those seeking to register new gTLDs. If a domain is registered using the recorded trademark, ICANN will notify the trademark owner and the owner will have options for challenging the website registration.

The cost of registration varies depending on the number of years for which the trademark owner registers, and currently ranges between \$95 and \$150 per year. Registrations with the clearinghouse must be renewed in order to remain active. Please contact us if you would like more information about the clearinghouse or about trademark protection in general.