

## Domain Update.



### I. REVEAL DAY

Today, ICANN published the list with applicants, applications and in particular the applied for “strings” (the letter sequence following the dot) for the new gTLDs (generic Top Level Domains).

ICANN had to change the time frame for the first application round for new gTLDs. Technical problems made it necessary to extend the application deadline until 30 May 2012.

The new gTLDs may for example be \*.brand, \*.car or \*.cityname. In an extensive application process, the applicants had to show that they are technically and financially able to organize and operate a gTLD registry in the future. This one significant difference to registering a domain name as a Second Level Domain, for example under the Top Level Domain \*.de. DENIC e.G. is the competent registry for the Top Level Domain \*.de.

## II. NEXT STEPS

Trademark owners will now have to consider in a timely manner the following six topics:

- under <http://newgtlds.icann.org/en/program-status/application-results> information can now be found who applied for which “string” (It cannot be excluded that the website may break down due to technical reasons at least today.);
- the list of “strings” should be read looking for identical and confusingly similar signs, also including IDNs (internationalized domain names), e.g. Cyrillic or Hebrew;
- it may also be interesting whether competitors have applied for specific “strings”;
- possibly, applications for generic terms in relation to a specific business field were filed and comments regarding the suitability of the applicant or confusion of the gTLD for the public may be provided prior to the evaluation process;
- a further consideration is how far the own business model may be impacted if ICANN grants a gTLD with a quasi monopoly (maybe even for a generic term) to a third party bearing in mind that this third party is then free to determine the costs for registration of a Second Level Domain; if applicable, further reactions to such situation should be contemplated and internally discussed;
- afterwards, further opportunities for conflict solution or comments for evaluation should be prepared in detail.

## III. TIMING

The following deadlines should be monitored in order to use the three main mechanisms to react against applications which are of concern:

- **12 August 2012**

The 60 day public comment period ends. Everyone is invited to comment in this period. Comments can be forwarded regarding each application. ICANN’s evaluation officers will consider these during the first evaluation.

- **13 January 2013**

Within seven months from now objections towards ICANN can be filed:

- confusing “strings”
- blocking prior rights
- not sufficient public interest
- so-called “community objections” regarding the specific requirements for “strings” which are applied for by specific communities.

Such objections shall then be dealt by an independent Dispute Resolution Service Provider (DRSP).

- **12 August 2012**

Also within 60 days from today, the GAC (Government Advisory Committee) will close the window regarding warnings.

Until today, the application process showed that announced deadlines are not definitely fixed. There exist no experiences with the further process or evaluation. Hence, the further process and deadlines should be monitored continuously.

If you have any questions or if you require more detailed information, please do not hesitate to contact us.

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