

All Things IP



Submitted by

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Domain name protection:

As the Internet has become an increasingly important business tool for brand promotion, the growth of the Internet has presented new challenges to brand owners concerning trademark infringement, policing, and brand enforcement. In internet where the operations are universal, the equivalence of trademarks as domain names has a different challenge to the IP system. In this domain name system the registered domain address is universal and only one applicant gets the registration for a particular name as name to be used worldwide registration. Due to the first come first serve method of assigning names which are freely available, many players have taken undue advantage of getting the addresses and negotiating with those who desire them in the regular trade and commerce for a profit which is called as 'cyber squatting'.

When an entity finds that the domain name corresponding to or closely similar to its product or services or similar to its domain name, is owned by any other third party, the entity can legally contest to secure the domain name back from such third party.

The Internet Corporation for Assigned Names and Numbers (ICANN) is a not-for profit partnership of stakeholders from all over the world dedicated to developing policies to keep the Internet domain name system secure and stable, as well as to promote competition among domain name registration authorities. Through the Uniform Domain Name Dispute Resolution Policy (UDRP) set up under the ICANN, domain name disputes in relation to generic top-level domains such as .com, .net, .org etc can be contested.

Similarly, there are also certain other established country wise domain dispute resolution mechanisms such as IN Domain Name Dispute Resolution Policy (INDRP) which are specific to resolving of disputes of domain names specific to that country, i.e. .in .

We at Eshwars have hands-on experience with respect to initiating of dispute resolution mechanisms to safeguard the interests of the clients and prevent third party to unjustly enrich on others goodwill. For more information please contact saisunder@eshwars.com





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