

ADVISORY

May 2010

NOMINET MAKES 2000 NEW UK DOMAIN NAMES AVAILABLE FOR REGISTRATION

Nominet, the United Kingdom internet registry for .uk domain names, has announced that it intends to release approximately 2000 domain names for registration, consisting of one character and two letter domain names it controls. This change is due to technical restrictions that no longer apply.

Before they set about releasing these domain names, Nominet are currently carrying out a public consultation so that they can hear concerned parties' thoughts on how the domain names should be released. The domain names may be considered quite valuable because, as the use of internet domain names has grown so the value in those domain names which are either scarce or specific (or both) has increased. In this instance the domain names that may be released, include:

- All currently reserved one character domain names in .co.uk, .org.uk, .me.uk, and .net.uk;
- All currently reserved two letter domain names in .co.uk, .org.uk, .me.uk, and .net.uk;
- Nominet may also release domain names that use a generic top-level domain (gTLD) at the third level (e.g., biz.org.uk); and
- Domains that use a second level domain name at the third level (e.g., SCH.org.uk).

There are under 30 minor exceptions for domain names that were registered before Nominet started operation in 1996.

The consultation is going to run until 8 June 2010, and Nominet have provided a domain name at which a simple survey may be filled out in order that people may more easily give feedback. It can be found at <http://www.nic.uk/about/consultations/reservedshortdomains/paper/>.

The intention at the moment is that there should be a staged "sunrise" for trademark holders, in order to ensure that well-known trade marks are not snapped up by people that do not own them, such as the "AA". At the moment, the recommendation is that there should be a two-phased domain name release mechanism, with two rounds:

Round 1: Applications accepted from holders of registered trademarks recognised and enforceable in the UK that must be identical to the two-letter combination applied for.

London
+44 (0)20 7786 6100

Brussels
+32 (0)2 290 7800

Denver
+1 303.863.1000

Los Angeles
+1 213.243.4000

New York
+1 212.715.1000

Northern Virginia
+1 703.720.7000

San Francisco
+1 415.356.3000

Washington, DC
+1 202.942.5000

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Round 2: Domain names not taken up in the first round would then be open to holders of unregistered rights.

For consistency, the same approach should be applied for one character domain names and other short domains.

The intention is that Nominet run this exercise on a cost-recovery basis. If any auctions generate a surplus, Nominet intend to give that surplus to the Nominet Trust, a charitable organisation established by Nominet with objectives including the education, release of financial hardship, and protection of children in the area of the Internet and information technology.

We hope that you have found this advisory useful. If you have additional questions, please contact your Arnold & Porter attorney or:

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