

LEGAL UPDATES

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Service

Intellectual Property

Trademark Owners Take Note: Reservation Process for New .xxx Top- Level Domain Underway

The Internet Corporation for Assigned Names and Numbers (ICANN) recently approved the top-level internet domain (TLD) extension “.xxx” for members of the adult entertainment industry. This is relevant to all brand owners who want to prevent an association of their brand with the industry through the unauthorized use and registration of their trademarks within the “.xxx” domain extension. To address this concern, ICM Registry LLC, the anticipated contractor with ICANN for the .xxx TLD, opened a reservation period for members of the adult entertainment industry and other trademark owners not affiliated with the industry to apply to reserve domain names ending in “.xxx”.

The reservation period allows trademark owners to apply to reserve “.xxx” domain names containing their trademarks, which effectively prevents others from doing so. This reservation period is currently underway; however, the general registration process will not begin until after ICANN approves a registry agreement. Trademark owners may visit ICM Registry’s web page to apply to reserve domain names ending with the .xxx TLD.

There is no cost to reserve a name, but registration fees will apply for domain names that are ultimately registered. Registration for a .xxx domain name is expected to cost around \$60/year. Web content for registered domain names ending in “.xxx” that are owned by parties that do not offer adult content will display a standard message page.

What This Means to You

All trademark owners interested in preventing the registration of their brand within the “.xxx” domain extension are encouraged to participate in the application process during the ICM Registry’s reservation period.

Contact Info

For additional information and assistance, please contact your Husch Blackwell attorney.

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