

How to protect Intellectual Property Rights in the new gTLDs?





What is a gTLD? a generic Top Level Domain

The most famous? .COM

Other gTLDs?



ICANN Project? new gTLDS

Icann opens the root of the Internet

Introduction of hundreds of new gTLDs to increase competition and choice in the domain name space

Applicants will choose the gTLD they want to operate





13 JUNE 2012: REVEAL DAY

The number of applications was beyond all expectations

A much broader success than expected

- ✓ 1930 applications targeting 1409 unique strings (500 expected)
- ✓ 3 categories: **.brand** (40%): .bmw, .cartier, .clubmed, .mcdonalds, .sony
- .generic** (40%): .art, .bank, .music, .phone, .shop, .tennis
- .geographic (10%)**: .paris, .berlin, .nyc
- .other** (10%)

Famous non-candidates

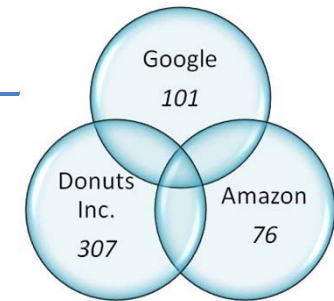
- ✓ Coca-Cola, Facebook, Mercedes

Many disputes

- ✓ 13 applications for .app
- ✓ Merck KGaA (merck.de) vs. Merck & Co., Inc (merck.com) for **.merck**
- ✓ **.amazon** is blocked by the veto of Governments
- ✓ **A few brand owners want to operate generic terms for their exclusive use**



NEW gTLDs: A BATTLE OF GIANTS



Google: 101 applications

- ✓ An offensive strategy in front of Facebook to preserve the « entry point » domain name, URL... and the associated search

Amazon: 76 applications

- ✓ The whole e-commerce system is targeted, from the search to the final purchase
- ✓ Beyond the culture (coupon, deal, buy, box, news, search, ...)
- ✓ Objective: hegemony on the e-commerce?

The birth of new Internet Giants

- ✓ **Donuts**: 307 applications for generic terms
- ✓ **TLDH**: 70 applications for generic terms
- ✓ **Domain Ventures Partners**: 60 applications for generic terms
- ✓ **Uniregistry**: 54 applications for generic terms

FYI: 120+ million domain names are registered in .com/.net (Verisign)

NEW gTLDs: THE INTERNET 3.0

Old gTLDs are meaningless

New gTLDs have a meaning

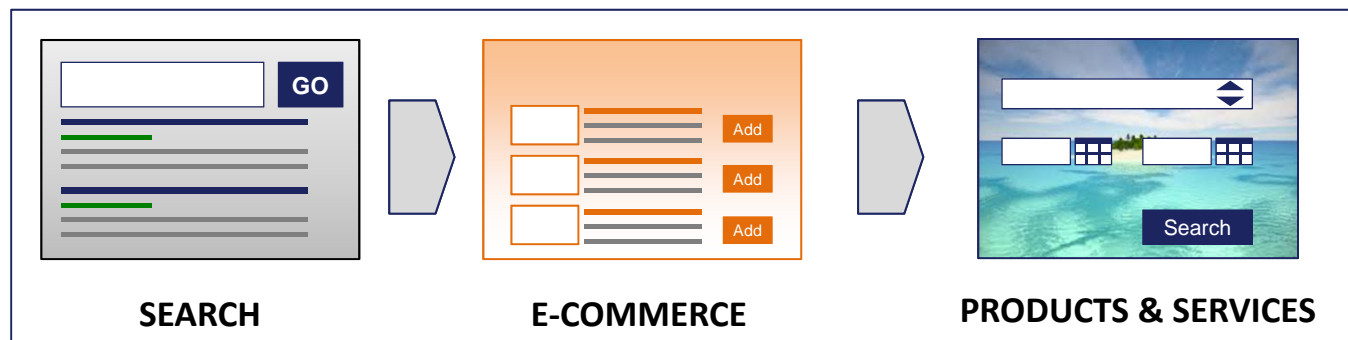


SEO and e-commerce will be directly impacted

Google's applications include: .search, .google, .android, .youtube, .chrome ...

Amazon's applications include: .app, .cloud, .free, .game, .kindle, .search, .zappos...

Some economic sectors will be first in line: .hotel, .tires, .book





NEW gTLDs: NEW RISKS!

Technical risks

- ✓ Around 1300 new TLDs will be activated in 12 to 18 months
- ✓ Internet stability and resilience: many surprises to come
- ✓ First risk identified: domain name collision
- ✓ First decision to mitigate risks: the delegation of .corp and .home application will be indefinitely postponed!

Legal risks

- ✓ Increase of existing infringements: cybersquatting, counterfeiting, phishing
- ✓ Dilution of responsibilities: registry operators are located all around the world
- ✓ Risk of seizure of domain names increased (currently applied only in the USA)

Business risks

- ✓ **Low ranking** for domain names in .com
- ✓ Risk of **loss of brand awareness** on search engines
- ✓ Risk of **loss of income**



THE CLOCK IS TICKING: PUT YOUR COMPANY ON BATTLE-STATIONS

First Emergency: The Trademark Clearinghouse

- ✓ Centralized database of registered trademarks
- ✓ Allows brand owners to register domain names identical to their trademarks before new gTLDs are opened for general registration
- ✓ TMCH registrations may be mandatory for selected services
- ✓ Selecting and registering trademarks in the TMCH is a critical decision



Redefine your domain name policy

- ✓ An average of 15 to 20 launch periods per week is scheduled for the coming months
- ✓ Decide at the last minute is not possible
- ✓ An adjustment of the existing registration policy is essential
- ✓ New strategy should take into account impacts on the business

**THE RESOURCES ARE NOT ALWAYS AVAILABLE IN-HOUSE:
IP SPECIALISTS MAY HELP YOU REBUILD YOUR INTERNET STRATEGY**

THE CLOCK IS TICKING: PUT YOUR COMPANY ON BATTLE-STATIONS



Watch the new Internet landscape

- ✓ Detect new domains reproducing your trademark
- ✓ Identify new infringements and threats
- ✓ Consolidate data for an overview of infringements

Dreyfus offers monitoring services in its Internet platform Dreyfus IPweb

Adapt your defense against infringements

- ✓ The number of TLDs available for registration will triple in 2014
- ✓ 3 Million+ domain names have been pre-registered in new gTLDs in a few months
- ✓ Defense costs will explode if the defense strategy remains the same

An IP specialist will help you redefine your strategy and prioritize the actions



NEW gTLDs : NEW OPPORTUNITIES!

SEO opportunities

- ✓ Benefit from meaningful TLDs to increase your SEO
- ✓ Generate additional traffic to your sites

Business opportunities

- ✓ Develop new businesses based on new gTLDs
- ✓ Expand existing business
- ✓ Offer new services through new gTLDs

How to proceed

- ✓ Identify which TLDs may be of interest for your company
- ✓ Involve different stakeholders in the company: marketing, communication, e-commerce...
- ✓ Intellectual Property Department is the best entry point to federate people

**TURN TO EXTERNAL EXPERTISE CONTROLLING IP MATTERS AND MARKETING
TO OPTIMIZE THESE PROJECTS**

THANK YOU FOR YOUR ATTENTION

