

World Trademark Review Daily

Nominet to introduce shorter, safer way with '.uk' International - Hogan Lovells International LLP

Domain names

November 06 2012

Nominet, the UK domain name registry, has opened a three-month public consultation period for a new service that it intends to launch called 'direct.uk'. This new service will allow domain name registrations at the second level directly under the top-level domain (TLD) '.uk'. Currently, it is possible to register domain names only under extensions such as '.co.uk', '.org.uk', '.net.uk' and '.me.uk'.

The launch of direct.uk is specifically aimed at businesses based in the United Kingdom and seeks to enhance consumer trust and confidence in the UK internet economy. It aims to do this by ensuring that all registrants of domain names in the newly created domain name space will have their WHOIS contact details verified to establish that they are genuine UK businesses and thus safe to conduct business online. In addition to this, all domain names registered as part of the direct.uk service will be regularly monitored by Nominet for malware and viruses. Nominet also proposes including mandatory DNSSEC signing for such domain name registrations.

For Nominet, the key driver behind the launch of the direct.uk service is enhanced online security for UK businesses and consumers. However, why associate this service with registrations at the second level in the UK domain name space? According to Nominet, it has often been asked why it is not possible to register domain names at the second level when countries such as France ('.fr') and Germany ('.de') allow this. As such, Nominet has identified a demand for domain name registrations at the second level.

Taking all of this into account, Nominet has proposed the creation of a new domain name space directly under '.uk', but one that is subject to the restrictions described above.

By combining the concept of enhanced security with the idea of a shortened URL, Nominet hopes to meet the needs of UK businesses and consumers who are looking to conduct business in a secure environment with the bonus of an attractive, shorter domain name. Nominet has stated that the proposal of the direct.uk service is in response to the ICANN new gTLD process, which promises to radically change the TLD landscape in the coming years with the introduction of hundreds of new gTLD extensions. As such, the introduction of a shortened UK domain name with the added benefits of heightened security for both businesses and consumers could well be an important and unique opportunity in the domain name sector.

In its accompanying documentation explaining the proposed direct.uk service, Nominet makes it clear that it has no intention of applying the same proposed registration criteria to domain name registrations at the third level under extensions such as, for example, '.co.uk'.

Nominet intend to operate a phased launch process for the release of domain name registrations under direct.uk service and have stated that they intend to follow a similar model to that which they employed during the launch of short domain names under '.co.uk' *et al* in 2010/2011. Should this model be followed, then the eligibility requirements for the sunrise period for trademark holders would stipulate that, in order to participate, the trademark must be enforceable in the United Kingdom and the applicant must provide evidence of good-faith use within the United Kingdom.

The second phase of the sunrise period would be for unregistered rights holders, again, provided they were enforceable in the United Kingdom and evidence of good-faith use can be provided. Nominet has suggested that existing domain names registered at the third level may give rise to unregistered trademark rights and thus enable eligible entities to apply during the second phase of the sunrise period.

Nominet's public consultation is seeking input from interested parties on the proposed direct.uk service and each of the proposed features of the service, namely the increased security aspects along with the verification of registrant contact data, the concept of reserved names, the proposed phased launch mechanism, registrar participation and potential impact on domain name registrations under extension such as '.co.uk'.

Nominet's public consultation period is scheduled to close on January 7 2013.

David Taylor and Daniel Madden, Hogan Lovells LLP, Paris

World Trademark Review *Daily*

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