

# World Trademark Review *Daily*

**Nominet puts 'direct.uk' back on the table**  
**United Kingdom - Hogan Lovells LLP**

**Domain names**

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At the end of last year **Nominet**, the '.uk' registry, has opened a three-month consultation period for a new service called 'direct.uk' which would allow domain name registrations at the second level directly under '.uk'. The feedback from this consultation period caused Nominet to suspend the launch of 'direct.uk' and to go back to the drawing board.

Further to its June Board meeting, Nominet has now amended the 'direct.uk' proposal and is putting it back out for consultation from July 1 until the end of September 2013. Initial indications from Nominet are that the revised 'direct.uk' proposal has taken on board many of the criticisms levied at the original proposal.

To briefly re-cap, under the original proposals all domain names registered directly under '.uk' would only be available to UK-based businesses and the proposals sought to introduce:

- verification of registrants' WHOIS details;
- mandatory DNSSEC; and
- monitoring of the newly created domain name space for malware and viruses.

As part of the original proposals, there would be a phased launch of domain name registrations under 'direct.uk' with priority given to trademark holders over existing domain name registrations under '.co.uk' and '.org.uk'.

The original proposals gave rise to concerns that businesses who had built up an online presence using, for example, a '.co.uk' domain name, would be prevented from securing the equivalent domain name under '.uk' due to a trademark holder being given priority in the launch schedule. In addition, concerns were also raised over the potential creation of a two-tier UK domain name space with the implementation of mandatory DNSSEC, monitoring for malware and viruses and verification of registrant's WHOIS details as part of the 'direct.uk' service. Commentators felt that this would undermine consumer confidence in the existing domain name registrations under '.co.uk' and '.org.uk' by giving the impression that domain name registrations under these extensions were less secure for online transactions and e-commerce.

As a result of this, the new Nominet proposals for 'direct.uk' will give the right of first refusal to registrants of existing domain name registrations in the UK domain name space for the equivalent domain name registration under '.uk'. In addition, Nominet also proposes to remove the mandatory requirement for DNSSEC and monitoring for malware and viruses for registrations under 'direct.uk'. DNSSEC will become an option that registrants can choose to implement and malware and virus monitoring will be left to third party providers.

WHOIS verification and validation will still be mandatory under 'direct.uk', but this will be rolled out across the whole of the UK domain name space as an opt-in feature for registrants. Likewise, Nominet are proposing a suite of security products that will be available to all domain name registrants under '.uk'. This crucial amendment addresses the concerns of those who were worried about the potential creation of a two-tier UK domain name space.

*David Taylor and Daniel Madden, Hogan Lovells LLP, Paris*

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