

REGISTRATION OF <.LAW.PRO>, <.CPA.PRO> AND <.MED.PRO> DOMAIN NAMES

The Internet Corporation for Assigned Names and Numbers announced last year that it had finalized an agreement with RegistryPro, Inc. (“RegistryPro”), under which RegistryPro will operate the registry for the new <.pro> top-level domain. <.pro> will join the existing top-level domains <.com>, <.org>, <.net>, <.biz>, <.info>, <.name>, <.aero> and <.coop>.

<.pro> registrations will be restricted to individuals and organizations credentialed by appropriate entities, such as governmental bodies and professional organizations, to provide professional services.

The <.pro> top-level domain is organized into profession-specific second-level domains, which will be introduced in a phased manner. Initially, members of the legal, accounting and medical professions will be eligible to register <.pro> domains in the <.law.pro>, <.cpa.pro> and <.med.pro> profession-specific domains, respectively. RegistryPro anticipates that variations of these domain names will be available to take into account professional and linguistic differences based on regional variations (for example, <.avocat.pro>, <.jur.pro>, <.acct.pro>).

To qualify for a <.pro> domain name, a registrant must be either: (1) an individual currently licensed as (i) a certified public accountant, (ii) a physician (including a medical doctor or doctor of osteopathy) or (iii) an attorney at law, who is currently licensed in one of the 50 states or the District of Columbia; or (2) an organization that provides accounting, legal or medical professional services, and has an employee satisfying one of the above criteria who registers on behalf of the organization.¹

Registrants must provide license and identity information that can be independently cross-verified at the time of registration. RegistryPro will also require that registrants self-certify that they meet the requirements of their professions and jurisdictions. Eligibility for registration in the <.pro> domain will be periodically reverified, at a minimum annually, when the registrant renews its digital certificate.²

¹ An organization with a legal or accounting department can also register its company name with a <.law.pro> or <.cpa.pro> top-level domain extension. While the organization would be the owner/registrant of any <.pro> domain name, an individual attorney or accountant would have to register on behalf of the organization, have his or her credentials verified, and be listed as the administrative contact.

² A digital certificate is a means of verifying an identity in an electronic exchange, which can enable other security measures such as encryption and digital signature services.

To protect the rights of intellectual property owners and discourage “cybersquatting,” or the practice of registering addresses with the intention of reselling them, RegistryPro implemented a “Sunrise” Defensive Registration Period on April 23, 2003, which is scheduled to end June 1, 2003.

During the Sunrise Period, holders of trademarks or service marks issued prior to September 30, 2002 may apply for corresponding <.pro> sub-level domain names through RegistryPro accredited registrars. A Sunrise Period domain name application must be identical to the textual elements of a registered mark, though spaces between the textual elements of a mark may be eliminated or replaced by a hyphen (*e.g.*, “SAMPLE MARK” may be registered as <samplemark.law.pro> or <sample-mark.law.pro>) and if a mark contains an ampersand, “and” can be used in its place.

A registrant may register a mark through .ProBlock, which will block the mark from use in all three current profession-specific strings and all profession-specific strings announced in the future. RegistryPro also offers .ProGuard, which will protect a mark from being used in one profession-specific string.³ A defensive registration will not resolve to the Domain Name System (“DNS”)⁴; rather, it will only block others from registering the same name. In certain instances, more than one owner may claim rights to the same mark for different goods or services and/or in different countries. Accordingly, duplicate domain name applications may legitimately be filed by different owners. In such cases, the domain name will be awarded to the earliest applicant.

Finally, beginning July 1, 2003, all professionals who want to register <.law.pro>, <.med.pro> or <.cpa.pro> domain names will be able to do so on a first-come, first-served basis.⁵ Also, on July 1, 2003, .ProGuard and .ProBlock registrants will have 30 days to convert a defensive registration into a live registration. (There is no fee associated with such conversion.) Additional information about the <.pro> domain names can be found at the RegistryPro Web site located at <www.registrypro.com>.

If you have questions regarding registration of domain names in any of these new domains or desire our assistance in registering new domain names, please contact William M. Ried (212-728-8729 <wried@willkie.com>) or Allison M. Villafañe (212-728-8165 <avillafane@willkie.com>) in our New York office.

³ .ProGuard costs \$995 for four years or \$1,790 for eight years. .ProBlock costs \$2,950 for four years or \$5,310 for eight years.

⁴ The DNS is made up of the machines responsible for maintaining lists that translate Internet names to numbers and vice versa. The DNS allows you to reference a domain name instead of its actual IP address.

⁵ The fees for open registration have not been determined, but will likely be in the range of \$200-\$300 per domain name.

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