

# LEGAL ALERT

## Free choice following the dot – new generic Top-Level Domains (gTLDs)



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*On 12 January 2012, the procedure of registration of new generic top-level domains (gTLDs) has been launched. Check for the related chances and threats for your business.*

Until recently, there were 22 generic top-level domains (gTLDs) available, among which the .com TLD was the most popular one, and the newly introduced sTLD .xxx (a sponsored domain provided for representatives of the adult entertainment industry) – the most controversial one. Then, there were also country code top-level domains (ccTLDs) reserved for the respective countries (e.g., the .pl domain for Poland). In order to generate an Internet address, one had to add a specific name (company name, product brand, etc.) as the second-level domain to a specific, existing extension – gTLD (*bmw.com, alior.pl*).

### Top-level domain (TLD, Top Level Domain Name)

Every Internet address is composed of a string of characters which may be grouped into “prefixes”, containing the “http” IP address, the “www” server address (referred to as the “host”) and domain names, separated with dots. The last name, the “suffix”, is the top-level domain.

### Revolution on the Internet

Starting from 12 January 2012, it will be possible to register any string of characters as a gTLD (except for established country codes and proprietary names). Moreover, the new gTLDs can be recorded both in the ASCII code and in the form of IDNs (Internationalized Domain Names), which means, for example, letters of the Chinese or Arabic alphabet, or with Polish diacritics. From now on, the extension following the dot in an Internet address may constitute any word: a generic name (*.bank, .brand*), a brand (*.bmw, .dior, .panasonic*), or even a family name (*.kowalski, .smith*).

### Examples of possible new gTLDs

.nowak .app  
.futbol .poradnik .ελληνικά .apple  
.tesco .warszawa .świętokrzyskie .play  
.kultura .例子.測試 .private

For businesses, it means unrestricted possibilities in terms of development of the address of their websites. The address may be composed of only the product name (*coca.cola*), or the name of the product and the name of the manufacturer (*persil.unilever*), or the brand and the generic name indicating the industry (*alior.bank*). However, some threats are involved as well.

### Registration of a gTLD

The registration of a new gTLD cannot be compared with registration of a second-level domain for a specific extension. The owner of the gTLD will namely become entitled to manage a certain part of the Internet. The owner will be able to make the registration of second-level domains within his domain available to third parties, specify the criteria and costs related with such registration or entirely exclude such an option. As a result, the owner must hold appropriate financial and technical resources in order to be able to perform the function of a registrar of second-level domains.

*The registration of new gTLDs should be of particular interest for brand owners who, on the one hand, can decide to submit a gTLD for registration and thus gain a better control over their brand on the Internet. On the other hand, if they do not register, they should carefully monitor the course of the registration process in order to be able to object if the brand is reported by an unauthorised party.*

### Who will register and what kind of domains will be registered?

For the time being, it is unclear who will decide to register a new gTLD. Two weeks after the deadline for submission of applications, which is 12 April 2012, ICANN will publish statistical information on the registered domains, their owners, the countries of origin of their owners, etc. When the information are available, it will be possible to make any initial summaries and evaluate the real impact of introduction of new gTLDs.



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