



US Internet Domain Names Newly Available

Most countries have been assigned a top-level domain, i.e., **.US** (United States), **.CA** (Canada), and **.DE** (Germany). These domain names operate outside the direct supervision of the Internet Corporation for Assigned Names and Numbers (“ICANN,” the international governing body that oversees and resolves all disputes of names with **.com**, **.net**, **.org**, **.biz**, **.info**, and **.name** suffixes). Previously the U.S. government only issued **.US** domain names to state and local government agencies. The U.S. government has recently decided to change its policy concerning registration of **.US** domain names. It is now possible for any U.S. resident, U.S. government entity, U.S. public service organization and business to establish an identity on the Internet via a **.US** domain name.

We are pleased to advise that until April 9, 2002, the U.S. will open its top level domain suffix (**.US**) **exclusively** to U.S. individuals and entities that own U.S. trademarks or service marks to register **.US** domain names that incorporate their marks. During this “Sunrise Period,” U.S. owners of registered and pending U.S. Federal Trademarks (Principal Register only) filed or registered up to and including **July 27, 2001**, will have the opportunity to apply for **.US** domain names corresponding to their respective marks. The Sunrise Period offers the holders the opportunity to protect their Intellectual Property rights.

From April 10, 2002 until April 23, 2002 all the applications filed during the Sunrise Period will be reviewed for compliance with the regulations and then chosen at random for registration. Therefore, there is no guarantee that you will get the domain name that you applied for if another entity also owns a pending or registered U.S. mark that is identical to your mark but used for other goods or services.

Finally, on April 23, 2002 open registration for .US domain names will begin. On this date any U.S. individual or entity will be able to register a .US domain name in accordance with the following conditions:

The .US domain name registrant must be:

- a) a natural person (i) who is a citizen or permanent resident of the United States of America or any of its possessions or territories, or (ii) whose primary place of domicile is in the United States of America or any of its possessions;
- b) an entity or organization that is (i) incorporated within one of the fifty (50) U.S. states, the District of Columbia, or any of the United States possessions or territories or (ii) organized or otherwise constituted under the laws of a state of the United States of America, the District of Columbia or any of its possessions or territories; or
- c) an entity or organization (including a federal, state, or local government of the United States, or a political subdivision thereof) that has a bona fide presence in the United States.

Please contact Karen Artz Ash, Esq. (kaash@rosenman.com, (212) 940-8554), Simon Bock, Esq. (sbock@rosenman.com, (212) 940-8663) or any of the attorneys in our Intellectual Property Department if you are interested in applying for a .US domain name registration.

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