

Legal News Alert is part of our ongoing commitment to providing up-to-the minute information about pressing concerns or industry issues affecting our clients and our colleagues.

If you would like to discuss such a strategy, or have any questions regarding .ASIA policies and procedures in detail, please contact a Foley attorney or any of the following individuals:

Sharon R. Barner
312.832.4569
sbarner@foley.com

Miriam Claire Beezy
310.975.7966
mbezy@foley.com

Jeffrey A. Kobulnick
310.975.7810
jkobulnick@foley.com

Craig S. Fochler
312.832.4379
cfochler@foley.com

Herbert P. Williams
310.975.8110
hpwilliams@foley.com

Landrush for .ASIA Domain Names Ends March 12, 2008

The Internet Corporation for Assigned Names and Numbers (ICANN) has approved .ASIA as a sponsored top-level domain name (sTLD). The new sTLD was created to implement a regional top-level domain for the Pan-Asia and Asia-Pacific community and is being organized and managed by DotAsia Organisation Limited in Hong Kong. This follows ICANN's approval of the .EU sTLD for the European community last year. For reasons discussed below, it may be in your best interest to secure certain .ASIA domains before March 12, 2008, when the current Landrush period closes.

When Does the Landrush Period Close?

The Landrush period for .ASIA began on February 20, 2008 and will end on March 12, 2008 (Hong Kong time).

Am I Eligible to Register .ASIA Domains During This Landrush Period?

Yes. Any interested entity may apply to register any available .ASIA domain name. Auctions will be held between applicants who apply for the same domain name during this period.

The only requirement to be eligible to register a .ASIA domain name is that at least one of the domain contacts associated with the domain must be an existing and current legal entity in the DotAsia community, which includes more than 70 countries (specified by ICANN). Because this requirement can be satisfied using an ICANN-accredited registrar located in one of those countries (which Foley routinely uses on behalf of its clients), you do not need to have a physical company address in the defined DotAsia community to acquire a .ASIA domain name.

What .ASIA Domain Names Can I Register, and for How Long?

.ASIA domain names must be between 3 and 63 characters in length and can include only the characters A through Z, 0 through 9, and hyphens ("-"). The "www" and ".ASIA" characters are not part of the character count, and no non-English characters will be allowed. The minimum registration term during the Landrush is two years, with a maximum term of 10 years.

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What Happens If I Do Not Register .ASIA Domains During This Landrush Period?

Following the Landrush period, .ASIA domain names will go live on March 26, 2008 and domain name registrations will continue on a first-come, first-served basis.

Should I Be Registering .ASIA Domains?

Companies currently doing business in Asia or with plans to expand into the Asian marketplace should consider taking this opportunity to apply for .ASIA domain names prior to the go-live date.

There are several key advantages to registering .ASIA domain names. First, .ASIA presents a business opportunity to reach a substantial portion of the world's population in a large array of countries. Many of the countries that are part of the defined DotAsia community have very restrictive registration policies for their top-level domains. Thus, the .ASIA sTLD offers brand owners an opportunity to reach greater audiences than they may have been able to reach before.

Second, because .ASIA is a regional top-level domain, it allows brand owners to market broadly to the region as a whole. While it is too soon to know how broadly the .ASIA domain extensions will be used throughout the world, it may prove to be particularly beneficial for you to market your brand via one domain name to an entire region.

Third, registering the .ASIA domains now that are most important to your business will help deter registration of such domain names by cybersquatters who may register and use such domain names in a bad faith attempt to trade upon the goodwill associated with your brands. Although .ASIA domains are governed by ICANN, and thus subject to the Uniform Domain Name Dispute Resolution Policy, it is more cost-effective to register these domains now rather than attempting to recover them from third parties later.

We recommend examining your intellectual property portfolio to determine whether your company should attempt to secure .ASIA domain name registrations for its important trademarks and service marks before the close of the current Landrush period.