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ALERT

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Facebook Users Can Now Create Personalized URLs Using Their Brands Or Names

Facebook, Inc., recently announced that it will allow Facebook users, for the first time, to create a personalized URL (for example, www.facebook.com/yourname). The personalized URL (called a Facebook username) will direct friends to the Facebook user's profile. Administrators of Facebook Pages (for companies, celebrities, bands, etc.) can also select a Facebook username.

Facebook users and Facebook Page administrators can register a username on a first-come, first-serve basis beginning this **Saturday, June 13, at 12:01 am** (Eastern Daylight Time).

This presents opportunities for companies utilizing Facebook to create more convenient ways to reach Facebook users and for those users to interact with your company via your company's brand(s) and/or celebrities associated with your company. This registration process will ensure that these valuable trademarks and names are available for your company's exclusive use.

This development also presents the risk that companies who choose not to protect their trademarks or names may find them registered by other Facebook users. Facebook has taken several steps to address "username-squatting":

- Facebook has provided an online form that rights holders can use to prevent the registration of a username that contains their trademarks/names/brands (http://www.facebook.com/help/contact.php?show_form=username_rights). **Rights holders should consider filing this form now, before registration goes live this Saturday.**

- Facebook is limiting registration of Facebook usernames to those who created a Facebook account before 3:00 pm on June 9, 2009, when the username policy was announced. This is to discourage individuals from creating Facebook accounts just to register a user name. Registration of a Facebook username will be open to new Facebook users after 12:01 am on Sunday, June 28, 2009.
- Each Facebook user can register only one username, and the username is not transferable.
- Facebook reserves the right to remove and/or reclaim any username at any time for any reason.

Even if your company chooses not to file a list of trademarks/names/brands, you still can challenge the registration of a username after the fact. Facebook provides a Notice of IP Infringement form for rights holders who want to contest a username that has been registered by someone other than the rights holder (http://www.facebook.com/copyright.php?noncopyright_notice=1).

In determining what action(s) your company should take at this time to protect your trademarks/names/brands, your company should consider its marketing needs, how these trademarks/names/brands could be used by your company or misused by others, and the impact of any such misuse.

There is also a list of Frequently Asked Questions and answers at (<http://www.facebook.com/help.php?page=896>).

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Advertising and Promotions Group

IVY KAGAN BIERMAN	IBIERMAN@LOEB.COM	310.282.2327
CHRISTIAN D. CARBONE	CCARBONE@LOEB.COM	212.407.4852
MARC CHAMLIN	MCHAMLIN@LOEB.COM	212.407.4855
CRAIG A. EMANUEL	CEMANUEL@LOEB.COM	310.282.2262
KENNETH R. FLORIN	KFLORIN@LOEB.COM	212.407.4966
DANIEL D. FROHLING	DFROHLING@LOEB.COM	312.464.3122
JAMES P. GOODKIND	JGOODKIND@LOEB.COM	310.282.2138
DAVID W. GRACE	DGRACE@LOEB.COM	310.282.2108
THOMAS A. GUIDA	TGUIDA@LOEB.COM	212.407.4011
MARY E. INNIS	MINNIS@LOEB.COM	312.464.3133

BRUCE L. ISHIMATSU	BISHIMATSU@LOEB.COM	310.282.2322
MICHAEL MALLOW	MMALLOW@LOEB.COM	310.282.2287
DOUGLAS N. MASTERS	DMASTERS@LOEB.COM	312.464.3144
DOUGLAS E. MIRELL	DMIRELL@LOEB.COM	310.282.2151
DANIEL G. MURPHY	DMURPHY@LOEB.COM	310.282.2215
TERRI J. SELIGMAN	TSELIGMAN@LOEB.COM	212.407.4985
BARRY I. SLOTNICK	BSLOTNICK@LOEB.COM	212.407.4162
BRIAN R. SOCOLOW	BSOCOLOW@LOEB.COM	212.407.4872
JAMES D. TAYLOR	JTAYLOR@LOEB.COM	212.407.4895
MICHAEL P. ZWEIG	MZWEIG@LOEB.COM	212.407.4960