



New gTLD Program: ICANN Releases String Contention Sets; Posts Date to Open Trademark Clearinghouse

The Internet Corporation for Assigned Names and Numbers (ICANN) Feb. 26, 2013, released the preliminary list of string similarity contention sets (groups of two or more applications containing identical or visually similar gTLD strings). The [list](#) contains few, if any, surprises. ICANN placed all 230 strings for which it received multiple applications – 751 applications in all – into exact-match contention sets. The most popular of these include .app (13 applications); .home and .inc (11 applications each); .art (10 applications); .blog, .book, .shop and .llc (nine applications each); and .music, .movie and .design (eight applications each). Other applied-for strings with large contention sets include .baby, .sale, .law, .love and .news. Perhaps the only surprise is how few nonidentical strings are on the list. Only .hotels/.hoteis and .unicorn/.unicom appear there. Significantly, while the seven .hotel applications appear in an exact-match set, ICANN did not find them to contend with .hotels.

The list represents ICANN's preliminary identification of contention sets during the initial review phase. According to the Applicant Guidebook, final configuration of the contention sets are established once the evaluation and dispute resolution processes conclude, since certain applications may be excluded through those processes. The resolution of string confusion objections may also add strings to existing contention sets. The formal objection period closes March 13, 2013.

According to the Applicant Guidebook, once ICANN establishes the final contention sets, the resolution process begins. String contention is resolved through one of three processes: self-resolution among the competing applicants; an auction; or in cases where one or more applicants has submitted a community-based application for competing strings, through community priority evaluation. Only one applicant can prevail in each of the contention sets.

ICANN also announced March 26, 2013, as the opening of the Trademark Clearinghouse, the trademark information database intended to allow verified trademark holders to protect their trademarks as the new gTLDs are delegated. Beginning on that date, trademark holders will be able to submit trademark data and to register their marks with the Trademark Clearinghouse. Once their information is verified, trademark holders can then register domain names consisting of their marks during a sunrise period of at least 30 days. During both the sunrise and 60-day claims periods, the Trademark Clearinghouse also will notify rights holders when a third party applies for a secondary domain name that matches the rights holder's mark and will warn the domain name applicant of the existence of the trademark. The Trademark Clearinghouse is a registration and notification system, not a dispute resolution process. Rights holders will still have to challenge potentially infringing secondary domain names through other dispute resolution procedures. The sunrise and claims services apply only to exact matches of a domain name to a word mark, not variations.

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Attorneys

BRIAN G. ARNOLD	BARNOLD@LOEB.COM	310.282.2160	J. SIMONE JONES	SJONES@LOEB.COM	312.464.3132
ALISA C. BERGSTEIN	ABERGSTEIN@LOEB.COM	312.464.3155	ADAM G. KELLY	AKELLY@LOEB.COM	312.464.3138
SUNNY BRENNER	SBRENNER@LOEB.COM	310.282.2284	KENNETH L. KRAUS	KKRAUS@LOEB.COM	310.282.2006
TAMARA CARMICHAEL	TCARMICHAEL@LOEB.COM	212.407.4225	EDWARD K. LEE	ELEE@LOEB.COM	310.282.2148
LANA CARNEL	LCARNEL@LOEB.COM	312.464.3191	JESSICA B. LEE	JBLEE@LOEB.COM	212.407.4073
TAL DICKSTEIN	TDICKSTEIN@LOEB.COM	212.407.4963	BARRY E. MALLEN	BMALLEN@LOEB.COM	310.282.2033
TIFFANY A. DUNN	TDUNN@LOEB.COM	615.749.8317	DOUGLAS N. MASTERS	DMASTERS@LOEB.COM	312.464.3144
W. ALLAN EDMISTON	AEDMISTON@LOEB.COM	310.282.2241	NERISSA COYLE MCGINN	NMCGINN@LOEB.COM	312.464.3130
DANIEL D. FROHLING	DFROHLING@LOEB.COM	312.464.3122	THOMAS D. NOLAN III	TNOLAN@LOEB.COM	212.407.4080
DAVID W. GRACE	DGRACE@LOEB.COM	310.282.2108	SETH A. ROSE	SROSE@LOEB.COM	312.464.3177
JOHN M. GRIEM, JR.	JGRIEM@LOEB.COM	212.407.4182	BRITTANY ADKINS SCHAFFER	BSCHAFFER@LOEB.COM	615.749.8301
ERIC GUERRERO	EGUERRERO@LOEB.COM	310.282.2214	BARRY I. SLOTNICK	BSLOTNICK@LOEB.COM	212.407.4162
NATHAN J. HOLE	NHOLE@LOEB.COM	312.464.3110	REGAN A. SMITH	RASMITH@LOEB.COM	312.464.3137
MELANIE J. HOWARD	MHOWARD@LOEB.COM	310.282.2143	DENISE M. STEVENS	DSTEVENS@LOEB.COM	615.749.8306
WOOK HWANG	WHWANG@LOEB.COM	212.407.4035	CHRISTOPHER M. SWICKHAMER	CSWICKHAMER@LOEB.COM	312.464.3136