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Intellectual Property Alert

Newsletter Office Kirkpatrick

Summary

1. Domain name <.eu> : June 7, 2006
2. Domain name <.mobi>: May 22 & June 12, 2006

1. Domain name <.eu> : June 7, 2006 : the domain names <.eu> filed during the Sunrise period which were either refused or put under “expired” status will be made available again to registration.

Reminder: On April 7, 2006, started the Land Rush Period, which corresponds to the generalized opening of the domain names <.eu> to everyone without any necessity to provide any documents evidencing a prior right on the domain name (such as a trademark, a trade name, etc.), as it was the case during the Sunrise Period. The rule “first come, first served” applies.

Watch out : Eurid has also decided to make available again to all, as from June 7, 2006, the domain names filed during the Sunrise Period which were either refused by Eurid (based on the provided supporting documents) or put under “expired” status by Eurid (for lack of providing the documents evidencing a prior right on time). To know the release date of these domain names, we recommend you to regularly consult the WHOIS database of EURID (www.whois.eu).

Our recommendations: If you have not your domain name yet, we recommend to contact one of the by Eurid accredited agents without any delay. A list of these agents can be found on the Eurid website (<http://www.eurid.eu>).

2. Domain name <.mobi>: May 22 & June 12, 2006: launch of the new domain name <.mobi>.

Reminder: A domain name <.mobi> is a domain name which indicates that the considered website is available for consultation from a compatible mobile telecommunication apparatus, such as a cell phone or a pocket PC.

When should you register your domain name <.mobi> ?

The registration procedure of the domain names <.mobi> opens by steps:

- 1st period: “**Limited industry Sunrise**” (from May 22 to May 29, 2006) : only the member companies to the international associations listed below are entitled to apply for the registration of a domain name <.mobi> which corresponds to the trademark they own: Australian Mobile Telecommunications Association (AMTA), Cellular Telecommunications & Internet Association (CTIA), The Canadian Wireless Telecommunications Association (CWTA), GSM Association (GSMA), Mobile Entertainment Forum (MEF), Mobile Marketing Association (MMA), NZ Wireless Forum and the Rural Cellular Association (RCA).
- 2nd period: “**Trademark period**” (from June 12 to August 21, 2006) : only the owners of registered trademarks may apply for the registration of the

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domain name <.mobi> which corresponds to the trademarks they own.

- 3rd period: **“General registration” (from August 28, 2006)** : registration of a domain name <.mobi> is opened to everyone (owners of prior rights or not).

Our recommendations: If you are already the owner of a registered trademark or of trademark application filed before July 11, 2005 (provided it is registered before the filing of the domain name), do not hesitate to “pre-register” your application for a domain name <.mobi> with one of the by mTLD accredited agents (whom list is accessible on <http://pc.mtld.mobi/switched/findaregistrar.html>). Should you have a Benelux Trademark Application filed before July 11, 2005, we remind you of the “accelerated registration” procedure provided for in the Benelux trademark law, which enables you to register a trademark within 48 hours!