

MEDIA MENTION

David Weslow Discusses Trademark-Infringing Domain Names

Domain Sherpa

March 4, 2014

David E. Weslow, a partner in Wiley Rein's Intellectual Property Practice, was interviewed by *Domain Sherpa* for a video published February 24 in which he spoke about the risks associated with registering trademark-infringing domain names.

In the 33-minute video interview, Mr. Weslow spoke primarily on the legal standards and penalties for cybersquatting. He started by defining the difference between cybersquatting and trademark infringement. The former is where a person has bad faith intent when registering a domain name, whereas the latter is less dependent on intent and more concerned about whether the particular use of a designation would be likely to be confused with a trademark. Mr. Weslow cautioned that those found liable for cybersquatting can face up to \$100,000 in statutory damages, attorney's fees, and the loss of the domain name.

"Again, it is important to distinguish the legal risks or the potential claims between a cybersquatting claim, which, again, relates to what was your intent at the time of registration or use of the domain name and the potential other claim of trademark infringement, which would relate not to the act of registering or trafficking in the domain name, but in how you use it," Mr. Weslow said.

[Click here to watch the full video.](#)

Related Professionals

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Practice Areas

Intellectual Property
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