

David Weslow Discusses Potential New Safeguards for Forthcoming Top-Level Domains

Internet Retailer

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David E. Weslow, a partner in Wiley Rein's Intellectual Property Practice, was quoted in an article focused on possible changes to rules for new top-level domains (TLDs) and the implications of potential new safeguards for businesses and consumers.

The Governmental Advisory Committee of the Internet Corporation for Assigned Names and Numbers (ICANN) wants to delay certain applications for new TLDs with retail implications such as .patagonia and .wine. ICANN is responsible for the coordination of the names and numbers that make up Internet addresses around the world. ICANN began accepting applications for new TLDs last year and is currently reviewing the applications. The Governmental Advisory Committee expressed concerns with certain TLD applications and wants ICANN to deny some applications and halt any further proceedings on other applications until it has more time to discuss them.

Additionally, the Governmental Advisory Committee has recommended new safeguards to facilitate enforcement of existing laws and to protect businesses and consumers, which would be applicable to all new TLDs that ICANN eventually approves. "It appears likely that new registry operators will be required to implement safeguards with heightened protections against online scams, intellectual property infringement and other improper uses of the new domain names," Mr. Weslow said. "If online businesses make use of the new domain names that will be subject to additional safeguards, the businesses will be subject to the new regulations.

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However, it is likely that the additional safeguards will be directed to unlawful rather than legitimate online business practices,” he explained.

No regulations recommended by the Governmental Advisory Committee will be adopted until the ICANN board meets and decides how to follow its directives, but it appears that the owners of certain new TLDs domains are likely to be subject to stricter regulations, Mr. Weslow added.