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## ICANN Readies for 'Land' Rush

Stewart Taggart  03.12.01 | 2:00 AM

MELBOURNE, Australia -- It's likely to be late summer at least before many of the Internet's newest general top-level domains go live and up for grabs.

The need to ink contracts with the Internet Corporation for Assigned Names and Numbers (ICANN), get technical details squared away, and provide special access to trademark holders are among procedural issues likely to take time. Nonetheless, many of the seven new registry companies set to handle the new domains say they're keen to get underway.

We're doing everything we can to speed up the process, said Lars-Odin Mellemseter, CEO of Global.Name, the registry which will handle the dot-name domain.

In November, ICANN approved the creation of seven new top-level domains in order to ease the pressure on the well-worn dot-com, dot-net and dot-org trio. In addition to dot-name, the new domains will be dot-biz, dot-info, dot-pro, dot-museum, dot-aero and dot-coop.

Of those, dot-pro, dot-info and dot-name may be among the quickest off the mark. Assuming contracts between them and ICANN can be signed by early April, all three hope to be able to begin offering "sunrise registration" services as early as July.

Under the sunrise process, trademark holders can file domain-name applications during an initial exclusive registration period, but only for names exactly matching their trademarks. A cooling-off period follows, during which multiple trademark claimants to a domain name will be encouraged to work things out. If nothing is agreed, one company will be assigned the domain name by random selection and the others go away empty-handed.

At that point, the doors to the domain kingdom are will be open, the hoi polloi allowed in on a first-come, first-served land-rush basis and the new era of the Net will truly have begun.

Of the seven, dot-aero, dot-museum and dot-coop will be sponsored domains, meaning they are being operated on behalf of industry, cultural or nonprofit clusters, which will likely put some restrictions on their uses. It hopes to be able to start taking registrations in a first-come, first-served land-rush period in as little as three-and-a-half months after the contracts are signed. That means registrations could be accepted as early as mid-July, assuming a contract with ICANN is signed in early April, Mellemseter said.

Dot-name is intended mostly for people who will primarily use the site for personal purposes, and thus is likely to avoid some of the more thorny issues affecting more restrictive, trademark- and qualification-heavy domains such as dot-biz and dot-pro.

Slightly more complicated is likely to be dot-info, which will throw itself open to all comers, and hopes to attract all kinds of applicants, including business. As such, it's likely to have more sunrise traffic than dot-name.

Even so, John Kane, spokesman for Afiliast, the registry handling dot-info, says he fully expects dot-info to be the first cab off the rank of the seven new registry companies in entering the sunrise period.

A bit further up the complexity scale is likely to be dot-pro, which will be limited to bona fide professionals. Not only will the domain respect sunrise provisions in terms of allowing trademark holders an early registration period, but it also will need to vet applicants for legitimacy before approving them.

Nonetheless, Register.com, the registry for the dot-pro domain, is eager to get going, and expects to be able to enter its sunrise period in as little as 90 days after inking its contract with ICANN, said Elana Broitman, director of policy and public affairs for Register.com.

At the far end of the complexity spectrum may lie dot-biz. Instead of a sunrise period like the others, dot-biz plans to employ an intricate and lengthy notification period. The aim here is to give multiple claimants more time to work things out among themselves.

Under the dot-biz system, intellectual property rights holders will be given a one-off chance to register their information with dot-biz anywhere from 110 days to 150 days before the actual launch of the dot-biz domain.

That period would begin shortly after a contract is signed with ICANN, expected in early April, said Jeffrey Neuman, director of law and policy at Neustar, the registry for dot-biz.

In the period between 110 days and roughly 30 days before launch, pre-registration applications would be taken, during which time intellectual property rights holders would be notified of any potential conflicts and the various parties encouraged to work things out for themselves.

If nobody relents, one will be randomly granted the domain name at issue, with the potential for a 30-day hold on going live with the name to provide a further opportunity to work things out. Given that dot-biz may turn out to be the most contentious of all the new domains, it could be the one where the system may be the most fully tested.

"We think what we are providing here is a workable solution," said Jeffrey Neuman, Neustar's director of law and policy.

Steven Metalitz, a Washington-area lawyer who presides over an intellectual property committee within ICANN, says he remains to be convinced about Neustar's plan.

"We're not as happy with this arrangement as we are with the 'sunrise proposal,'" he said. "While it does appear to provide some protection, it does somewhat increase the risk this whole thing will be overrun by cybersquatters.

Time will tell. For the top brass at ICANN, the whole process of introducing new domains remains a big experiment.

"What we are engaged in is a proof of concept," Touton said. "One of the major ones is whether inter-TLD competition is practical in the marketplace."

Already some questionable practices appear to be emerging. For instance, even though no final agreement has been reached with the new registries about how new domains will be registered, entrepreneurs have been selling various forms of "pre-registration."

In and of itself, there's nothing wrong with that as long as sellers clearly disclose they may -- in the end -- be selling nothing but air.

If there is any implication there's any guarantee the "pre-registered" party will get the registration, this is probably a misrepresentation, Vint Cerf, chairman of ICANN, said. "In some cases, the mechanisms for conducting the registration haven't even been decided or documented in any detail."

ICANN had little legal power to stop such practices, he said, so consumers and business should beware.