PRACTICAL GUIDE
WHAT'S IN A NAME?: CHOOSING THE RIGHT INTERNET DOMAIN FOR YOUR BUSINESS[1]

Choosing a particular domain name can either make or break your business. It is crucial to select a name that grasps the attention of the public and also serves your business's main purpose. Here are some tips on how to choose a successful domain name while avoiding legal quagmires in the process.

➢ CHOOSE A NAME

As a rule of thumb, you want to choose a domain name that is easy for web surfers to recall. The best domain names tend to be simple, clever, and easy to spell, like "Twitter," "Netflix," and "Monster." Sometimes, however, it is necessary to weigh the pros and cons of choosing a domain name that is surfer-friendly over one that would receive strong trademark protection. For example, domain names that merely describe your business, such as "telecom.com" are normally not distinctive enough to merit legal protection as trademarks.

Domain names that are completely arbitrary (e.g. "Twitter") receive very strong trademark protection. But the downside to such domains is that they require extensive marketing before consumers can recognize the originating business.

An effective middle-ground strategy is to choose a domain name that creatively suggests your company's product or service without simply describing it. A good example to keep in mind is the domain "Youtube," which creatively provides the hint that the company enables users to broadcast their own videos.

The hardest part of choosing a domain is ensuring that your choice is available. To choose a domain name which another company has already trademarked is to knock on trouble's door. The best way to make sure your proposed domain is available is to use a search engine like www.networksoluitons.com or the Whois database.

➢ REGISTER IT

After you have picked a legal domain name, you must register it with an established, accredited registrar. The ICANN database lists several such registrars, which typically charge an annual fee of $30. Unless you are unsure about your chosen domain name, it is advisable to "auto-renew" your registration. Many businesses have lost their use of domain names, simply because the administrator forgot to renew the annual registration.

There is no limit to the number of names you can register, so it is advisable to register multiple names if you can afford it. For example, in addition to registering your business name, you may also want to register the names of your products and services, any abbreviations for your business, any acronyms and common misspellings, as well as the ".net" and ".org" versions of your domain name.

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[1] http://tech.yahoo.com/blogs/hughes/9006

➢ PROTECT YOURSELF

You should be aware of certain legal issues when your domain name is in force. Sometimes, "cybersquatters" will deliberately set up websites to scam people who accidentally mistype a web address. Cybersquatters often register a domain name, put up derogatory information about the company the domain represents, and then blackmail the company by offering to sell the domain at an inflated price.

If your company has been a victim of cybersquatting, you can initiate a complaint through the ICANN's website under its Uniform Domain Name Dispute Resolution Policy.

Another issue to be weary of is "domain tasting," in which companies register domain names merely to test how profitable they are during a five-day grace period. Domain tasting creates a shortage of available domain names for companies who have a legitimate desire to use them.

Your company should also be cautions "reverse domain hijacking," in which companies, individuals, and governments have tried to take generic domain names away from their owners by making false trademark infringement claims.

BE CREATIVE AND BE CAREFUL

Remember that the domain name system is like the "phone book" for the internet. You want your customers to find you, and not somebody else, at a convenient, memorable address. If you would like help designing and registering a domain name for your company, please contact us and we will be glad to assist you.

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