

## Act now to protect your .CA domain name and trade-mark rights

Canada's domain name registry for the **.ca** is currently undergoing major changes. The University of British Columbia is stepping down and the Canadian Internet Registration Authority ("CIRA") will now be the governing body. The changes are significant because the current rules, which are very strict, are being relaxed to make it easier to qualify for, and get a **.ca**. Although the extent to which the rules are being changed has not yet been fully determined, we do know that both organizations and individuals will be able to register an **unlimited** number of **.ca** domain names, provided they comply with the new rules. Now, ".ca" domain names may become more equivalent to ".com" domain names and thus more valuable than in the past. No longer will companies with regional bases only be limited to subsets of **.ca** names such as xyzcompany.ab.ca; they can now have a full ".ca" designation such as xyzcompany.ca.

**As of November 1, 2000 registration of new .ca domain names will be on a first-come, first-serve basis, and therefore it is essential that corporations act prudently by proactively seeking to register their trade names, as well as trade-marks, to protect these names from being taken by others, whether legally or by way of an infringement such as cybersquatting.**

The transition of the domain name registry will take place in three stages.

### 1. **Stage 1.**

As of September 18, 2000, existing **.ca** domain name holders must re-register their domain names. They have until **November 1, 2000** to re-register. Registrants will have their choice of CIRA-certified registrars. A full list of certified registrars and their web addresses is available at [www.cira.ca](http://www.cira.ca). In addition, for your convenience, we have attached a list of registrars.

***If existing .ca domain names are not registered with CIRA prior to November 1st they will cease to be active after that date.*** However, CIRA will reserve these names for the original registrants for a 30-day grace period, until December 1, 2000. Registrants will be able to register these names with CIRA during this grace period, but will be charged a \$20.00 penalty for doing so, in addition to the standard fees. After the 30-day period, if the domain name has not been re-registered by the registrant, it will be made available to others. Therefore, existing **.ca** domain name holders should re-register their **.ca** domain names as soon as possible in order to avoid the rush. Any new registrations during Stage 1 will be governed by the current rules.

### 2. **Stage 2.**

After November 1, CIRA will be the governing body and all new registrations will be handled through CIRA certified registrars. There will be modifications to the current rules while the new rules and dispute resolution policy are being finalized.

### 3. **Stage 3**

In Stage 3, the new rules, which have not yet been determined, will be in effect and the transition will be complete. A dispute resolution policy will be in place to address disputes between domain name registrants and intellectual property rights holders, such as trade-mark owners. The date for stage 3 has not been determined.

It is essential that your company:

1. Re-register existing .ca domain names by **November 1, 2000** if you want to continue to own them, and ensure the contact information in your domain name registration is up-to-date;
2. Consider upgrading current .ca's from municipal or territorial sub-domain names to top level domain names (such as *xyzcorp.ab.ca* to *xyzcorp.ca*);
3. Consider registering as .ca domain names all trade-marks and product names that your company would like to own, or that your company **does not** want anyone else to own, and be ready to register these on November 1, 2000; and
4. Protect by trademark the domain names you have taken since it can be expected that the .ca domain name dispute resolution mechanism will favour trademark holders.

In addition, please note that **ICANN**, the governing body for the top level domain names, such as **.com** and **.net**, is presently considering proposals for new top level domain names (*ie .business, .firm*). As a result your company should be thinking of possible names and consider registering trade-marks for those names on a proposed use basis. This currently being done by many companies in the United States.

Please contact **Lynel Barrow at 267-8131** or **Harry Ludwig at 267-8235** to assist you with your corporate branding and domain name strategies.