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Abstract

Trademark Claims in Internet Domain Names: Applicable Disputes and Enforcement of Panel Decisions under the ICANN Uniform Domain-Name Dispute-Resolution Policy

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Though the Internet holds enormous promise for the conduct of business across borders, it is also bedeviled with significant threats. In the area of trademark rights, an individual or commercial entity can pass off as a notable organization by simply using an Internet domain name that matches a well-known trademark. However, can ownership of trademark rights translate into ownership of a domain name that is identical to the trademark? The fact that trademark rights are territorial in nature while the Internet defies any geographical territorial boundary presents problems of territoriality when such claims of trademark rights over domain names arise. The Internet Corporation for Assigned Names and Numbers' Uniform Domain-Name Dispute-Resolution Policy has helped in instilling a fair degree of certainty in the pursuit of trademark rights in Internet domain names.

Keywords: cybersquatting, Internet domain names, trademark rights

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