



Launch of European Domain Name Suffix ".eu" Begins December 7, 2005 -- Those First-to-File Receive Priority

The European Registry of Internet Domain Names recently announced that the domain name suffix, ".eu", will be available for registration beginning December 7, 2005. Businesses in and outside Europe may want to obtain a .eu domain name registration for several financial or strategic reasons, including:

- defensive registration (preventing competitors or other third parties from registering the name);
- consolidation of domain name portfolios consisting of several different European country code domain suffixes into a single .eu domain name; or
- differentiation from the saturation of .com registrations.

Technically, .eu domain name ownership is limited to businesses with their registered office or principal place of business within the European Union, organizations established within the European Union, and individuals residing in the European Union. However, during the first phase of the registration period, which lasts two months, U.S. companies with European registered trademarks can apply for ownership of a .eu domain name by "licensing" the right to register the .eu domain name on their behalf to approved European entities or individuals. The "license" is simply a form that is available from the website of the .eu registry.

Applicants must submit evidence of their prior rights in the name within 40 days of their application. During the first two months of the registration period, the requirements for applications, as well as evidence of prior rights in the marks, will be stringent. If the applicant does not provide sufficient evidence, its domain name application will be rejected and any application that is second in line will then be considered for registration.

The .eu registration process is on a "first-to-file" basis. Accordingly, if more than one business or individual claims the same domain name, the applicant who filed first will receive priority to the domain name. If there is only a single applicant for a domain name, that applicant will receive a registration for that domain name, but only if it is determined that sufficient evidence of prior rights in the name has been provided. However, if there is more than one applicant for the same domain name, and both possess legitimate claims on the name, then the "first-to-file" policy will apply. This is why it is very important to file for registration during the first two months of the registration period if your business is considering to register a .eu domain name. Waiting to file for registration poses the business risk of losing the right of priority to a .eu domain name registration.

The second phase of the registration process which will begin early February 2006 will last two months, and is limited to European owners of registered or unregistered European trademarks as well as other prior rights to a name, such as company names. Finally, .eu domain names will be available for open registration by the general public beginning April 7, 2006.

For an estimate of costs to obtain a .eu domain name registration, or for further information concerning the process or benefits of owning such a domain, please contact Rita E. Kline at ritakline@tarolli.com or 216-621-2234x121.