



# WIPO Conference: 10 Years UDRP – What's Next?

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**Theme 1.1: The UDRP – Design Elements, the Changing Domain Name Industry, and the Evolution of Precedent and Procedural Practice – The Road Thus Far**

**From Domain Name Rascals to Domain Name Industry**

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## Cybersquatting in 1999

- In 1990's, NSI was giving away DNS to employees and friends.
- Cybersquatters were mostly individuals.
- To profit from trademarks, but often done impishly and/or naively
  - ▶ *World Wrestling Federation Entertainment, Inc. v. Bosman*, WIPO Case No. D1999-0001
  - ▶ *Panavision International, LP v. Dennis Toeppen, et al.*, 141 F.3d 1316 (9th Cir. 1998)
  - ▶ *Penguin Books Limited v. The Katz Family*, WIPO Case No. D2000-0204
  - ▶ *Tata Sons Limited v. D & V Enterprises*, WIPO Case No. D2000-0479.

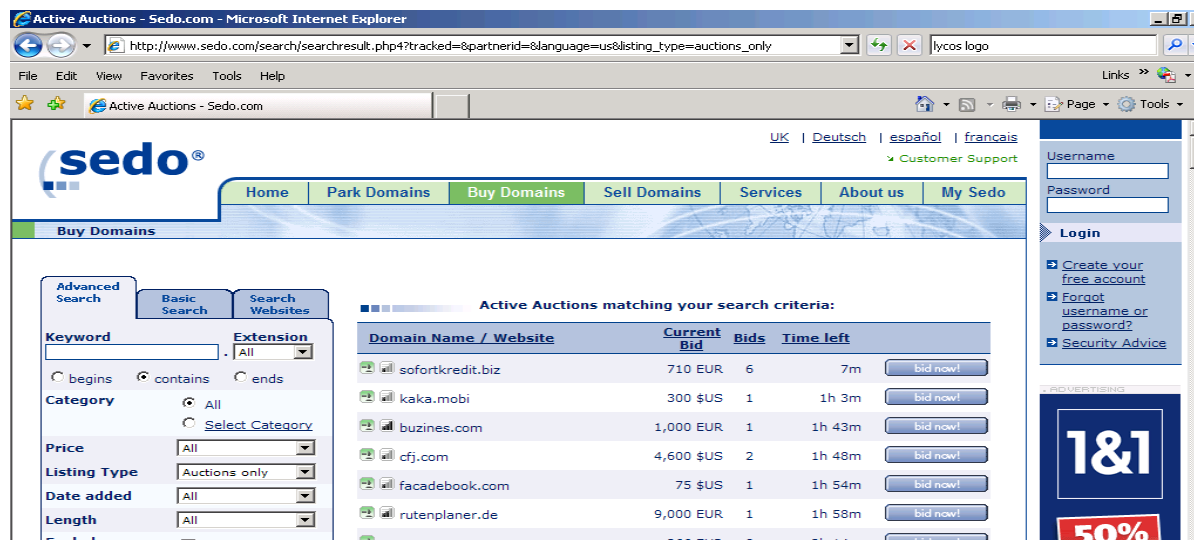
## The New Reality

- As of the end of Q1 2009, there were more than 183 million active DNS across all TLDs. DNS in ccTLDs accounted for 79.1 million of this total.
- Thousands of active “domainers” (DNS primary or sole source of income).



# The New Reality Domain Name Sales

Active domain name sales market – domain name auctions occur at every DN conference. After market domain auctions are conducted by GoDaddy, private law firms, Afternic, Sedo, Moniker, SnapNames, and many others.



The screenshot shows the Sedo website interface in Microsoft Internet Explorer. The browser address bar displays the URL: [http://www.sedo.com/search/searchresult.php?tracked=&partnerid=&language=us&listing\\_type=auctions\\_only](http://www.sedo.com/search/searchresult.php?tracked=&partnerid=&language=us&listing_type=auctions_only). The page title is "Active Auctions - Sedo.com". The website header includes the Sedo logo and navigation links: Home, Park Domains, Buy Domains, Sell Domains, Services, About us, My Sedo. A search sidebar on the left offers options for "Advanced Search", "Basic Search", and "Search Websites". The main content area displays "Active Auctions matching your search criteria:" with a table of listings. A "Login" sidebar is visible on the right, and a "1&1 50%" advertisement is at the bottom right.

Domain Name / Website	Current Bid	Bids	Time left	
sofortkredit.biz	710 EUR	6	7m	<a href="#">bid now!</a>
kaka.mobi	300 \$US	1	1h 3m	<a href="#">bid now!</a>
buzines.com	1,000 EUR	1	1h 43m	<a href="#">bid now!</a>
cfj.com	4,600 \$US	2	1h 48m	<a href="#">bid now!</a>
facadebook.com	75 \$US	1	1h 54m	<a href="#">bid now!</a>
rutenplaner.de	9,000 EUR	1	1h 58m	<a href="#">bid now!</a>
...	...	...	...	<a href="#">bid now!</a>

## The New Reality DN Conferences

- Conferences for domainers are proliferating. There is now at least one conference every month of the year at venues world wide. The conferences are lavish, with events tailored to the under 35 crowd of domainers.



## The New Reality

# Direct Navigation Advertising

- Elephant Traffic allows advertisers to purchase by number of visitors sent directly to advertiser from a specific domain name. For example, Acer Computers could purchase a total of two million hits from visitors sent to Acer from <laptops.com>.



# Domain Name Industry Today

- **Automated registrations**
- **Parking sites and services**
- **Privacy and Proxy Services**
- **Rogue Registrars**
- **Public companies managing DN portfolios**
- **The Wayback Machine and robots.txt**

