Protect Your Professional .PRO Domain Name

Very soon, .pro, the last of seven new global top level domain names (“gTLDs”) approved by the Internet Corporation for Assigned Names and Numbers (ICANN) in November 2000, will finally launch and be available for live registrations. If you wish to identify your organization or employees as having expertise in the medical, legal, or accounting fields, this domain name may be for you.

What Are the Benefits of a .PRO Domain Name?

The .pro gTLD is the first gTLD reserved exclusively for certified professionals and professional companies and associations. Every .pro domain name will have two components - a web address and a professional level digital certificate (a “ProCert”) that facilitates secure online communications and transactions. Thus, the .pro gTLD is designed to assist professionals with heightened security and privacy obligations in providing information and services over the Internet.

Currently, registrations will only be available to professionals of the medical, legal and accounting fields who are licensed in the United States. Those eligible will be able to register .pro domain names in three major profession-specific sub-domains:

- .law.pro
- .cpa.pro
- .med.pro

In the future, the .pro registry, RegistryPro, Inc. (“RegistryPro”), intends to offer variations of these sub-domains to account for regional and international differences (e.g., .avocat.pro in France, .recht.pro in Germany) and additional profession-specific domains (e.g., .nurse.pro for registered nurses) in the .pro space.

Who Is Eligible to Register?

The .pro registry can only be used by individuals and organizations in the United States that have proper credentials in the medical, legal and accounting professions. Requests for .pro domain names must identify a profession-specific domain, e.g., perrymason.law.pro or pricewaterhouse.cpa.pro. In addition, a .pro registrant must comply with one of the eligibility criteria by being either:

1. An individual with licensure in good standing from an appropriate governing body as (a) an accountant; (b) a doctor; or (c) a lawyer; or
2. An entity or organization that provides legal, medical or accountancy services, and that has employees who meet the above requirements and register on behalf of the entity or organization.

A .pro domain name registrant must self-certify that these eligibility requirements are met. Each individual .pro registrar is responsible for reviewing an applicant's eligibility information and independently cross-referencing it against relevant public and third-party databases. Eligibility for .pro domain name registration will be re-verified on at least an annual basis at the anniversary of the registration.

What is the Registration Process?

RegistryPro is initially opening the .pro space in two distinct phases: the Sunrise Period and the Live Launch Period. The Sunrise Period is designed to allow trademark and service mark owners to protect their marks in the .pro system. The Sunrise Period offers two services that will effectively block .pro domain name registrations that exactly match the defensive registrant's mark, and also reserve the name for future use. These defensive measures will be available during and after the Sunrise Period. The Live Launch Phase is the operational phase and .pro gTLDs will be allocated to licensed professionals on a first-come, first-serve basis.

What Defensive Measures Can We Take Now?

Some companies and individuals may want to purchase an IP Defensive Registration and effectively cordon off a portion of the .pro space to prevent third parties from registering a .pro domain name that exactly matches a registered trademark or service mark. Such registrations are available through June 30, 2003 during the sunrise period. A registrant of an IP Defensive Registration must own a current nationally registered trademark or service mark issued before September 30, 2002. The .pro domain name registered as an IP Defensive Registration must be identical to the textual and/or word elements of the registrant's mark.

These registrations do not resolve to a live website, but merely block matching domain names. However, a registrant may opt to convert an IP Defensive Registration into a live registration. There are several different types of defensive registrations, including registrations available to trademark owners outside the United States. If you are interested in obtaining defensive protection, please consult us for further details.

How Will the Live Launch Period Work?

The live launch period is scheduled to open some time this summer. Applicants will be required to self-certify their status as professionals who meet the .pro eligibility requirements by providing license and identity information. This self-certified information is then reviewed and cross-referenced against appropriate licensing or accreditation databases. Upon verification of eligibility, each registrant receives a .pro domain name and an associated digital certificate, which enables enhanced security in electronic communications through features such as encrypted e-mail and digital signatures.

A .pro registration must be in effect for at least one year, and may be effective for as many as ten years. The fees for .pro domain name registrations have not yet been set and may vary by registrar.
Can .PRO Domain Names Be Challenged?

Yes, you can challenge both defensive registrations and live registrations. They can be based either on the registrant's lack of qualifications or on a violation of the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the anti-cybersquatting procedure already in place for other gTLDs such as .com. If someone else registers one of your trademarks, we can advise you on any challenges that you could make.

What Do You Recommend?

- Trademark and service mark owners with registrations having national effect prior to September 30, 2002 may want to consider filing for an IP Defensive Registration prior to June 30, 2003, especially for your most important and unique marks.
- If you meet the professional eligibility requirements, submit applications for any .pro domain names as soon as the Live Launch Period begins later this summer.
- Plan your strategy for opposing the .pro domain names registered by others.

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