

# Best Practices for Domain Name Protection

By Jennifer Bensko Ha, Director, Digital Content, Time Inc. Content Solutions and Liquid Dialog

As consumers rely on the Internet more and more to access important brand and company information, developing a presence online has in turn become an integral part of an overall brand messaging plan and consumer communications strategy. And as companies turn more and more to custom publishers for tailored online marketing solutions that include custom online content and website development, the issue of domain name availability and registration has also emerged as a concern due to rampant domain name speculation.

Domain name tasting and kiting (and, to a certain extent, typosquatting) has made it difficult for both large and small companies to register choice or even brand-appropriate domains. Here's how it works: Due to a loophole in the governing principles set up by the **Internet Corp. of Assigned Names and Numbers** (ICANN), anyone who registers a domain name has five days to rescind registration and get a full refund. Speculators take advantage of that five-day window to test a domain name's potential profitability by populating it with sponsored links (often from the **Google** AdSense program)

and testing the amount of interest and traffic a particular domain garners. If the resulting revenue from the sponsored links outweigh the registration cost, speculators will hold on to the domain. The worst-case scenario for a brand owner is that a speculator knows that they have something that is of potential value to you. **Chris Schraft**, president of Time Inc. Content Solutions (TICS) and Liquid Dialog, the division's digital arm, says that this continues to be a serious business concern for many of TICS' clients.

**Fabricio Vayra**, senior counsel, intellectual property, at Time Warner, says that the issue is comparable to someone taking everything that's for sale off the shelf and holding it for resale at a premium. And chances are, Vayra adds, the speculator might not even know he owns the domain you'd like to purchase until you show interest. The guilty offender is probably some guy sitting in his pajamas in his mother's basement who could care less about your brand or company. Of course, this changes if he finds out you are a large brand owner with interest in a given domain he owns. According to ICANN, the problem has grown expo-

nentially since 2004: In January 2007, the top 10 domain tasters accounted for 95% of all deleted .com and .net domain names.

Early this year both ICANN and Google announced measures that will provide some relief. Google, for example, says that it will institute measures in the AdSense program to curb the practice of domain tasting. And ICANN has announced that it will charge its registration fee as soon as a name is registered. Though these actions will help alleviate the problem, Schraft says custom publishers must take the offensive. Toward that end, TICS has compiled best practices for domain registration:

1. To avoid tipping off speculators, use a legitimate registrar to check on the availability of a domain name.
2. When checking for domain name availability, centralize the availability check process and limit the amount of times you check the domain or visit the domain name (if already registered).
3. If possible, do not check domain name availability or visit the desired domain name from your work computer (which leaves a trail

via IP address).

4. Conduct a trademark clearance (i.e., clear your desired name or term) before you register or purchase a domain name. This will ensure you are acquiring a domain name that does not infringe or conflict with another company's legitimate rights.
5. If the desired domain name is already registered, conduct an investigation on the registrant (i.e., reverse report) to see if you are dealing with an experienced speculator or typosquatter. This will help determine whether you attempt to capture the domain name via legal action (if there are brand rights involved) or via purchase. In the latter case, knowing who you are dealing with also helps determine what a starting price should be during a purchase transaction.
6. If you decide to buy an already registered domain, do so anonymously through a law firm or legitimate brand protection agent to keep the ultimate sales price low.

*Time Inc. Content Solutions is a member of the Custom Publishing Council, which contributes exclusive monthly columns to min's b2b.*

## On Facebook, Ad Sales and the Games People Play < page 5

quota, while others having an incentive based on overall ad revenue growth. Other publishers are paying double commission just to get the sales staff on the right track and with the right mind-set.

When hiring sales leaders

who understand integrated sales, Kelley says an "A" player on the sales team is one who "stays with the marketer's problem" until he or she understands the problem, and someone who can "articulate the importance of their own

products and recommend the right mix." Guelton echoed Kelley, noting that the A players understand their client's brand, their client's audience and the metrics.

So, what does sex have to do with integrated sales? **Mark**

**Dacey**, senior client partner at **Korn/Ferry International** and moderator of the ad sales panel, recalled a conversation with a publishing client who compared integrated sales to sex: "Everyone's talking about it and no one's doing it."