

Domain Name Registration: A Cost-Effective Means of Trademark Protection

Unfortunately for Nissan Motor Co., customers going to the URL www.nissan.com will find not a car website, but a website for a small computer company in Raleigh, NC. Because the computer company had used its company name prior to Nissan Motor's name attaining "famous" status, the computer company has been able to keep its domain name (after battling in the courts with Nissan Motor for 15 years). Had Nissan Motor been first to register the domain name, it would not have suffered this embarrassing legal and public relations loss.

To prevent engaging in such trademark disputes, and to protect your organization's reputation and to eliminate any public confusion, your organization should register domain names associated with key names and trademarks as early as possible. Others may take domain names similar to yours either in good faith (due to having a similar name), or in bad faith (cybersquatting – intentionally taking a similar domain with the goal of selling it to you or generating revenue based on your organization's reputation). We recommend that your organization register a large number of domain names comprised of various permutations of your organization's name--as many as your budget reasonably allows. Given the low cost of domain name registration, this is a highly cost-effective means of preventing trademark infringement.

The following are permutations of your organization's names that you may wish to register as domain names (with examples for a hypothetical charity, "Jubilee Institute"):

Common misspellings and typos
(e.g., www.jubillee.com)

Abbreviations and short forms of names
(e.g., www.jubileeinst.org)

Hyphens between words
(e.g., www.jubilee-institute.com)

Generic words related to your organization
(e.g., www.youtheducation.org)

Plural and singular words
(e.g., www.jubileeinstitute.org, and
www.jubileeinstitutes.org)

Add geographic term to your name
(e.g., www.jubilee-dallas.org)

We recommend registering permutations in all of the three most common top-level domains: **.com, .org, and .net**. Also, if your organization conducts business internationally, we recommend registering under top-level country domain names in key countries.

Given the relatively low cost of domain name registration, owning a large portfolio of domain names related to key trademarks is well worth the risk of having these domain names taken by others, which may cause confusion among the public, or worse, tarnish your organization's reputation.

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