

Launch of .uk

From June 2014 .uk domain names will be introduced, Dechert's **Nathan Smith** examines how the new ending will co-exist with existing endings like .co.uk and .org.uk

Nominet, the company that manages the UK domain space, will shortly be introducing .uk domain names. From 10 June 2014, shorter domain names such as brand.uk will be available for the first time, alongside existing UK domain name endings such as .co.uk and .org.uk. Existing UK domain names will continue to function as normal, however, their owners may be offered certain rights of first refusal over the new .uk domain names. Brand owners should consider (i) the advantages of registering a .uk domain name, and (ii) what steps should be taken to protect their brands in light of the introduction of .uk.

Rights of existing domain name owners

Owners of existing UK domain names (as listed below) will have a right of first refusal over .uk domain names that are equivalent to those they have already registered. For example, the owner of brand.co.uk will, generally, have the right to register brand.uk before Nominet offers it to the public. The right of first refusal will last for five years (from 10 June 2014 until 10 June 2019), provided that the registration of the initial domain name is maintained. If the existing domain name is transferred, the right to the .uk domain name will be transferred with it.

If the owner of the existing domain name does not register the .uk domain name by 10 June 2019, it will become available for the public to register on a first-come, first-served basis.

Priority	Domain Name Ending	Date Registered
1	.co.uk	If registered on or before 28 October 2013
2	.org.uk	
3	.me.uk	
4	.net.uk .ltd.uk .plc.uk	
5	.co.uk	If registered between 28 October 2013 and 10 June 2014

Importantly, domain name owners will only benefit from rights in relation to domain names that are identical to their current domain name. For example, the owner of brand.co.uk will have no rights in relation to brand-d.uk or brand-shop.uk. It will therefore be important for brand owners to maintain a vigilant watch for anyone registering a domain name similar to their brand. This is particularly so as cybersquatters will see .uk domains as a lucrative new opportunity. Domain name watch services can offer valuable assistance in this regard.

“Retail prices of .uk domain names are expected to be similar to those for .co.uk (typically about £5 per year). This may be a small price to pay to prevent a third party from registering it.”

If there are multiple equivalent domain names in existence on 10 June 2014 (eg, where both brand.co.uk and brand.org.uk are registered by different people), the order below (see Table) will apply to determine who takes the right to the equivalent .uk domain name.

For example, if brand.co.uk has not been registered, the owner of brand.org.uk has the right to register the brand.uk domain name.

Once Nominet has allocated the rights to a .uk domain name, the owner of any lower ranking existing domain name will from then on be treated as member of the public. They will have to compete on a first-come, first-served basis if the .uk domain name becomes available to the public.

There are two situations where the .uk domain name will become available for the public to register prior to 10 July 2019. First, if between 10 June 2014 and 10 June 2019 the registration of the domain name to which the right of first refusal is attached lapses and second, if on 10 June 2014 there is no existing UK domain name equivalent to the new .uk domain name.

Next steps

Brand owners should consider taking the following steps:

- Take inventory of the current UK domain names in their portfolio and carry out searches using the Rights Lookup Tool (www.dotuklaunch.co.uk/rights-lookup-tool) to see if they have first rights to any .uk domain names. If they have priority rights to a .uk domain name, register it between 10 June 2014 and 10 June 2019.
- Consider whether they wish to register any other .uk domain names (eg, .uk domain names similar to their brand). If they do, carry out searches using the Rights Lookup Tool to see if anyone has rights to those domain names. This will show whether they can apply to register those domain names on 10 June 2014. Retail prices of .uk domain names are expected to be similar to those for .co.uk (typically about £5 per year). This may be a small price to pay to prevent a third party from registering it.
- If they are considering whether to register a new .co.uk domain name, check whether that domain name would benefit from rights over the .uk equivalent. If so, they must register the domain name before the 10 June 2014 to benefit from those rights.
- Consider signing up to a domain name watch service that includes .uk domain names (or extending an existing service to include .uk domain names) to track third parties registering similar domain names to your brand.

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Nathan Smith specialises in all matters relating to intellectual property, particularly intellectual property litigation. Smith's practice ranges from brand protection

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