

Domain Name & UDRP Proceedings

For more than a decade, our attorneys have successfully handled domain name disputes for clients. For trademark owners, an efficient and low cost arbitration system exists to challenge ownership of domain names incorporating a trademark owner's mark. The two organizations that offer these arbitration services are: the Forum (i.e., formerly known as the National Arbitration Forum) located in Minnesota; and the World Intellectual Property Organization (WIPO) located in Geneva, Switzerland. The arbitrations are conducted online and decisions are based solely on written submissions.

As a trademark owner, the key to prevailing is the establishment of trademark rights prior to the date the contested domain name was registered. Armed with prior rights, the trademark owner must then prove: (1) the contested domain name is identical or confusingly similar to the trademark owner's mark; (2) the owner of the contested domain name has no rights or legitimate interest in the domain name; and (3) the contested domain name was registered and is being used in bad faith. Our attorneys have a deep knowledge of this practice area and have enjoyed tremendous success.

Whether you are a trademark owner trying to force the transfer of ownership of a domain name that has incorporated your trademark, or a domain name owner trying to retain ownership of a contested domain name, our attorneys provide clients with a unique advantage over most other law firms. Among our domain name specialists is a partner who has been a domain name arbitrator for WIPO since 2006. The ability to hire an advocate who also arbitrates these same types of cases provides our clients with a unique advantage hard to find anywhere else. The firm's attorneys have arbitrated approximately 75 cases and advocated for clients in nearly 100 UDRP proceedings, and have prevailed in over 93% of cases.

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