



## **A Com Laude Briefing Sheet**

**3 May 2006**

### **What is .mobi?**

.mobi is a new domain extension which has been designed to improve the Internet experience of users of mobile devices such as mobile phones, Blackberrys and PDAs.

A .mobi domain will link internet users to specially created "Made For Mobile" content and services that can be accessed on the move quickly and simply.

### **Who is .mobi for?**

.Mobi is a generic Top Level Domain (gTLD) meaning that anyone anywhere in the world can apply for one. It has been designed for both individual and corporate use.

.mobi domains are designed for people who will create web sites specifically configured to be easily accessible to users of mobile devices.

For an example of a .mobi enabled website that can be accessed over a mobile device, go to <http://google.mobi>

### **Who is behind .mobi?**

.Mobi is run by mTLD Ltd (Mobile Top Level Domain Ltd) from their headquarters in Dublin (see [www.mtld.mobi](http://www.mtld.mobi)).

The owners of mTLD Ltd are a consortium comprising Ericsson, Google, GSM Association, Hutchison, Microsoft, Nokia, Orascom Telecom, Samsung Electronics, Syniverse, T-Mobile, Telefónica Móviles, TIM and Vodafone.

### **Why should business users and IP owners care about .mobi?**

According to .mobi, "Four mobile phones are purchased for every one personal computer so there's a world of people whose main access point to the Internet is a mobile device"

For businesses who want to communicate with this increasingly mobile population, a .mobi domain will provide "the critical link" (say mTLD Ltd) enabling clients and customers to access specially created content – websites that download rapidly and securely containing:

- essential information such as timetables, directions, news updates
- promotional material such as special offers

- o entertainment and games

For businesses who are concerned to protect their intellectual property in the domain name system, a preventative .mobi registration for company names or key trade marks is going to be far less expensive than curative action to tackle a third party. Like .com, .mobi will be unrestricted in that no checks will be made to ascertain the validity of an application for a name once Open Registration starts.

**What are the drawbacks? Is it really going to be this simple?**

To ensure “a good user experience” for mobile device users, mTLD Ltd requires all registrants of .mobi names to implement a set of mandatory rules whenever they publish a web site linked to a .mobi name on the internet. These rules are designed to ensure that websites accessed from a mobile phone or other device can be downloaded smoothly and rapidly

mTLD Ltd has published a series of “Switch On! Guides” defining the technical protocols that must be followed when creating a .mobi site (such as “No Frames in any circumstances”) together with some optional “Best Practice” advice. mTLD Ltd has declared that it will audit .mobi sites to ensure compliance with these protocols. After a series of 60 day, 30 day and 15 day warnings, registrants of .mobi domains whose sites do not comply with these mandatory protocols could have their domains suspended.

In other words, it is not advisable to register a .mobi name and to point it to your existing website. You will need to create a site that can be connected to the .mobi name. For further information, go to <http://pc.mtld.mobi/documents/dotmobi-Switch-On!-Web-Browsing-Guide.html>

However, you can register a .mobi name and use the registration simply for e-mail or, if you want a .mobi registration for protective reasons, just hold the name safe without adding any functionality. There is no requirement for a site to be put up.

**What’s the timetable?**

Like all gTLD domains, the launch of .mobi is being managed through a phased process:

<i>Registration Period</i>	<i>Starts</i>	<i>Ends</i>
<b>Limited Industry Sunrise</b>	22 May 2006	29 May 2006
<b>Trade Mark Sunrise</b>	12 June 2006	21 August 2006
<b>Landrush</b>	28 August 2006	14 September 2006
<b>Open Registration</b>	14 September 2006	Ongoing

mTLD Ltd are also planning to sell what it regards as high-value terms in a process yet to be defined probably to start in Spring 2007. These terms will include generic terms that will be blocked until that time. It is anticipated that these blocked terms will be published in May or June 2006.

**What’s the Limited Industry Sunrise?**

The Limited Industry Sunrise provides bona fide members of recognised mobile industry organisations with a window of opportunity during which they can exclusively register their trade marks under .mobi before other trade mark owners and the general public.

This community of interest has been identified by mTLd Ltd and consists of “fully paid members in good standing” of organizations such as the Cellular Telecommunications & Internet Association (CTIA), The Canadian Wireless Telecommunications Association (CWTA), GSM Association (GSMA), Mobile Entertainment Forum (MEF) and Mobile Marketing Association (MMA).

Eligible members of this defined industry grouping can apply for any term registered or applied for as a trade mark before 11 July 2005 provided they pre-register their interest in a .mobi by filing their names with the registry by 11 May 2006 (Contact us for more information or assistance).

Terms applied for before 11 July 2005 must be granted by the date of the domain name application.

As stated above, the Limited Industry Sunrise runs for just one week from 22 – 29 May 2006.

The official fee charged by the registry for a .mobi name under the Limited Industry Sunrise will be \$100 per name per year with an initial two year minimum registration period.

### **What is the Trade Mark Sunrise?**

The Trade Mark Sunrise period is for the owners of valid trade marks, registered or applied for before 11 July 2005 who can register as a .mobi domain an exact match of the complete trade mark.

Terms applied for before 11 July 2005 must be granted by the date of the domain name application.

The Trade Mark Sunrise runs for a 10 week period from 12 June – 21 August 2006.

Names registered under the .mobi Sunrise will remain locked and cannot be modified, transferred or deleted until the Sunrise Challenge Period ends on 15 December 2006 (see below).

The official fee charged by the registry for a .mobi name under the Trade Mark Sunrise will be \$100 per name per year with an initial two year minimum registration period.

### **What are the rules covering Sunrise eligibility? What information must be supplied to support a Sunrise application?**

Eligible applicants under either the Limited Industry or the Trade Mark Sunrise are the owners of current registered trade marks. License holders, the owners of

unregistered rights or marks that have been applied for but not granted are not eligible.

Applicants must provide the following information when applying to register .mobi domains in the Sunrise:

- A trade mark identification number
- The date of trade mark application – which must be before 11 July 2005
- The date the trade mark was granted
- The country of trade mark registration.
- The full details of the owner of the trade mark owner

The domain name applied for must be an exact match of the complete term of a current trade mark.

The .mobi policy concerning device marks is not clear: the Sunrise rules say only that, "A .mobi domain name must be identical to the textual or word elements of the mark". mTLD Ltd will randomly verify "a number" of trademark owner's bona fides during the Sunrise to check eligibility.

### **What is the Landrush?**

Landrush is a two-week unrestricted period starting on 28 August and ending on 14 September 2006 when "desirable .mobi names can be registered at premium prices" by anyone. In effect, mTLD Ltd have anticipated that there will be high demand for .mobi registrations when the Sunrise closes and are attempting to use market force economics to control demand by charging a higher application fee.

The official fee charged by the registry for a .mobi name under the Landrush will be \$25 per name per year with an initial two year minimum registration period. This is just over double the Open/General Registration fee.

### **What is Open/General Registration?**

General Registration starts on 14 September 2006. From this date anyone, anywhere in the world who accepts the .mobi Terms & conditions can register a .mobi domain.

The official fee charged by the registry for a .mobi name under General Registration will be \$12 per name per year with an initial two year minimum registration period.

### **What types of name can be registered?**

All .mobi domain registrations:

- Must feature at least three characters and a maximum of 63 characters.
- Must contain only the English-language letters A - Z, and the digits 0 - 9.
- May feature hyphens, but hyphens cannot begin or end the domain name.
- Must not feature spaces or special characters (such as ä or é or &). These must be replaced with hyphens or transcribed in "a conventionally accepted way".

### How do you apply for a .mobi name?

To register a .mobi name it is necessary to work through a registrar – a company that sells domain names. It is not possible to go directly to the registry.

Com Laude can assist you in obtaining .mobi names under the Sunrise, the Landrush or Open Registration. Email marksmen@comlaude.com.

### How long does a .mobi registration last?

Registration under the Limited Industry and the Trade Mark Sunrise is initially for a minimum period of two years.

Thereafter an annual renewal fee will be payable.

### How much will .mobi domain names cost?

Our pricing for Marksmen clients is set out below. Note that mTLD Ltd have implemented a policy that names can only be bought for an initial two years. Our prices include all official fees and our charges for **two years**.

Registration Phase	Notes	Com Laude price £/€//\$ inclusive of registry fees for two years	Special Com Laude price for Marksmen clients – save 10%
Limited Industry Sunrise	Open to bona fide members of mobile industry organisations	£250	£225
		€360	€324
		\$445	\$400
Trade Mark Sunrise	Open to owners of current registered trade marks	£250	£225
		€360	€324
		\$445	\$400
Landrush	Premium price charged by registry	£90	£80
		€130	€117
		\$165	\$148
Open Registration	Anyone anywhere can apply	£70	£63
		€105	€95
		\$128	\$116

### What about disputes?

All .mobi domain registrants are bound by the .mobi Rules and Terms & Conditions. These include an agreement to submit a disputed term to one of two administrative challenge processes:

1) For domains registered during the Limited Industry and the Trade Mark Sunrise, the World Intellectual Property Organisation (WIPO) are running a Sunrise Challenge Process. Go to <http://pc.mtld.mobi/documents/dotmobi-Sunrise-Challenge-Rules.pdf> for further information.

Sunrise challenges can be filed between 28 August and 15 December 2006.

The cost of filing a Sunrise Challenge is \$750.

2) For domains registered during the Landrush or Open Registration, the UDRP (Uniform Dispute Resolution Procedure) created by WIPO for ICANN (the Internet Corporation for Assigned Names & Numbers) is being used. The WIPO Center is also a supplier of .mobi Open Registration UDRP services. For further information go to <http://www.icann.org/dndr/udrp/policy.htm>.

As soon as a challenge is mounted, a .mobi domain name is locked at the registry level. The possible outcomes of a challenge are:

- Original registrant proves his/her right to the domain. In this case the registrant will keep the domain and it will be unlocked for his/her use.
- Original registrant is not eligible or does not respond and the challenger proves his/her right to the domain. In this case WIPO will award the domain to the complainant.
- Neither the original registrant nor the complainant proves rights to the domain. In this case WIPO will order that the domain is cancelled. The registry will delete the domain and it will become available at a later date.

**Further information:**

- Call us on +44 207 189 5505 or email [marksmen@comlaude.com](mailto:marksmen@comlaude.com)
- .mobi website: <http://pc.mtld.mobi/mobilenet/index.html>; this includes links to the Rules and Regulations governing .mobi
- The Switch On! Guides to creating .mobi enabled web sites: <http://pc.mtld.mobi/documents/dotmobi-Switch-On!-Web-Browsing-Guide.html>
- WIPO and UDRP information: <http://arbiter.wipo.int/domains/gtld/index.html>

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