

## Welcome to the New Regime: the New gTLD Application Window Launches

January 12, 2012 by [Joshua S. Jarvis](#)

A subject of [regular discussion](#) here at the Trademark and Copyright Law Blog, the application window for ICANN's [New gTLD Program](#) opens today, over continued vigorous opposition from [brand owners](#) and the [U.S. Congress](#). The application window, which runs from today through April 12, 2012, is the only time in which interested parties can apply to operate a new .brand or .generic top-level domain registry, at least for the foreseeable future. While ICANN plans a second (and probably a third, and a fourth...) round of gTLD applications, the timing and the details are still very much up in the air.

For brand owners not buying into the gTLD program, the next date of interest is around May 1, 2012, when ICANN will publish the public portions of the gTLD applications. This is a date to look forward to (or, I suppose, dread) for several reasons. First, brand owners holding their collective breath will see whether they need to object to a third-party applying to operate a gTLD similar to their valuable .brands. Second, we will finally discover just how many companies and organizations are buying into the gTLD process -- it will be particularly interesting to see how many companies intend to operate .brand registries, and in what capacity. More practically, brand owners will find out whether others are applying to run .generic registries in their industries or fields of trade. Lastly, at a logistical level, the number of gTLD applications will also inform strategic budgetary planning surrounding defensive registrations and domain name enforcement in the new gTLD regime.

As we have [discussed](#), serious questions have surrounded, and continue to surround, ICANN's New gTLD Program. Is it truly the result of ICANN's consensus-driven, multistakeholder process? Have brand owners been largely ignored, and their proposed rights protection mechanisms eviscerated? Is the program economically justified? Are its purported benefits merely illusory? Why the rush to launch, given so many unresolved details?

One thing's for sure -- whether you're a gTLD pioneer, a brand owner scrambling to get your affairs in order, an ICANN contracted party expecting a windfall, or lawyer practicing trademark and domain name law: this is about to be very exciting.

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