Tucker Ellis LLP

Internet Law & Domain Names

Overview

Our intellectual property attorneys have unmatched expertise in advising clients on the multifaceted and ever?changing legal landscape governing the internet. Our attorneys include recognized experts in a wide swath of practice areas and subjects that intersect with the internet, including online brand protection, cybersquatting and other domain name issues, privacy (including the EU's General Data Protection Regulation (GDPR) and California Consumer Privacy Act (CCPA) compliance), website compliance (including ADA compliance), unauthorized access and hacking, network neutrality, and internet governance.

We take a comprehensive approach to protecting our clients online, proactively identifying potential areas of risk and opportunity. We enjoy working closely with each client to craft an appropriate enforcement plan that is sensitive to the client's business goals and budget.

In particular, our attorneys have significant experience with claims brought under the federal Anticybersquatting Consumer Protection Act and administrative proceedings conducted pursuant to the Uniform Domain Name Dispute Resolution Policy. We have successfully resolved hundreds of thousands of domain name disputes – through both litigation in federal court and adjudication in administrative proceedings – on behalf of multinational companies, professional sports teams, restaurants, retailers, and manufacturers – most of which were identified by our cutting-edge monitoring system.

Our proprietary internet monitoring system uses complex computer algorithms to identify potentially infringing domain names that include or are similar to a client's trademark. Using this system, our attorneys generate comprehensive domain name reports that provide clients a complete picture of all detected problems, as well as identify any changes to domain names and websites. We can also generate customized daily or weekly reports of all newly registered, potentially problematic domain names and recently deleted domain names that our clients may wish to register. These reports allow us to quickly identify and address issues before the matter escalates into a costly and protracted legal proceeding.

AREAS OF EMPHASIS

- Online brand protection
- Cybersquatting
- Privacy (including GDPR and CCPA compliance)
- Website compliance (including ADA compliance issues)
- Unauthorized access and hacking
- Network neutrality
- Internet governance

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Experience

- Represented a cell phone company in a complex cybersquatting action involving another company's registration and use of 663 domain names confusingly similar to client's trademarks; obtained judgment for $33,150,000 – the largest cybersquatting judgment granted in the United States to date – and permanent injunction
- Represented a cell phone company in a complex cybersquatting action involving another company's registration and use of 241 domain names confusingly similar to client's trademarks; obtained judgment for $24,100,000 and permanent injunction
- Represented a multinational computer technology company in a complex cybersquatting action involving the registration and use of over 1,000 domain names confusingly similar to client's trademarks; obtained consent judgment and permanent injunction pursuant to a confidential settlement agreement
- Represented a luxury retailer in a complex cybersquatting action involving the registration and use of over 25 domain names confusingly similar to client's trademarks; obtained permanent injunction pursuant to a confidential settlement agreement
- Represented a jewelry and clothing manufacturer in a cybersquatting and trademark infringement action; obtained judgment and permanent injunction
- Represented a sunglasses manufacturer in an in rem cybersquatting action involving the registration and use of 44 domain names confusingly similar to client's trademarks and used to sell counterfeit goods; obtained judgment and the transfer of all the infringing domain names
- Defended client against accusations of trademark infringement in the use of a domain name; matter resolved in favor of client, including payment of attorney's fees
- Prosecuted an action on behalf of client in a dispute related to a domain name through the UDRP process resulting in the release of the domain name for client's use
- Filed numerous UDRP complaints resulting in the transfer of domain names to their rightful owners