

Matchmaker? - Sunrise Period Opens for Registration of .TEL Domain Names

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Every time I hear mention of the “Sunrise Period” associated with the introduction of a new top level domain, I am reminded of the musical number, *Sunrise, Sunset*, from *Fiddler on the Roof*. Given the multitude of new TLDs this century – and the many Sunrise Periods – I have spent quite some time thinking about Tevye and the town of Anatevka. This mental association was reaffirmed a few months ago, when Telnice, Inc., the London-based company chosen to sponsor the .tel Top-Level Domain (TLD), set the date for the opening of the Sunrise Period for registration of .tel domain names. Now that .tel’s sun has risen, will it continue to shine or will it set?

Wasn’t it yesterday, When they were small? The six original top-level domains (.com, .edu, .gov, .mil, .org and .net) were created in 1985, and this group remained relatively unchanged for many years.¹ But, as a result of the Internet’s growing popularity in the 1990s, there was mounting pressure to expand the number of gTLDs. The first significant step in that direction was the formation, in 1998, of the Internet Corporation for Assigned Names and Numbers (ICANN), which was tasked with managing, among other things, the system of generic (gTLD) and country code (ccTLD) Top Level Domain names. With ICANN’s guidance the number of gTLDs has more than tripled in the past 7 years. This period also witnessed a spate of new Country code Top Level Domains (ccTLDs), which now total more than 250.

One Season Following Another. Contrasted with the hype that preceded commencement of the .asia and .mobi registration regimes, the pre-dawn hours of .tel’s “Sunrise Wednesday” revealed a general public that seems relatively blasé about the latest TLD. The climate of disinterest may be explained by the epidemic of new TLDs over the past decade. Many companies have come to regard new TLDs as unnecessary: the existing TLDs already provide an overabundance of avenues through which to promote company brands, and new TLDs merely create more risk to company trademarks. From their point of view, every new TLD means they will, purely for defensive reasons, acquire a collection of domain names devoid of any real brand benefit. And each such collection will add to a domain name portfolio already dominated by names about which the company’s legal department cares far more than its marketing

¹ In the late 1980s, .nato and the heavily-restricted .int (for international treaty-based organizations) were added. The .nato domain was deleted in 1996.

professionals. Meanwhile, individual consumers largely believe that social network websites – not the slew of existing company-oriented TLDs – serve their needs to communicate and express their individual “brands.”

Another cause for .tel’s relatively unheralded admittance to the TLD ranks is the uninspiring short-hand description frequently used to explain what .tel is: “a permanent online business card.” How does this “bottom line” persuade website-owning businesses, or Linked-In and MySpace members, that a .tel TLD name is measurably better than the many applications they use or have used, into which they have – myriad times – already keyed in their personal data? Equipped with this lackluster sound bite and left with these unanswered questions, it is no wonder the media has downplayed .tel’s arrival and assumed that new TLDs “jumped the shark” in 2005-06, when .mobi and .asia were introduced. After all, how many people can identify someone who actually uses their .mobi or .asia domain names?

Another criticism of introducing another TLD is the wave of disputes that is sure to follow. More than 150 UDRP disputes have been filed over .mobi domain names. And they continue to be filed. Many of them involve the enforcement of bone fide trademark rights against cybersquatters. History will likely repeat itself with the .tel regime. Although cybersquatting disputes are unlikely to arise during .tel’s Sunrise Period (where applications must be validated and third parties are provided the opportunity, albeit limited, to challenge applications through Sunrise Reconsideration Proceeding),² they are foreseeable thereafter, especially following commencement of Open Registration.

Whatever the reasons for the indifference towards .tel, a dramatic attitude shift could occur in the coming months as .tel’s potential begins to be realized and consumers succumb to one of human nature’s greatest weaknesses, namely, the temptation to consume bred by purchasing momentum. Some critics of .tel argue that it comes years too late; that while .tel may have been cutting edge in 2000, when Telnic began lobbying ICANN to approve the new TLD, today .tel enters the market as a “has been.” A variation of this criticism is that what .tel offers is too simple, and unable to compete with any number of technologically more robust tools.

² The request for reconsideration must be submitted within a 10 calendar day period from the publication date of the Registry’s decision in the Sunrise application database. Telnic promises that details of the Sunrise application database will be announced on the Telnic website at www.telnic.org.

Technological complexity and robustness, however, can be overrated. Providing the technological ability to do more things, or to post and access more data, does not necessarily make it easier to do the essential things better. Arguably, it makes doing them more difficult, as evidenced daily by misinterpreted E-mails, customer inquiries processed via “online customer representatives,” web pages that open at a snail’s pace, the Internet’s massive amounts of misinformation, and the countless hours lost to learning “robust,” yet counterintuitive, applications.

They Look So Natural Together. In an age where communication is hindered by an overabundance of information, and technology is understood far better by a technologist than the intended user, the .tel TLD concept has a chance to succeed because it is simple and efficient:

1. **Presentation and Usability.** The layout is Spartan and allows for simple structured navigation. Most information is represented as hot links, including phone numbers, web links, email addresses, locations, and IMs. For example, one click from the owner’s .tel domain can launch a phone call or load a web page. The domain name owner can also create structured “trails” from “Go To” hot links so that, by clicking through a series of choices, the user can access specific information.
2. **Information and Communication Hub.** Businesses and individuals can store 5 types of information. Both can store contact data, website/content links (e.g., http or ftp sites, corporate websites, social networks, photo sharing sites, portals, blogs, and links to affiliates), links to maps for various locations (e.g., through Google or Yahoo), and indexable text (including searchable keywords that are indexed by search engines). In addition, businesses can store navigation links (for multiple offices, departments and brands), and individuals may store online identities (e.g., gaming identities). Telnic has also introduced a directory of Telnic registrants, “TelPages.”
3. **Management, including the Ability to Restrict Access to Private Data.** Data is entered through an uncomplicated dashboard, and saved information is published to the domain in real-time. Access to data can also be restricted. All of this is controlled by the owner, a feature heavily emphasized in Telnic’s marketing materials and one that Telnic hopes will allay individuals’ concerns about the potential for misuse of personal information.
4. **Speed.** Data retrieval by the end user is quick, an attribute that highlights a major difference between .tel and previous TLDs, specifically, how they communicate. All user queries involve accessing the Domain Name System (DNS) to obtain information. Before a device can communicate with a website or send an email, it first must call on the

DNS for information that enables the device to then “locate” and communicate with the website or intended email recipient. However, with .tel, the device’s ultimate and only communication is with the DNS, for contact information associated with the .tel domain stored directly in the DNS by the .tel domain owner. There is no website involved. So, a query for “BobLatham.tel” from a mobile phone prompts a lookup of that domain name in the DNS. The data stored in the DNS under “BobLatham.tel” is the contact information Bob Latham stored using his dashboard. The DNS responds to the query by sending this data straight to the mobile phone. Because Bob’s .tel contact information is stored directly in the DNS the information appears much more quickly on the mobile phone screen than if the phone had sought information from jw.com.

Telnic also has made significant moves to facilitate early, broad based acceptance of .tel. In October, it released beta versions of applications that can be used on Blackberry devices, iPhones and Windows-based PCs, and Telnic promises to release applications for use with other devices in the future. For example, the .tel Blackberry application allows you to manage/edit your .tel domain, search other .tel domains and add them to your address book, and dynamically updates your address book with information from a .tel domain. Telnic has also encouraged developers to create applications based on the .tel platform by establishing a website for them and releasing open source code and sample applications.

Laden with Happiness or Tears? Telnic has spent about \$15 million on .tel and, undoubtedly, knows that a competitive technology or platform could be just around the corner. Early success will be crucial. Will the volume and pattern of domain name purchases (mostly by businesses) during the Sunrise Period and the Landrush Period (February 3, 2009-March 23, 2009) influence masses of individuals to purchase their own .tel domain names on March 24, 2009, when Open Registration begins? Will the perceived benefits of owning a .tel domain – enhanced communication, better organization, management of personal data, individual expression – outweigh apprehension about storing personal data in a remote location, skepticism created by previous technological advances that were highly touted but underperformed, or concern about the investment required to make the change? In March, 2001, after ICANN initially rejected the plan for a .tel gTLD, Telnic requested reconsideration so that its proposal, described as a “marrying of technologies,” could evolve into “a living TLD.” In 2009, we will have a much better understanding about whether there is a canopy in store for Telco.