

PROTECTING YOUR TRADE-MARKS FROM FACEBOOK USERNAMES

As of June 13, 2009, Facebook Inc. allows Facebook users to create personalized usernames for their Facebook pages on a first-come, first-served basis. This new username availability now enables users to have their Facebook page and profile at an Internet address in the following format: "facebook.com/user". Prior to the implementation of this new policy, each user was randomly assigned a unique identification number (for example: id = 123456789).

As a result, there is now a risk that some Facebook users will register a username associated with their Facebook profile that contains a trade-mark owned by a third party. It is therefore important for trade-mark owners to verify whether Facebook users are using their trade-marks without any rights to do so.

In the event of infringement, Facebook Inc. has made an automated IP Infringement Form available to the public which can be accessed online at the following address: http://www.facebook.com/copyright.php?noncopyright_notice=1. Although the procedure for contesting a username remains unclear and the chances of success uncertain, Facebook Inc. reserves the right to remove and/or reclaim any username at any time for any reason.

More information is available online at http://www.facebook.com/help.php?page=899&hloc=en_US.

Please contact any member of the Intellectual Property team should you require our assistance regarding this matter.

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