

THE FRANCIZATION OF DOMAIN NAMES: A STEP NOT TO BE MISSED?

By [Marie-Hélène Giroux](#)

If your trademarks and business names contain letters with accents and you are the owner of domain names linked with them, it is important to familiarize yourself with the following.

With a view to offering owners the possibility of registering domain names that comply with French spelling, the Canadian Internet Registration Authority (the « CIRA »), the organization that manages the register of .ca domain names in Canada, plans to implement domain names containing characters peculiar to the French language.

Unlike other registers, including the register of .com domain names, a .ca domain name cannot, at the present time, include any letters with accents (é, è, ê, è, â, à, ô, ù, û, ü, ç, î, ï). The only characters that a .ca domain name can currently contain are characters without accents, i.e. the letters of the alphabet, the numbers from 0 to 9 and the hyphen. A domain name that is made up of other characters is an internationalized domain name (IDN).

According to the procedure proposed by the CIRA, the official launch of IDNs will take place in two stages:

- ▶ *Sunrise* Period: Prior to the launch of IDNs and in order to prevent a third party from registering a variant of an existing domain name, the CIRA plans an introductory phase of 12 weeks. During this period, authorization to register IDNs will be granted only to current owners of domain names to allow them to register all the variants of IDNs corresponding to their current domain names.
- ▶ *Landrush* Period: An intermediate stage, also of 12 weeks, would then follow, during which any interested party could file a request to register an IDN that has not already been registered or for which no request has been presented during the introductory phase. During this second phase, if two persons present requests for an identical domain name, the domain name in question would be allocated randomly. Following the expiry of this stage, IDNs would subsequently be given to the public according to the first come, first served rule.

Prior to the launch of IDNs, the CIRA is holding a consultation period from September 20, 2011 to December 13, 2011, the purpose of which is to obtain feedback from the Canadian population on the draft policy for launching IDNs.

The need to integrate a mechanism aimed at protecting the owners of trademarks in the process for launching IDNs is one of the issues that the CIRA wishes to explore during the consultation period. The CIRA suggests in particular that the owners of Canadian trademarks that include French characters with accents be authorized to participate in the introductory phase described above and that any problematic requests be resolved by means of random allocation.

The advent of IDNs for .ca domain names will present an additional challenge for the current owners of these domain names. Accordingly, in order to protect your domain names, it will be advantageous for you to register several variants of them, given the multitude of possible variations that the introduction of this principle in Canada will cause. We invite you to communicate with us if you wish to participate in the consultation process associated with the introduction of IDNs. Meanwhile, please be assured that we will keep you informed of any developments related to the introduction of the above-mentioned rules.

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