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DOMAIN NAMES

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DOMAIN NAMES AND CYBERSPACE

- Host: a computer connected to the network
- Server: host provides services on line
- Domain: a set of connected hosts



INTERNET ADDRESS

Each computer connected to the network (host) is identified by two addresses:

- **IP address**: number of 32 bit, usually represented by four numbers (less than 255). For instance 149.139.2.22
 - First numbers identify the domain
 - Last one individuates the computer (host)
- **alphabetic address** (Fully Qualified Host Name - FQHN).



INTERNET

- Arcane numbering scheme for determining web host locations
- FQHN (Fully Qualified Host Number e.g.: www.cirfid.unibo.it)



FQHN

- *Host name*: the name of the specific computer, which distinguishes it from the other computers of the domain (e.g.: `www`, name used for the domain web server)
- *Fully qualified domain name* (FQDN, e.g.: `cirfid.unibo.it`).



FQDN

- A FQDN is made up of :
 - Domain name (`cirfid.unibo`): identify the companies, enterprise or individual owner of the web site or the description of the web site's activity
 - Top level domain name (`.it`): indicates the general category of the web site
 - DNS (domain names system): it converts the FQHN in numeric IP addresses.



TOP LEVEL DOMAIN NAME

- Generic Top Level Domains (gTLDs)
(.com., net. and .org)
- Special Top level Domains (sTLDs) like
(.edu, .gov and .mil)
- Country Code Top Level Domains
(ccTLDs)




DOMAIN NAMES' ASSIGNMENT

- ICANN (Internet Corporation for Assigned Names and Numbers): is an international organization that regulates domain names and IP addresses
- Registrar: business company that provides to register DN
- Internet Assigned Numbers Authority (IANA)
(www.iana.org/cctld/cctld-whois.htm)
- Internet Network information Center (Internic): establishes the rules for assigninig the domain names
 - Network Solutions Inc. (NSI) registers the domain names for specific activities such as *.com*, *.org*, *etc.*



ICANN

- The Internet Corporation for Assigned Names and Number (www.icann.org/)  IP address space allocation and protocol, parameter assignment, root server system management functions
- Managing also TLDs with various partners (such as *.aero*, *.biz*, *.coop*, *.info*, *.museum*, *.name* and *.pro*)



ITALIAN DOMAIN NAMES' RULES

- Naming Authority establishes the rules for assignning the domain names (www.nic.it)
- Registration Authority c/o Istituto per le Applicazioni Telematiche del Consiglio Nazionale delle Ricerche (IAT-CNR), register the domain name with TLDN - *.it*
- The maintainer is a third party that can assign domain name, making an agreement with RA.



THE RULES FOR ASSIGNING A DOMAIN NAME

- First come first served
- No control on possible previous registration of a TM
- Administrative proceeding
- Arbitration and Mediation
- Court action



DOMAIN NAMES and TRADEMARK

Brands and organizational identities have traditionally been defined and protected by copyright and trademark registration as well as their common public use.

There are many different classes of use, many similar names and owners based on a trademark (i.e. Kraft)

In Italian trademark legislation, there cannot be exactly corresponding trademarks and still most valuable gTLD of cyberspace



DOMAIN NAMES' DISPUTES

- **DOMAIN GRABBING** → the abusive registration of domain names for the purpose of unfair competition
- **CYBERSQUATTING** → the abusive registration of domain names to profit from their use



GIURISPRUDENTIAL TREND

- Firstly the Italian courts considered the DN only as a technical means, that is a numeric code
- Later the Italian courts have recognised the distinctive characteristic of the DN
- At present the Italian courts consider applicable the law of trademark to DN



CASE STUDIES

- Tribunale di Firenze - Ordinanza del 29 giugno 2000 (Sabena c. A&A).
- Tribunale di Napoli - Sentenza 26 febbraio 2002 (Playboy c. Giannattasio)