

June 11, 2009

NEWS ALERT

The Facebook "Landrush": Preventing Unauthorized Use of Trademarks on Facebook

Starting at 12:01 A.M. EDT on Saturday, June 13, Facebook users will be able to choose unique usernames on a "first-come, first-serve" basis. Users' homepages can then be accessed at a URL that incorporates the new username; e.g., www.facebook.com/username/. For an explanation from Facebook, go [here](#).

Facebook's new service gives rise to a serious trademark issue, namely, the registration of usernames that correspond to third-party trademarks. This could lead to confusion and/or dilution of the trademark.

In order to mitigate this potentially serious trademark concern, Facebook will allow rights holders to apply to have their registered trademarks reserved so that they may not be registered as usernames. The form may be found at the following site:

http://www.facebook.com/help/contact.php?show_form=username_rights

To prevent unnecessary problems, we recommend that concerned trademark owners comply with the Facebook procedure for reserving trade names prior to Saturday, as there will likely be a large number of registrations that occur in the first few hours. We further recommend trademark owners consider reserving all permutations of a given mark.

Please contact Hayes Soloway if you have any further questions or would like assistance in this matter.

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