Domain Name Panelists Meeting October 16, 2006

Fair Use, Domain Parking and Landing Pages

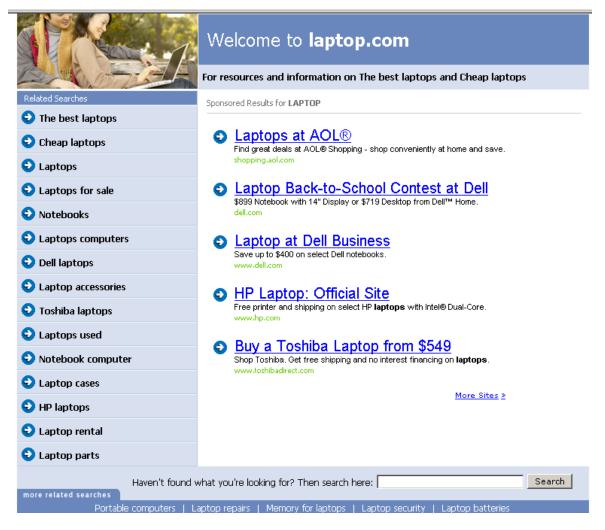
David H. Bernstein
Debevoise & Plimpton LLP
New York, New York







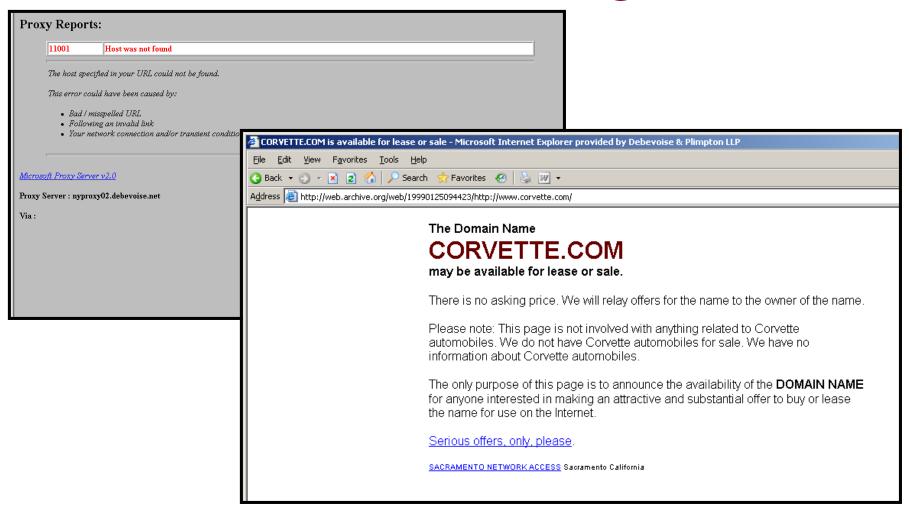
Landing Pages or Domain Parking







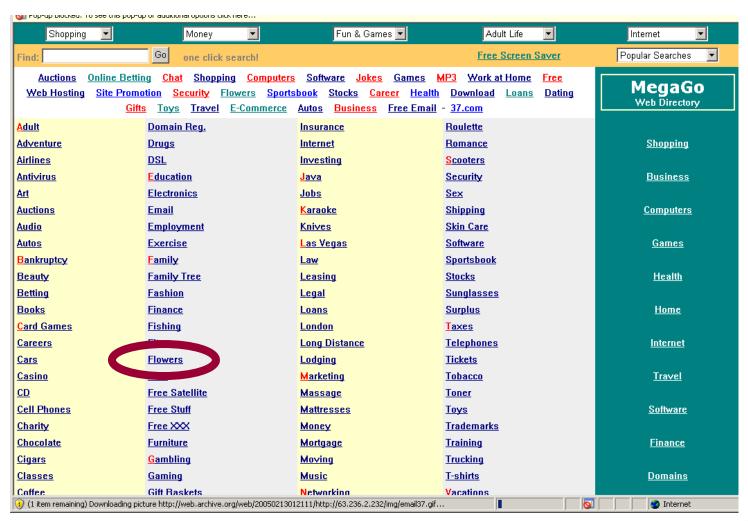
Passive Holding







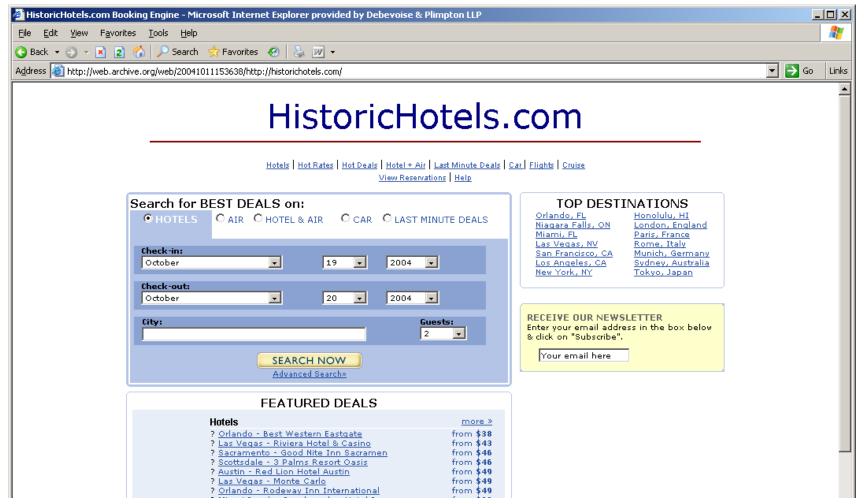
Generic Search Engines







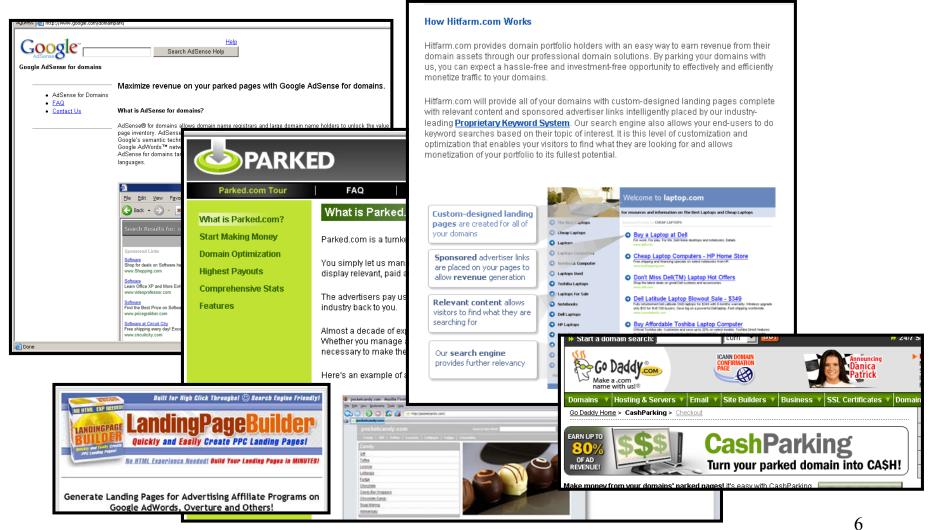
Custom Landing Pages







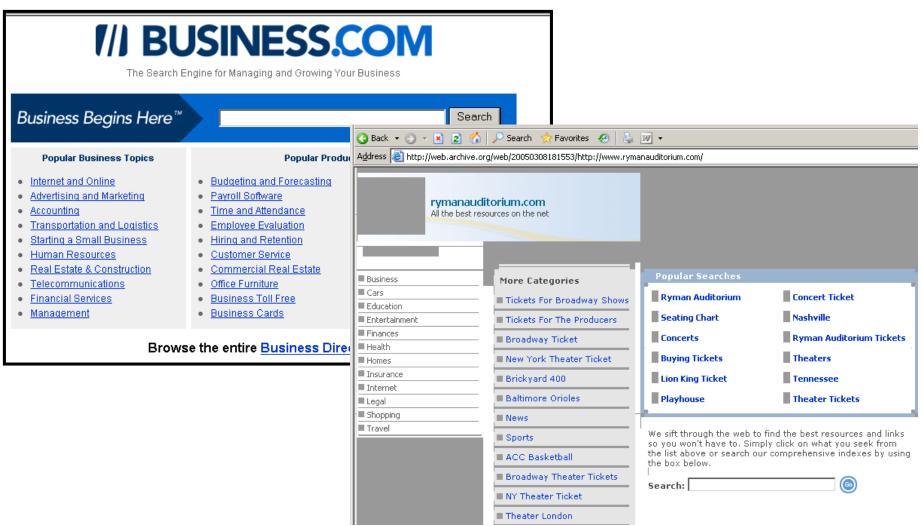
Automated Landing Pages







Is Domain Name an Obvious Trademark?







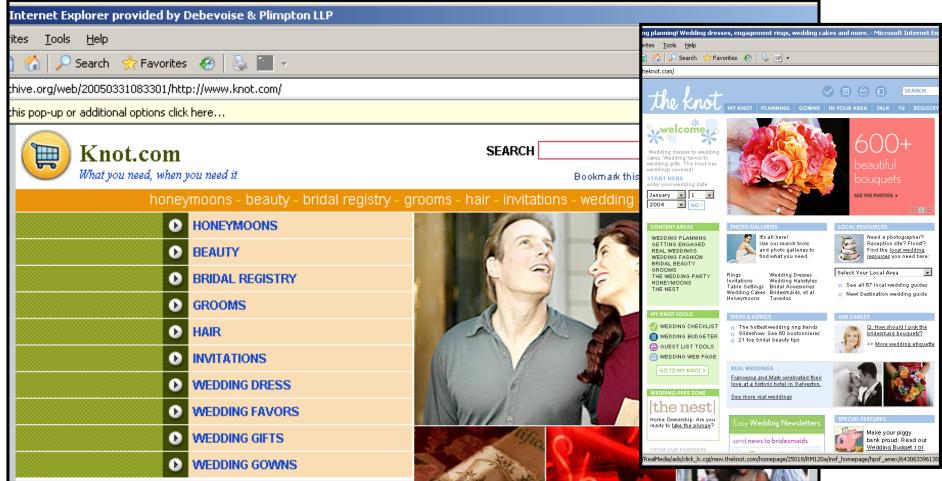
Is Content Related to Dictionary Meaning?







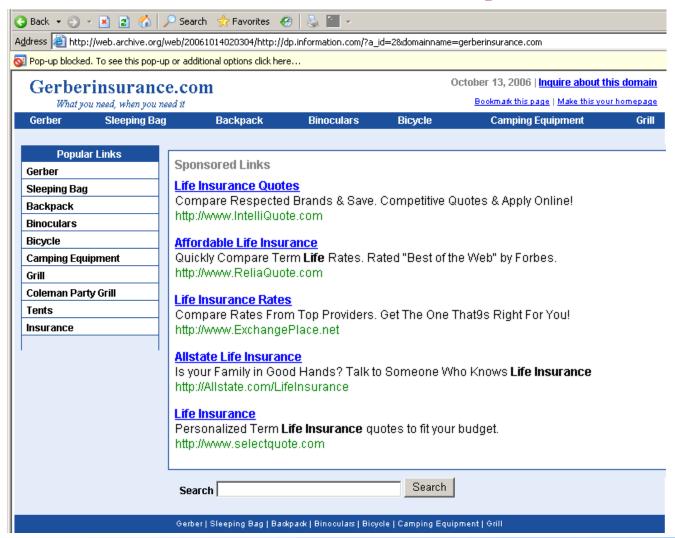
Is Content Related to Dictionary Meaning?





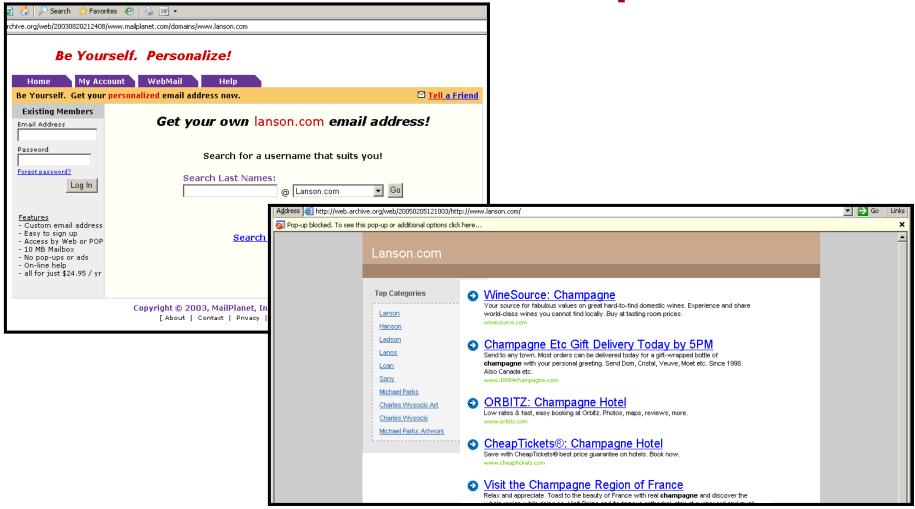


Does Site Link to Competitors?





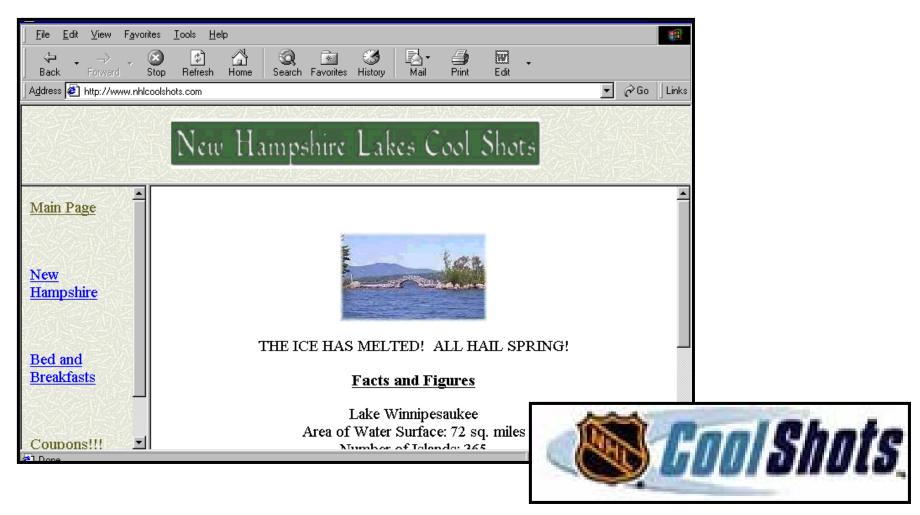
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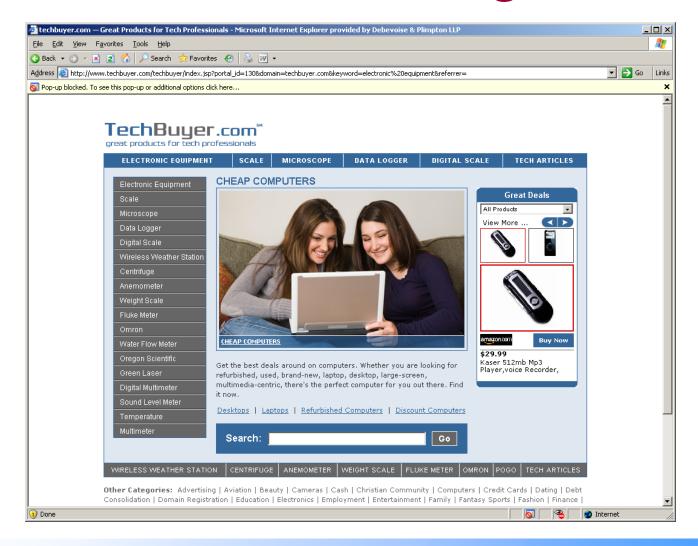


Is the Website a Pretext?





Bad Faith Use and Registration





Factors for Analyzing Landing Pages

- Is the domain name an obvious trademark?
- Is the website's content related to the dictionary meaning of the domain name?
- Does the landing page provide links or advertisements for competitors' products?
- Does the landing page appear to be a pretext for cybersquatting?
- Did respondent register and use the domain name in bad faith?