

.sucks Domain Names Now Available to Brand Owners

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The new **.sucks** domain extension operated by **Vox Populi** (Latin for “voice of the people”) launched this week. Until May 29, 2015 brand owners can register domains matching their trademarks before they become available to the public, but early registration comes with a hefty price tag. Trademark protection may be cheaper, but more challenging, when general availability begins June 1.

Here is an overview of the six .sucks registration categories with varying eligibility criteria, timing and price.

1. Sunrise: March 30 – May 29, 2015

During the Sunrise period, trademark owners can register domains matching their trademarks (i.e., trademark.sucks) before they become available to the public. To be eligible for Sunrise registration, the trademark must first be recorded with the Trademark Clearinghouse, a centralized repository of information used by all new **generic top-level domain (gTLD)** operators to implement mandatory rights protection mechanisms for brand owners.

Brand owners may suffer Sunrise sticker shock. The suggested retail price is \$2,499 per domain with the same annual renewal fee. This is far higher than Sunrise pricing for other new gTLDs.

2. Premium: Now Available

Vox Populi subjectively determined that certain .sucks domains warrant high pricing and designated them “Premium.” Premium domains tend to be highly-searched terms that make a domain more desirable, such as divorce.sucks and life.sucks (life.sucks can be purchased for \$1.5 million according to 101Domain.com). Pricing will vary by domain.

Premium domains are now available. A Clearinghouse registration is required to register Premium domains during the Sunrise period.

3. Sunrise Premium: Now Available

A subset of Premium domains are designated “Sunrise Premium.” Vox Populi created this list by

analyzing previous Sunrise purchases for other domain extensions. The more often a brand owner registers domains during Sunrise, the more likely its trademark is a Sunrise Premium term.

The suggested retail price of Sunrise Premium domains, whether registered during Sunrise or general availability, is \$2,499 with the same annual renewal fee (i.e., the price will never drop), except that individuals unaffiliated with a brand owner who want to host a discussion forum about the brand can register them during general availability for only \$9.95 by participating in the Consumer Advocacy Subsidy program discussed below.

Vox Populi says that Sunrise Premium domains protect brand owners because high pricing deters use of the domains for infringing purposes, such as promotion of competitor products and services. On the other hand, it penalizes brand owners with a track record of defensively registering domains with higher registration fees.

4. Standard: Available June 1, 2015

"Standard" domains are those falling outside of the Premium and Sunrise Premium categories. They will be available on a first come, first served basis during general availability. The suggested retail price is \$249 with the same annual renewal fee, except people participating in the Consumer Advocate Subsidized program discussed below can register them for just \$9.95.

5. Block: Available June 1, 2015

A Block is a defensive mechanism and effective tool for brand owners whereby a domain can be registered at a reduced cost simply to prevent others from registering it. The registrant cannot actively use the blocked domain to host a website.

Blocks are available on a first come, first served basis during general availability for a suggested retail price of \$199. Blocks are unavailable for Premium and Sunrise Premium domains.

6. Consumer Advocate Subsidized: Available September 2015

"Consumer Advocate Subsidized" domains are eligible for a reduced registration fee of only \$9.95. Domains registered under this program, which encourages consumers to establish gripe sites, will be provided a free, hosted discussion forum courtesy of everything.sucks, a consumer advocacy forum platform (people who wish to establish an independently-operated site must buy domains at regular pricing). For example, www.productx.sucks will resolve to a hosted discussion forum about Product X.

The subsidy will be available for Standard and Sunrise Premium names. To qualify, the domain registrant may not be a corporation or in any way affiliated with the corporation the domain is referencing.

To many, the extraordinary cost of Sunrise domain registration and maintenance amounts to brand owner extortion, and Vox Populi has faced harsh criticism. Controversy or not, .sucks is here and it puts brand owners in a difficult position. Consumers may fairly use a company name or trademark to voice criticism and complaints, so .sucks domains may survive legal challenge. The best option for brand owners to combat use of .sucks domains by angry consumers and nefarious pranksters is expensive defensive registration during Sunrise.

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