

Q3 2025



New gTLD Report

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Letter From the Editor

Change of Seasons and our New gTLD Report

As we near the end of the third quarter of 2025, change is in the air. Depending on where you live in either the Northern or Southern Hemispheres, a new spring or autumn season is likely on the way in.

Our first article in this quarter's report is our Industry Spotlight, this time an interview with Jennifer Gore, the Executive Director of the Brand Registry Group (BRG). Like the spring, the BRG is seeking green new growth, but instead of plants or trees, it aims to grow in new members — especially ones who may apply for their own dotBrand gTLD. Read the article to find out more.

Our second article is the latest in our Focus on Security series. It is about the Public Suffix Domain (PSD) DMARC, an email security mechanism that can be applied at the gTLD level instead of the individual domain level. Much like an umbrella during an autumn or spring rain, PSD DMARC is an additional security protection layer covering your 'rain jacket' of base email DMARC. Check out the article to learn more.

Lastly, see our Deep Dive into the Legal Rights Objection (LRO) concept from the 2012 New gTLD Program application round, and learn how lessons from then could help you in 2026. Like an early frost in autumn, a gTLD application that is potentially a threat to your brand is something that you can prepare for — take a look at our article to see how.

Rounding out the report is our usual list of upcoming ICANN meetings. And with that, I'm all out of awkward seasonal metaphors, though I do hope you enjoy your spring or autumn, wherever you are!

Best,
Chris Niemi
Manager, Strategic Initiatives

In the Spotlight: Brand Registry Group

The domain industry has many members who perform different functions in respect to generic Top-Level Domains (gTLDs). In our past three reports we've focused on the Registry Service Provider (RSP), also sometimes known as the BackEnd Registry Operator (BERO). Now, we've expanded our Spotlight series to include other key industry players in the space.

In this report, we speak with a special guest from the **.Brand Registry Group**



Jennifer **Gore**
Executive Director
Brand Registry Group



Chris **Niemi**
Manager, Strategic Initiatives
Markmonitor

What Is the Brand Registry Group?

The Brand Registry Group (BRG) defines itself as “an association of companies and organizations working together to champion the use of brand top-level domains.”¹

Its purpose is to “support the collective interests of our members and help them derive maximum value from their brand top-level domains” by:

- helping members launch and operate their dotBrand gTLDs,
- supporting members in advocacy with ICANN, government, and Internet stakeholders, and
- engaging the domain name industry and Internet uses as a collective voice to improve the understanding of the role of dotBrands.²

Let’s hear from Jennifer about her role and the BRG.

[Editor’s note: Chris Niemi has recently been elected to the Brand Registry Group Board as Treasurer in his role as the representative for the .dupont gTLD. BRG Board positions are volunteer roles.]

Interview with Jennifer Gore, Executive Director of the Brand Registry Group

■ **Chris Niemi (CN):** Hi Jennifer, thank you for taking the time to talk with me. What are you responsible for in the BRG and how long have you been with the group?

▲ **Jennifer Gore (JG):** Thanks, Chris, it is a great time to talk to you. It’s an exciting time for the BRG as well as the domain name industry in general.

I serve as the Executive Director for the BRG, the Brand Registry Group. My role centers mostly around strategic leadership, advocacy, member engagement, and outreach on behalf of dotBrands. I also manage day-to-day operations that represent the BRG within ICANN and the broader Internet governance community and make sure that our members have a collective voice in those discussions.

■ **CN:** How long has the BRG been active in the domain industry?

▲ **JG:** The BRG has been active since the launch of the 2012 New GTLD program. At that time, many of the founding members were early adopters of dotBrand gTLDs. They recognized the value of operating their own trusted digital namespace.

Over the last decade, the BRG has grown into a recognized community within ICANN that represents key stakeholders and contributes to policy development and other related activities.

■ **CN:** How does the Brand Registry Group fulfill its purpose described above?

▲ **JG:** Well, we do it through multiple channels. The first is through advocacy. We represent the collective interests of brand holders in ICANN, within governments, and across the wider Internet ecosystem.

The second is around education, guidance, and awareness. We help members launch, operate, and extract value from their dotBrands through best practice sharing, case studies, and working sessions. And the last is around community-building and influence.

By us partnering together with the brand

holders, we can influence how future rounds of gTLDs are shaped and ensure that dotBrand operators have a fair and practical pathway to apply, use, and maintain them.

■ **CN:** If an organization is an existing dotBrand registry operator, why should it join the BRG?

▲ **JG:** There are quite a few benefits to joining the BRG. What I always talk about is power in numbers — that is, access to a peer network of leading global brands that are pioneering in the dotBrand space. The BRG can provide direct influence on ICANN policies that impact dotBrands, offer exclusive insights and guidance, and deliver early intelligence around the upcoming next round of new gTLDs that is launching in April of 2026.

The BRG is also an advocacy platform to ensure that brand owners' voices are heard collectively. Members share resources to maximize their strategy, security, and marketing value of their gTLDs.

■ **CN:** If an organization is considering applying for a dotBrand in ICANN's New gTLD Program: Next Round, what should it be doing now?

▲ **JG:** Well, they need to educate themselves to ensure that they can legally and digitally meet the requirements to operate a dotBrand. Their marketing teams and other stakeholders need to be engaged as well to understand the impact and implications of running a gTLD.

On owning a dotBrand, I suggest the completion of a business case assessment, which can demonstrate and bring awareness to what a dotBrand can do in terms of security, brand trust, innovation, and customer engagement.

An organization should understand that there is a budget planning exercise that needs to be conducted around the application costs while considering ongoing operational costs as well. Then the organization should engage with groups like the BRG to stay informed on program timelines, policy updates, and any additional support resources that may be needed.

“

I suggest the completion of a business case assessment, which can demonstrate and bring awareness to what a dotBrand can do in terms of security, brand trust, innovation, and customer engagement.

-Jennifer Gore, Executive Director, BRG

”

■ **CN:** Can a potential applicant join the BRG now or must it wait until its dotBrand has been awarded?

▲ **JG:** Potential applicants should consider becoming a member of the BRG. Early membership provides access to insights and mentoring from existing operators, as well as policy intelligence which can help when submitting their application for a dotBrand gTLD.

This also allows them to become more

prepared, as they can effectively leverage lessons learned from brands already operating gTLDs in the marketplace.

■ **CN:** So, they can apply to the BRG now as a potential dotBrand gTLD applicant?

▲ **JG:** Yes.

CN: How can an existing registry operator or a potential applicant for a dotBrand gTLD apply to join the BRG?

▲ **JG:** The process is simple, really. Visit the [BRG website](#) and complete the membership form. Membership categories are structured for both current brand operators and prospective applicants.

We also provide support during the application process to ensure organizations are matched with the right type of membership.

■ **CN:** Where and when does the group meet?

▲ **JG:** The BRG meets regularly in coordination with the ICANN meetings, which occur three times a year in different regions of the world. We also hold monthly meetings with our members and biweekly meetings with our board members, through virtual sessions throughout the year.

■ **CN:** So, if you're in Dublin in October, look us up?

▲ **JG:** Absolutely. We will be hosting a meeting on that Monday of the [ICANN84 conference](#).

CN: What are the outputs from the group?

▲ **JG:** Well, we provide policy positions and

submit public statements to ICANN on behalf of the BRG Board and members, as it is extremely important to ensure that brands are represented in the ICANN Community. We also provide a best practices guide, toolkits, and case studies for operating dotBrands.

We deliver educational sessions and workshops for both members and to the public. We are a strong community where dotBrand holders can share key learnings and innovative ideas together as a group.

■ **CN:** Before we wrap this up, is there anything else you'd like to share with our readers?

▲ **JG:** Yes, I'd like to talk about how there is a big difference between the 2012 application round and the upcoming 2026 application round.

A dotBrand has involved branding, marketing, and innovation from the start, but continues to expand its benefits in the security space.

There are also technologies that have been introduced since 2012 — such as artificial intelligence (AI) and crypto/blockchain — that a lot of brands will really embrace and want to maximize by applying for their own dotBrand in the domain sector.

There has never been a better time for organizations to consider joining the BRG as part of this effort, with the next round of new gTLDs coming up in April of next year.

And one last note – a dotBrand is not just a gTLD, but it is a strategic asset that strengthens consumer trust, enhances online security, and creates space for innovation

within an organization’s own brand.

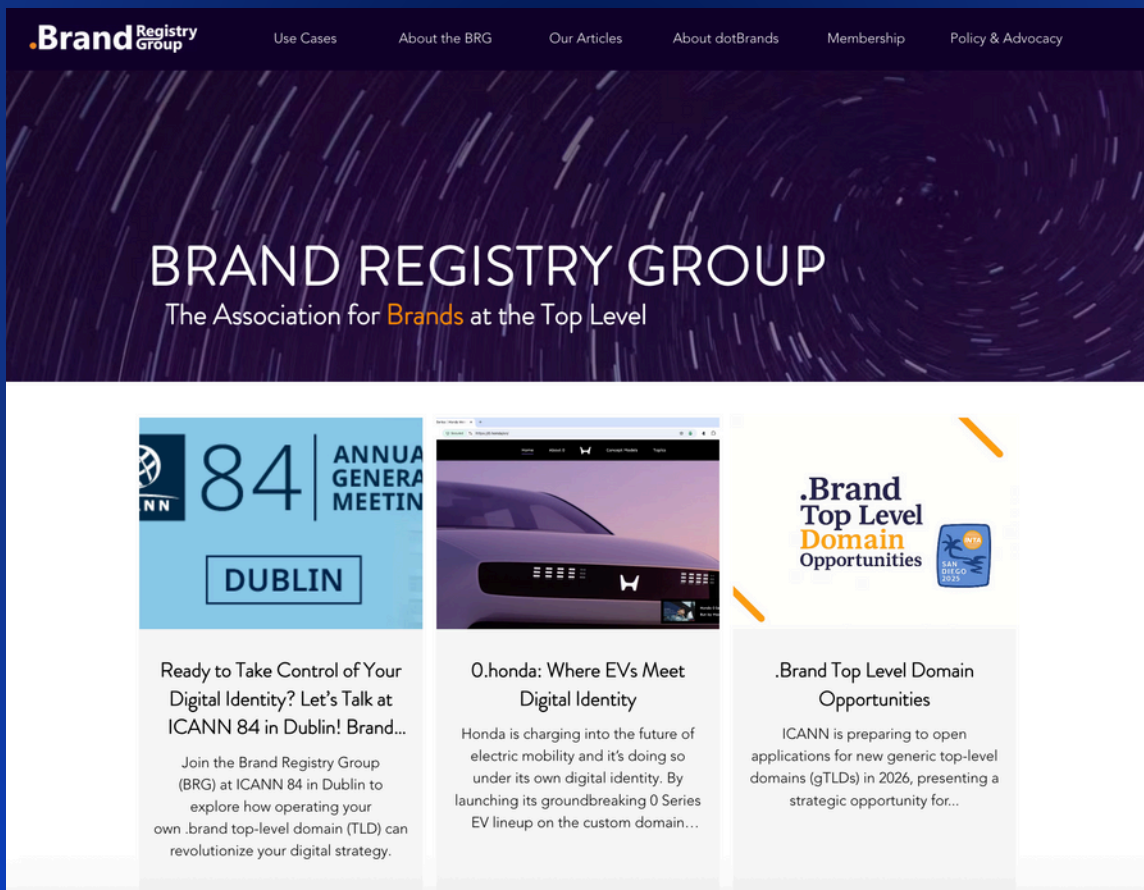
I encourage any brand who is considering this path to get engaged early with the BRG as it really is the best place to start for a potential dotBrand applicant.

1. brandregistry.group.org/about-the-brg_
2. [Ibid](#)

Thanks for the chat!

■ **CN:** You are welcome and thank you very much for your time. I’m sure our readers will now be much more aware of what the Brand Registry Group is and how it can help existing dotBrand gTLD registry operators or a potential applicant for the Next Round.

Until next time!



Screenshot of the Brand Registry Group's Homepage

Focus on Security: PSD DMARC and dotBrand Security

In the latest of our 'Focus on Security' series, we revisit an area that was discussed in our Q3 2023 New gTLD Report,¹ Public Suffix Domain (PSD) DMARC.

What is the Definition of DMARC?

Per the related DMARC RFC (7489):

Domain-based Message Authentication, Reporting, and Conformance (DMARC) is a scalable mechanism by which a mail-originating organization can express domain-level policies and preferences for message validation, disposition, and reporting, that a mail-receiving organization can use to improve mail handling.²

As DMARCian notes, the benefits of DMARC include: email fraud protection, increased email reliability, demonstrating regulatory compliance, reducing financial risks, and contributing to industry-wide collaboration.³

How Does PSD DMARC Change Things in Relation to DMARC?

As discussed in the related PSD DMARC RFC (9091):

In the basic DMARC model, Public Suffix Domains (PSDs) are not Organizational Domains and are thus not subject to DMARC processing. In DMARC, domains fall into one of three categories: Organizational Domains, subdomains of Organizational Domains, or PSDs. A PSD can only publish DMARC policy for itself and not for any subdomains under it. In some cases, this limitation allows for the abuse of non-existent organizational-level domains and hampers identification of domain abuse in email.

This document specifies experimental updates to the DMARC specification [RFC7489] in an attempt to mitigate this abuse.⁴

In layman's terms, this means that the benefits of DMARC (which is at the individual domain name level) can be expanded to the entire Top-Level Domain for PSD DMARC.

How Does PSD DMARC Work in the Real World?

fTLD Registry, the registry operator for the .bank and .insurance gTLDs, puts it this way:

When mail service providers (MSPs) such as Google and Microsoft query a domain name for its DMARC record, if one is found the DMARC record is followed. In contrast, if an MSP's query does not find a DMARC record for a domain name, there's a second query at the TLD level and... they would find the PSD DMARC record and can follow it.⁵

So, PSD DMARC can add a potential secondary layer of security for email services.

PSD DMARC in the New gTLDs

In the new gTLD space we have seen the most development of this concept done by fTLD Registry, who filed Registry Service Evaluation Process (RSEP) requests⁶ to utilize this new service on its two gTLDs that were approved by ICANN and then implemented on November 15, 2023.⁷

Developments in DMARC

DMARC continues to be an important email safety mechanism that has become a requirement for use by bulk senders to both Google and Yahoo email services (as of February 2024)⁸ as well as, more recently, to Microsoft email services (as of May 2025).⁹

With DMARC having first been published in 2015, there has been continued development on the protocol with a new proposed version called DMARCbis in process.¹⁰ This could have a number of improvements such as: "The Public Suffix List mechanism is replaced with the DNS tree walk algorithm to better support Public Suffix Domains (PSD)."¹¹

PSD DMARC and dotBrands

dotBrand generic Top-Level Domains (gTLDs) are actually mentioned directly in the wording of the PSD DMARC RFC:

Branded PSDs (e.g., ".google"):

These domains are effectively Organizational Domains as discussed in [RFC7489]. They control all subdomains of the tree. These are effectively private domains but listed in the

current public suffix list. They are treated as public for DMARC purposes. They require the same protections as DMARC Organizational Domains but are currently unable to benefit from DMARC.¹²

As discussed previously in our reports and other materials, running a dotBrand gTLD is a way for a brand holder/registry operator to control an entire namespace and maximize its security approach. The potential of implementing PSD DMARC on a dotBrand gTLD is another example of how this can be done – as well as utilizing DNSSEC on dotBrand domains, adding the gTLD to the HTTP Strict Transport Security (HSTS) Preload List, and other measures.

The Next Round Application Period Opens in 2026 — Are You Interested?

If your organization would like to apply for its own dotBrand gTLD in the ICANN New gTLD Program: Next Round¹³ in April 2026 to utilize PSD DMARC or the other security features described above, please contact your Domain Portfolio Advisor or reach out to us.¹⁴ And check out our next report to see what else is happening in the New gTLD space.

1. markmonitor.com/report/gtld-report-q3-2023
2. datatracker.ietf.org/doc/html/rfc7489
3. dmarcian.com/ftld-dmarc-psd
4. datatracker.ietf.org/doc/rfc9091
5. register.bank/wp-content/uploads/2023/07/FAQ-PSD-DMARC-f-20230707.docx.pdf
6. icann.org/en/system/files/files/rsep-2022058-bank-et-al-request-21oct22-en.pdf
7. register.bank/insights/bank-implemente-public-suffix-domain-domain-based-message-authentication
8. dmarcian.com/yahoo-and-google-dmarc-required
9. dmarcian.com/microsoft-enforces-spf-dkim-dmarc
10. datatracker.ietf.org/doc/draft-ietf-dmarc-dmarcbis
11. dmarcian.com/dmarcbis-vs-dmarc
12. datatracker.ietf.org/doc/rfc9091
13. newgtldprogram.icann.org/en/application-rounds/round2
14. markmonitor.com/dotbrand



Deep Dive: I Object!

Legal Rights Objections From the 2012 New gTLD Program to Now



In this report's deep dive, let's discuss an important part of the New gTLD Program: Objections — specifically Legal Rights Objections (LROs).

In my recent blog post,¹ I pointed out how the current draft of the Applicant Guidebook² (hereafter 2026 AGB) has added appeals into all of the objection processes that will apply to the ICANN New gTLD Program: Next Round.³

ICANN also recently announced⁴ the Dispute Resolution Service Providers (DRSPs) for the Next Round: the International Chamber of Commerce (ICC) for Limited Public Interest and Community objections and the World Intellectual Property Organization (WIPO) for String Confusion and Legal Rights objections.⁵

With objections and appeals being front of mind, let's take a look at LROs and how they played out in the 2012 round to see if we can tease out any trends or information that might be useful in the upcoming 2026 application window.

[Disclaimer: Please note that this is not legal advice. The objections are reviewed in this article within a broader concept of the overall 2012 New gTLD Program, and as an information-gathering exercise to show potential themes that could have effects on the 2026 Next Round. For legal advice in this area please consult your internal counsel or experienced outside counsel who are familiar with this space.]

Before we get into the details of the 2012 LROs that were filed, let's compare the LRO sections of the 2012 AGB and 2026 AGB quickly to see if there are any major differences.

Base LRO Concepts in the 2012 AGB

Grounds for filing a LRO:

The applied-for gTLD string infringes the existing legal rights of the objector.⁶

Standing:

A rightsholder has standing to file a legal rights objection. The source and documentation of the existing legal rights the objector is claiming (which may include either registered or unregistered trademarks) are infringed by the applied-for gTLD must be included in the filing.⁷

Principles, Legal Rights:

In interpreting and giving meaning to GNSO Recommendation 3 ("Strings must not infringe the existing legal rights of others that are recognized or enforceable under generally accepted and internationally recognized principles of law"), a DRSP panel of experts presiding over a legal rights objection will determine whether the potential use of the applied-for gTLD by the applicant takes unfair advantage of the distinctive character or the reputation of the objector's registered or unregistered trademark or service mark ("mark") or IGO name or acronym (as identified in the treaty establishing the organization), or unjustifiably impairs the distinctive character or the reputation of the objector's mark or IGO name or acronym, or otherwise creates an impermissible likelihood of confusion between the applied-for gTLD and the objector's mark or IGO name or acronym.⁸

[Editor's note: there are eight non-exclusive factors that the panel will consider in regard to the section above. For document readability,

the reader is encouraged to go directly to the text to review those factors in detail. That said the 2012 AGB lists eight factors whereas the 2026 AGB lists nine factors so for comparison purposes the ninth one will be called out in the next section.]

Base LRO Concepts in the 2026 AGB:

Grounds for Filing a LRO:

A party with standing that believes that an applied-for gTLD string and/or one or more applied-for allocatable variant strings infringes their existing legal rights may file a Legal Rights Objection. A Legal Rights Objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.⁹

Standing:

A rights holder may have standing to file a Legal Rights Objection. The source and documentation of the existing legal rights the objector is claiming are infringed by the applied-for gTLD must be included in the filing (for example, documentation regarding either registered or unregistered trademarks). For more information on which legal rights are covered, refer to Principles: Legal Rights.¹⁰

Principles, Legal Rights:

A panel presiding over a Legal Rights Objection will determine whether the applicant's potential use of the relevant string would:

1. Take unfair advantage of the distinctive character or the reputation of the objector's registered or unregistered trademark or service mark ("mark") or IGO name or acronym (as identified in the treaty establishing the organization). ICANN | New gTLD Program: Next Round | DRAFT Applicant Guidebook
2. Unjustifiably impair the distinctive character or the reputation of the objector's mark or IGO name or acronym.
3. Otherwise create an impermissible likelihood of confusion between the relevant string and the objector's mark or IGO name or acronym.¹¹

The nine non-exclusive factors that the panel will consider include the same eight that are listed in the 2012 AGB though there is a new ninth factor:

Whether the applicant's intended use of a common dictionary term that is also a trademark is intended to take advantage of such common meaning or targets a trademark.¹²

Comparing LRO Base Concepts in the 2012 AGB and 2026 AGB

As you can see above, the base LRO wording is nearly identical in both AGBs, with the only difference being the new ninth factor that addresses the 'dictionary term' concept and how that is being used in potential relation to a trademark. We may well see why this came about in the 2026 AGB when we review the 2012 LROs in a moment.

Comparing LRO Base Concepts in the 2012 AGB and 2026 AGB

The list of LROs from the 2012 application round are shown here.¹³

Taking that information into account please see the select information below:

- Number of LROs: 69
- Number of LROs that were rejected: 59 (85.5%)
- Number of LROs that were upheld: 4 (5.8%)
- Number of upheld LROs that had a dissenting opinion: 3 (75%)
- Number of Unique LRO Objectors: 34
- Number of Objectors who filed a single LRO: 23
- Number of Objectors who filed more than one LRO: 11
- Highest Number of LROs Filed by a Single Objector: 9 (Defender Security Company against the 9 .home applications)
- Second Highest Number of LROs Filed by a Single Objector: 7 (tie: DotMusic Limited against the 7 .music applications and United States Postal Services against the 7 .mail applications)
- Number of unique gTLDs that had LROs filed against them: 37
- Total Number of Applications: 1,930
- Percent of Total gTLD Applications that received LROs: 3.6%



Broad Conclusions From the 2012 LROs

1. Small Number of LROs filed: Out of the whole number of applications from the 2012 round (1,930), only 69 LROs were filed, or 3.6% of the applications. Given the wide makeup of the applications in the 2012 Round (from open/restricted and community to geographic and dotBrand and IDN gTLDs), it's hard to ascertain if this was the theoretical 'right' amount of LROs or if perhaps there should have been more or less filed.
2. High rate of rejection: 85.5% of the 69 filed LROs were rejected by the panels. While every application and LRO had different details, given the high rate of rejections, the outcomes from the individual cases should be reviewed to see what individual factors were not successfully displayed by the objectors. The broader idea may be that the panelists had a relatively 'high bar' of the standards that the objectors had to meet, and this should be kept in mind when thinking about objections in the 2026 Next Round.
3. Panelists did not always agree: Of the small number of LROs that were upheld (four), even those were not unanimous as three of the four had dissenting opinions. Due to the nature of the process, the number of panelists involved, and the relatively complex requirements to meet in a LRO, this amount of potential 'gray' in a given outcome should be considered on LROs in the 2026 Next Round.

2012 LRO Specific Trends

In this section, we'll call out a few points of interest about the 2012 LROs.

LROs between Competitors or Interrelated Parties

Number of gTLDs Affected: 8

gTLDs:

[.delmonte](#)

Status: Objection Upheld with Dissenting Opinion; Parties: Del Monte Corporation v. Del Monte International GmbH¹⁴

Notes: Del Monte Corporation is the primary trademark holder while Del Monte International GmbH is the assignee of three license agreements with Del Monte Corporation that allows for use of the trademark by Del Monte International GmbH on certain products in defined geographies. Thus, the parties had an existing relationship with each other as trademark assignor and assignee. Based on what was submitted the panel (with one dissenting opinion) determined that the objection should be upheld.

[.rightathome](#)

Status: Objection Rejected; Parties: Right At Home v. Johnson Shareholdings, Inc.¹⁵

Notes: Johnson Shareholdings, Inc. is a wholly-owned subsidiary of S.C. Johnson & Son, Inc. and SC Johnson licensed use of the RIGHT@HOME mark and other marks to Johnson Shareholdings, Inc. The objector, Right At Home, markets its services under the RIGHT AT HOME mark. The parties had similar marks but were providing services in different industries (healthcare services for Right At Home and consumer household products for SC Johnson). Based on what was submitted, the panel agreed that the objection should be rejected.

[.emerck](#)

Status: Objection Rejected; Parties: Merck & Co, Inc. v. Merck KGaA¹⁶

[.merck](#)

Status: Objection Rejected; Parties: Merck & Co, Inc. v. Merck KGaA¹⁷

[.merck](#)

Status: Objection Rejected (on two applications); Parties: Merck KGaA v. Merck Registry Holdings, Inc. (two objections)¹⁸

[.merckmsd](#)

Status: Objection Rejected; Parties: Merck KGaA v. Merck Registry Holdings, Inc.¹⁹

Notes: The groups of companies of Merck & Co, Inc., and Merck KGaA have a common history. Merck & Co, Inc., was founded as a subsidiary of the Merck KGaA. It had become an independent American company at the end of the First World War as a result of United States confiscation legislation. In the 1930s the groups of companies of Merck & Co, Inc., and Merck KGaA agreed on co-existence. The group of companies of Merck & Co, Inc., obtained the right to use the name MERCK in the United States and Canada. The group of companies of Merck KGaA obtained the right to use the name MERCK everywhere except for the United States and Canada. The group of companies of Merck & Co, Inc., mainly uses the name and trademark MSD for its activities outside the United States and Canada. The co-existence agreements were amended in the 1970s.

The parent of MSD Registry Holdings, Inc., is

Merck Sharp & Dohme Corp. and the ultimate parent of MSD Registry Holdings, Inc., is Merck & Co., Inc.

As you can see above, the companies have been related for decades and have evolved into competitors over time. Based on what was submitted in each individual objection the respective panel agreed that each objection should be rejected (so all objections were rejected).

.weibo

Status: Objection Upheld with Dissenting Opinion; Parties: Sina Corporation v. Tencent Holdings Limited²⁰

微博

Status: Objection Upheld with Dissenting Opinion; Parties: Sina Corporation v. Tencent Holdings Limited²¹

Notes: Sina Corporation and Tencent Holdings Limited were “fierce competitors as China’s original batch of internet giants scrambled for social media users” in the early 2010s.²² In this case they were each active in the ‘weibo’ or ‘microblog’ space. Based on what was submitted, the panel (with one dissenting opinion) determined that the objection should be upheld.

.yellowpages

Status: Objection Rejected; Parties: hibu (UK) Limited v. Telstra Corporation Limited²³

Notes: hibu (UK) Limited’s mark is “YELLOW PAGES” (the “Objector’s Mark” or the “YELLOW PAGES Mark”). Hibu (UK) Limited is the provider of YELLOW PAGES business directories in the United Kingdom (the “UK

YELLOWPAGES”) and owns a large portfolio of trademark registrations and substantial unregistered rights in the YELLOW PAGES Mark for the UK. Telstra Corporation Limited owns an extensive portfolio of Australian Yellow Pages trademarks (the “Yellow Pages Mark”), including registrations for the words “Yellow Pages” and images including the words “Yellow Pages.” Telstra Corporation Limited has numerous trademark registrations and three domain names with an exact match to the Applied-for gTLD and its Yellow Pages Mark. Each entity was competing in similar products and services, but in different geographies. Based on what was submitted the panel agreed that the objection should be rejected.

LROs That Touched on Dictionary Words/Lack of Public Awareness of a Trademark

Number of gTLDs Affected: 24

gTLDs: .academy, .bio, .blue, .cam, .coach, .diy, .eco, .express, .food, .gmbh, .home, .limited, .mail, .mls, .moto, .music, .now, .pin, .song, .tube, .tunes, .vip, .kom, .opr

Status (all): Objection Rejected; Parties: Various

Notes: All of these objections involved gTLD strings that touched on one or both of the following concepts.

First, the gTLD being read as a dictionary word.

From the case # LRO2013-0002 against the .coach application:

The Panel agrees with the Respondent that there are several definitions of the word “coach,” and that many Internet users may

equate that word with goods, services or activities other than those related to the Objector or its trademark. The Panel does not need survey evidence to know that “coach” is a common dictionary word, and is used frequently in reference to the various definitions listed above. As also noted above, this does not preclude the Panel from ascertaining that the Objector’s trademark is also well established within the relevant public. The Panel is thus of the belief that some Internet users may assume that a domain name found at <.coach> will relate directly to merchandise offered under the COACH trademark by the Objector, whereas others may associate the string with one of the various dictionary meanings of “coach.”²⁴

Second, the gTLD being analyzed by the panel on how the public or internet community might view it.

From the case #LRO2013-0014 against the .vip application:

While the parties have used the term, “VIP”, in various forms on their website to indicate the manner in which the term will be used if they are successful in being awarded the domain, there is nothing before the Panel (beyond mere assertion) to show that either of them has yet traded under their marks sufficiently to displace the primary descriptive meaning of the term and establish a brand or at all. The Panel finds that the Internet community at large is likely to recognize the term “VIP” in the context of a gTLD as a descriptive term rather than anybody’s trademark.²⁵

Taking into account the arguments and information provided by the respective objectors and respondents, all of the objections above were based upon some

variation of this concept of the public’s view of a string as potential descriptive term, or generic or dictionary word, versus being perceived solely as a specific trademark.

LROs That Encountered Procedural Issues

Number of gTLDs affected: 1

gTLD: .axis

Status: “The WIPO Center shall not proceed any further with this case;” Axis Communications AB/ Axis AB v. Saudi Telecom Company

Notes: The processes and timeframes described in the AGB are important and do apply; in this case, while there were some additional circumstances around the ICANN Ombudsman and questions of jurisdiction by WIPO, the applicant’s response was found to be late. As such, per WIPO:

Even with broad discretion in applying Article 11(g) of the Procedure to all the facts and circumstances, the WIPO Center simply finds insufficient basis to accept the late-filed response. As a consequence of Article 11(g) forming part of the Procedure, the WIPO Center must therefore conclude that “the Applicant shall be deemed to be in default and the Objection shall be deemed successful.”²⁶



LROs on gTLDs That Were Internationalized Domain Names (IDNs)

Number of gTLDs affected: 3

.KOM

Status: Objection Rejected; Parties: Regtime Ltd. and Legato Ltd. v. VeriSign Sarl

.opr

Status: Objection Rejected; Parties: Regtime Ltd. and Legato Ltd. v. Public Interest Registry

微博

Status: Objection Upheld with Dissenting Opinion; Parties: Sina Corporation v. Tencent Holdings Limited

Notes: These LROs involved gTLD strings where the panelists had to make decisions around transliterations and translations which can be very complex.

From the case #LRO2013-0066 against the .kom application:

The Panel takes into account that <.org> gTLD has been operated in good faith by the Respondent since 2003 and that the Respondent has used its “.ORG” trademark for domain name registry services since 2003. In view of this, the Panel is of the opinion that the Respondent has become commonly known as a service provider for the <.org> gTLD and has rights and legitimate interests in respect of it. The Panel finds that “.org” is a sign that is very similar to and corresponds to “.opr”, as the only difference between them is that they are written in different alphabets and the latter is likely to be regarded as the Cyrillic

transliteration of <.org>, as more fully discussed above. Contrary to the Objectors’ allegation that <.opr> is not the same as <.org>, as “opr” has no meaning in Russian, the Panel agrees with the Respondent that “opr” is a shortened form of “организация” or “organization” in English, and this has been confirmed by the evidence submitted by the Objectors in Annexes 6 and 8 to the Objection. In view of the above, the Panel is satisfied that the Respondent has been commonly known by a sign corresponding to the <.opr> gTLD, and that the purported or likely use of the <.opr> gTLD is consistent therewith and bona fide.²⁷

From the case #LRO2013-0067 against the .opr application:

The Panel takes into account that <.com> gTLD has been operated in good faith by the Respondent’s affiliate Verisign, Inc. for many years, and the Respondent has provided evidence that it is a party to RRAs with numerous parties in respect of this gTLD. In view of this, the Panel is of the opinion that the Respondent’s affiliate Verisign, Inc. has become commonly known as a service provider for the <.com> gTLD, and that the Respondent has certain rights and legitimate interests in respect of the <.com> gTLD. At the same time, “.com” is a sign that is very similar to and corresponds to “.ком”, as the only difference between them is that they are written in different alphabets and the latter is likely to be regarded as the Cyrillic transliteration of <.com>, as more fully discussed above.²⁸

From the dissenting panelist on case #LRO2013-0040 against the 微博 application:

Further, it is common knowledge that written Chinese is fundamentally different from

phonetic systems like English. In English a word is usually made up of letters that usually indicate as to how the word is pronounced. Chinese is instead made up of individual characters that may have their own independent meanings in isolation. A Chinese word can therefore be made up of characters that may have a “literal” translation which may or may not be allusive to the word as a whole. Further, according to Wikipedia “weibo” / “微博” are abbreviated forms of the terms “weibo” / “微博客” and “weixingboke” / “微型博客”. This may or may not be relevant to the issue of the distinctiveness of these terms. None of these issues are addressed in the submissions before the Panel.²⁹

Applying for IDN strings in other languages and scripts is a complicated undertaking no matter what, but extra care is needed in regard to objections as the panels will make judgments on both the trademark implications in question as well as make additional judgments on how the trademarks apply to the language in question (be it a translation or a transliteration).

Specific Trend Takeaways From the 2012 LROs

- LROs may be filed by competitors and/or well-known related parties: As shown above, the .delmonte and .merck (et al) objections were filed between entities with long histories of trademark assignments or co-existence agreements which added complications to their objections. The objections for .rightathome, the .weibo gTLDs, and .yellowpages also showed how different takes on competition — by competitors in different service classes or geographies as well as competitors in

direct competition — could play out differently via the outcomes from the panels.

- Effects on LROs from strings that could be interpreted as dictionary words by public understanding: The bulk of the rejected objections involved objector ‘overreach’ with the conflation of a specific trademark as having a broader pull on the public’s attention when most of the time the words in question were generic enough to not be associated with any single brand across the globe.
- Procedures matter: Missing deadlines, no matter how many potential extenuating circumstances there are on an objection, can still derail a LRO as shown on the .axis objection.
- IDNs are difficult: Adding the additional layer of taking into account trademarks and gTLDs that are in non-Latin languages and scripts to the LRO process adds layers of difficulty into an objection situation as shown with .kom, .opr, and .微博, so take extra care in those situations.

Final Thoughts on LROs

Legal Rights Objections are an important part of ICANN’s New gTLD Program and can be a powerful tool in the right situation, when a brand holder may want to object to an application that could be perceived as a threat to an existing brand.

As shown above, at the macro level there were a relatively small number of LROs filed in 2012, with a high rate of rejection, and on the few that were upheld, the panelists did not agree unanimously. On the micro level, there were a number of LROs that between different types of competitors or parties that were aware of each other from existing relationships. There

were also a large number of objections that were rejected as the trademark holder could not prove wide enough awareness of their brand to potentially 'overtake' the generic meaning of a word. Procedures and IDNs require extra vigilance as those require attention to make sure timelines are met and issues around languages are appropriately handled.

At the end of the day, LROs are complex matters that should be considered another tool in an organization's toolbelt for use when an application for a gTLD that contains its brand is submitted.

Markmonitor works with experienced and vetted providers in the space so when we get to the part of the Next Round application process where LROs become an option, we will work with you in getting the right support for filings, responses, and/or appeals on LROs. For further questions, please contact your Domain Portfolio Advisor or reach out to the author.



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- Intellectual Property Constituency, ipconstituency.org
- Brand Registry Group, brandregistrygroup.org



Upcoming ICANN Meetings

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25 - 30 October, 2025



Dublin, Ireland



Mumbai, India



Community Forum
7 - 12 March, 2026



Should you need any further information or assistance, please contact your Domain Portfolio Advisor (DPA) or email customer.service@markmonitor.com

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