

Shakespeare, in his tragedy *Orbello*, once wrote: "Who steals my purse steals trash. ... But he that filches from me my good name robs me of that which not enriches him — and makes me poor indeed."

It's obvious that Shakespeare never dealt with the Internet.

I hate to argue with The Bard, but thieving names on the Web has indeed enriched some name-pilfering pirates, popularly known as cybersquatters. For a mere \$70, people have registered domain names for which companies have paid fees ranging from \$1,000 to \$3.3 million for the rights to use.

These thieves forced Congress to provide some relief last year. Companies now have the right to seek civil damages in cybersquatting cases. But in the golf business, where profit margins hardly match that of companies like IBM and Microsoft, most clubs can't fight protracted legal battles to recover names from these dot-com desperados. So what's the answer?

Deb Wilcox, an intellectual property lawyer in the Cleveland office of Baker & Hostetler, says register all names that could be of use to your club — and register them early.

"You have a right to use your own name — and any club trademarks — as parts of your domain name," Wilcox says. "But you have to be smart about what you choose because there are certain names that are hard to protect."

Wilcox says you can't forget that there are other suffixes on the Web now beyond the standard dot-com. In recent years, dot-org and dot-net names have spread like wildfire and dot-cc is now adding its variation to the mix. You have to make sure to protect your name with all these suffixes, or you could lose your opportunity to create a clear identity for yourself.

There are currently about a dozen sites where you can go to register your domain names, but two of the most prominent *net-solutions.com* or *register.com*. For around \$35, you can register your domain name for one year. Your favorite search engine should get a fairly full listing of other sites.

Wilcox has the following tips about how to

Shakespeare Never Dealt With the Web

BY FRANK H. ANDORKA JR.



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protect yourself against online name thieves:

- Be creative when choosing your name. Surnames and generic names are difficult to protect under current law. If you devise an innovative irrigation control and hope to use a Web site using your name to sell it, Wilcox warns it will be hard to protect your site name because surnames are considered up for grabs under current Internet law.

- Register logical misspellings of the name and hyphenations. If you don't, someone might siphon off customers with a bogus name close enough to confuse the unsuspecting Web surfer without violating the law. Wilcox says that will make recovering any damages extremely difficult to do.

- Protect yourself against legal action by running a trademark search beforehand. It will alert you to possible conflicts with other companies that might have similar names.

- If there's a conflict, you can turn to the Internet Corporation for Assigned Names and Numbers (www.icann.com) for dispute resolution. The site is updated on a regular basis as new laws governing the cyberworld are passed — and they are changing even as you read this. Fortunately, Wilcox says more protections are coming every day.

"You've got good trademark laws that protect you in most circumstances, but there are some gaps," Wilcox says. "Congress is working hard to close those up."

In today's Internet world, a Web presence is more than just a passing fad — it will eventually become a necessity. You must protect your good name on the Internet before a thief can steal it. Otherwise, you could end up paying dearly for it later.

Frank H. Andorka Jr., associate editor of *Golfdom*, can be reached at 440-891-2708 or fandorka@advanstar.com.