

PUBLICATION

Q&A on .bank Registration

Authors: Steven J. Eisen

March 20, 2015

By now, many members of the banking community have heard from their trade associations that there will be a new generic Top Level Domain (gTLD) released by ICANN (the Internet Corporation for Assigned Names and Numbers) for institutions to use on the Internet called ".bank." fTLD Registry Services, LLC, (fTLD) a coalition of banks and insurance companies, is managing the process of registration. We have been asked by many clients about the process for obtaining a .bank domain name. Here are some of the questions being asked and the answers we have right now:

1. Who can register these domain names? Those initially eligible to register domain names in .bank include: (a) national, state, regional and provincial banks or savings associations that are chartered and supervised by a government regulatory authority; (b) associations or groups of associations whose members are comprised primarily of entities identified above; (c) service providers that are principally owned by or predominantly supporting regulated entities identified above; and (d) government regulators of chartered and supervised banks or savings associations or organizations whose members are comprised primarily of such government regulators.

2. What names can I register? There are four classifications of domain names applicable to the .bank domain names. The "Standard Name Requirements" are that the domain name must: (a) correspond to a trademark, trade name or service mark of the business or organization; (b) not be a "Reserved Name" (see below); and (c) not be likely to deceive or cause material detriment to a significant portion of the banking, insurance and/or financial services communities, its customers or Internet users. The "Common Community Name/Generic Name Requirements" are that the domain names in these two classes of names will be incorporated into fTLD's Name Allocation Policy. A "Reserved Name" is a domain name not available for registration, but for which fTLD reserves the right at any time to amend the Reserved Name list. The policies of fTLD provide a number of examples of variations of trademarks that will be allowed:

Company Name (DBA)	Domain Name
Corresponding Type: Exact Match; Exact Match Spanning the Dot: Crest Bank	CRESTBANK.BANK, CREST.BANK
Corresponding Type: Exact Match w/Additional Term – Prefix/Suffix: 2nd Bank	OUR2NDBANK.BANK
Corresponding Type: Exact Match w/Additional Term – Geo: Best Bank	BESTBANKMONTANA.BANK
Corresponding Type: Partial Match w/Missing Terms:	FARGOSAVINGS.BANK

Fargo Savings and Loan	
Corresponding Type: Partial Match w/Abbreviations: National Bank of Louisiana	NATBANKLA.BANK
Corresponding Type: Partial Match w/Additional Term – Geo: Valley Bank & Trust Company	VALLEYBANKNC.BANK
Corresponding Type: Partial Match – Singular/Plural: Your Local Bank	YOURLOCALBANKS.BANK
Corresponding Type: Partial Match – Multiple Variances: State Bank & Trust Company, Inc.	STBANKING.BANK
Corresponding Type: Exact Match Acronym: Peruvian Bankers Association	PBA.BANK
Corresponding Type: Exact Match Acronym w/Additional Term – Prefix-Suffix: Pittsburgh State Bank	GOPSB.BANK
Corresponding Type: Hybrid Acronym: 2nd Savings Bank USA	2SBUSA.BANK
Corresponding Type: Hybrid Acronym w/Additional Term – Geo: 1st Savings and Trust Bank of Washington	FSTBWA.BANK
Corresponding Type: Hybrid Acronym w/Additional Term – Prefix/Suffix: Valley State Bank	VSBKONLINE.BANK

3. With whom do I register? fTLD has selected certain registrars that meet its enhanced operational and security requirements. The list of currently approved registrars can be found [here](#) but more are being added constantly. You might check first with your current .COM registrar to see if it has been approved, and if not, you can check with any of these other providers.

4. When can I register? VERY SOON! There are three registration periods: the Sunrise period, estimated to be May 18 – June 16, 2015, for eligible members of the banking community that have registered their trademarks with ICANN's Trademark Clearinghouse (TMCH); the Founders Period, estimated to be June 17 – June 23, 2015, for members of fTLD; and the General Availability Period, which is anticipated to start thereafter for all other eligible members of the banking community. TMCH registration is not required for the General Availability Period.

5. How do I register with the TMCH to take advantage of the Sunrise Period? The TMCH is a centralized database of pre-verified trademarks. Brand owners can submit trademark data and filing fees to the TMCH, and after the TMCH has verified the information, the owner will receive a unique authentication key which gives

it access to participate in every Sunrise period of the new TLDs. Another benefit of TMCH registration is that if someone attempts to register a domain name that matches the registered owner's trademark record in the TMCH, the new applicant will be alerted of the original owner's rights and will need to acknowledge the registered owner's rights before completing registration. Finally, should that new applicant's registration be completed, TMCH will also notify the original registrant of the new domain that has been registered so the original registrant will be aware of any possible infringement of its trademark in a new gTLD.

6. How do I register? Contact an approved registrar who can provide the basic information that will be submitted, along with a filing fee, which may vary from registrar to registrar. The information to be submitted will include verification of the applicant's government regulatory authority to operate as a financial institution and a contact person who is a full-time employee of the applicant. Certain verification processes will be instituted, and the contact person should be readily available to receive phone calls during this verification process. Assuming the verification can be accomplished quickly, the approval process is supposed to take only a few days. Warning: be wary of companies that contact you promising pre-registration or expression of interest services since this does not guarantee a domain name, according to fTLD.

7. What is the priority of registration? Registration is on a first-come, first-served basis in each registration period.

For additional information or assistance in registration, contact the fTLD at www.fTLD.com or one of our attorneys in our Financial Industry Corporate Services practice.