

DISCIPLINE FOR A DOMAIN-A-TRIX

Cybersquatters, who register domain names of already established companies with the intent of selling the names for a hefty price, are the bullies of the Internet. They creep around in the underbelly of the Internet and thrive on extorting a profit from unsuspecting business owners. The difference between them and entrepreneurs clever enough to register generic words and later sell them to the highest bidder are a matter of intent and trademarks.

An anti-cybersquatting law passed in November is designed to protect people like Tom Maslanka, owner of United Greeks, an Albany company specializing in fraternity and sorority merchandise. Maslanka recently found himself the target of cybersquatting. A competitor paid \$140 to register two URL variations of Maslanka's trademarked business name and offered to sell the domains at an unreasonable price to Maslanka. He didn't bite. Instead, he searched the Web, and discovered that this competitor had directed anyone trying to find United Greeks to the cyberhijacker's site — thereby stealing business from him.

Maslanka, not one to be beaten into submission, filed a lawsuit. With the help of Paul Rapp, a professor at Albany Law School and a lawyer at the Albany law firm of Cohen, Dax & Koenig, Maslanka is fighting for the online reputation of United Greeks. "In this case, the infringing person is a direct competitor of my client. They took my client's trade name, put up a Web site and then took his online business," Rapp says.

Maslanka adds: "This is happening all around America. It's a gross violation and illegal." Fortunately for Maslanka, though, there are new trademark laws that will help him get his digital identity back.

"The old law wasn't made to handle a situation like this, where someone can basically grab your name," says Rapp. "The new cybersquatting law that President Clinton signed in November makes it simpler to get the domain back from someone who takes it in bad faith."

As e-commerce expands, a domain name becomes more than just an address — it is tantamount to a company's digital identity. According to an analyst at Donaldson, Lufkin & Jenrette, a New York-based investment banking firm: "Internet customers are very fickle. For example, if a customer is looking to buy a product over the Internet that is made by more than one vendor and the first vendor's site is cybersquatted, the customer will just move on to the next vendor. This

could add up to millions of dollars over time."

But as Ken Hawk, founder of Reno, NV-based iGo, whose Web orders account for more than half its business, points out: "If you're Purina and have puppychow.com, the question is, 'Were you smart enough to get pet.com or petfood.com?' If they weren't and someone else was smart enough to get that, then those entrepreneurs should get millions of dollars for those Web sites, because they are very valuable."

Cybersquatting and the Law

Companies will be happy to know that even though cybersquatting stories are on the rise, something is being done to stem it. Besides the law passed by the U.S. government to protect businesses from paying a ransom for a name they already own, the Internet community is responding. The Internet Corp. for Assigned Names and Numbers (ICANN), a nonprofit, private-sector corporation formed in 1998 and based in Marina del Rey, CA, is responsible for the stable operation of the Domain Name System (DNS).

ICANN created the Uniform Domain Name Dispute Resolution Policy, which provides procedures for determining whether a domain name has been registered or used in bad faith, which includes cybersquatting. "The policy is intended to address in a very cheap and quick way clear cases of cybersquatting or other abusive practices," explains Louis Touton, vice president and general counsel of ICANN. "Unlike court cases, these disputes are decided in a matter of weeks. The



whole process is done entirely online, which curbs expenses.”

Since the assigning of Internet domains was decentralized a year ago, more companies are getting in on the name game. Web sites such as greatdomains.com, igoldrush.com and even ebay.com offer ways to sell and buy domain names. Settling domain name disputes has become big business. As iGo's Hawk notes, “Having a great, easy-to-remember domain name is incredibly important and incredibly valuable.”

Attorney Rapp adds, “It's been such a gold rush in the last five years, and some businesses are waking up and saying, ‘We have to get our own dot-com.’”

But how can a company be sure that it owns its name in cyberspace? One of the easiest ways is simply to type in the Web address and see what happens. A company can go to the Network Solutions Web site (www.networksolutions.com) and check whether a potential address has been taken. In fact, if a name is taken, the WHOIS lookup feature on the site provides

minimal information about the current owner of a Web address.

If a company is concerned about the international effects of securing a name in the United States, Preston Dodd, an analyst at Jupiter Communications of New York, points out that a company must have a plan that encompasses European addresses as well. “Companies should register domain names at the same time to counter the activities of cybersquatters, because they often monitor registration lists in multiple countries to take advantage of potential registration gaps,” Dodd says.

The good news about cybersquatting is that inroads are being made to deter it. If you're a company that has been slow to hop on the Web bandwagon, the law is on your side. The bad news is that if your name has been taken or comes up in a high-profile dispute, remedying the situation could damage the company name. As United Greek's Maslanka knows all too well: “It's what's between the www and the dot-com that really counts.”

—Joni Blecher

WINDOWS CE PUTS VIDEO IN THE HAND

Thanks to Israeli high-tech know-how, JVC's Interlink MP-C101 handheld computer is the first Windows CE product to enable full plug and play video-capture capabilities. Nogatech Inc., an Israeli developer of chipsets for video-enhanced solutions, worked closely with JVC to produce the first Microsoft Windows CE-based computer with an integrated camera capable of capturing and displaying high-quality video at 15 frames per second (fps) with VGA resolution quality.

Nogatech integrated its USBvision chip into an easy-to-use unified digital video camera solution for the Win CE platform. The USBvision chipset enables devices that utilize a Universal Serial Bus (USB) interface to capture and play live video in full-frame-rate motion (30 fps). The minute chip (0.8 by 0.6 by 0.1 inches) accommodates a miniature camera design, which JVC exploited by developing a tiny digital camera that attaches to their Interlink handheld computer.

“Nogatech's USBvision chip provided us with a cost-effective solution for delivering full-motion video capture in the Windows CE environment. It also met our strict criteria for power consumption and size, which allowed us to deliver a

small, sleek video-enabled product that requires no external power source,” comments Satoshi Yakko, a general manager in the audio-visual and multimedia sector of JVC in Japan.

Nogatech says its USBvision chip and driver enable USB-based products to support top-quality video capture and display. With zooming color and contrast control features, the USBvision chip also provides audio capabilities and still-image captures at 640 by 480 pixels.

Windows CE devices with this capability are useful for mobile video applications, such as recording a clip on the spot. Other applications include video mail on the go, videoconferencing, distance learning, telemedicine and video technical support.



CE VIDEO: Interlink MP-C101 is the first CE device to support high-quality video.

“To do any of these applications, the video solution must have low power consumption, Windows CE drivers for software decompression and a small size and form factor,” says Kristy Needham, a Nogatech spokesperson.

The Interlink MP-C101 computer was released in Japan in June, but it is not yet scheduled for U.S. release.

—Marisa N. Pickar

HOT MOBILE WEB SITE

IT Solutions Space is a Web community that helps ease information burdens and provide insight into the latest innovations for IT people who feel that no one's listening to their technology needs. The site, created by MindMatrix Inc. of Pittsburgh, can be found at www.itsolutionspace.com. With an emphasis on deploying and maintaining mobile and wireless workers, IT Solutions Space offers answers and solutions to issues that IT people deal with on a daily basis.