

A photograph of a wooden office door with a glass panel. The glass panel has the text "ROBINSON BRADSHAW & HINSON" printed on it in a serif font. The door is set in a hallway with other doors visible in the background.

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INTELLECTUAL PROPERTY ALERT

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Facebook Offers Brief Window to Protect Trademark



By Nichelle N. Levy

Facebook, Inc., a popular social networking website company, recently announced that beginning Saturday, June 13th at 12:01 a.m. U.S. EDT, users of the Facebook website will be allowed for the first time to create personalized URLs for their Facebook pages (for example, facebook.com/yourname). Some materials on Facebook's website relating to this initiative indicate that the site will suggest some personalized URLs based on the name submitted by the user, but that there will be an option for the user to propose their own URL, which creates the potential for Facebook users to include protected marks in their URLs. Although this is a significant development that is worthy of immediate attention, it is not unique, as the Internet is already full of opportunities to register false or misleading URL based on the names of personalities, trademarks and the like.

Facebook has created an online form for rights owners interested in preventing their trademarks from being registered as usernames by Facebook users. Owners of registered trademarks may submit a form found at http://www.facebook.com/help/contact.php?show_form=username_rights to request Facebook to block the adoption of their mark as a vanity username. Note that Facebook is requiring trademark owners to take action today or face the possibility of having to pursue unknown numbers of individual infringement claims.

If you click on the link, you will see that the form is designed to submit a single trademark for protection, creating a potentially burdensome process for the submission of multiple marks. We have requested information from Facebook on the possibility of submitting multiple marks for protection and will update you all in the event we learn anything new. In addition, the Facebook process appears to apply only to registered marks. Our experienced trademark lawyers are available if there is anything we can do to help you respond to this development.

If you have any questions regarding this topic, please contact Tom Watson at twatson@rbh.com or 704.377.8178 or Rob Cameron rcameron@rbh.com or 704.377.8358.

Robinson, Bradshaw & Hinson, P.A. is a corporate and commercial law firm with more than 125 attorneys. The firm has offices in Charlotte and Chapel Hill, North Carolina, and Rock Hill, South Carolina. For over forty years, the firm has consistently provided innovative solutions to its clients' business needs from both a legal and practical perspective. The firm serves as counsel to public and closely held corporations operating in domestic and foreign markets; limited liability companies; limited and general partnerships; individuals; municipal, county and state agencies; public utilities; health care institutions; financial institutions and tax-exempt organizations. For more information on Robinson, Bradshaw & Hinson, please visit our Web site at www.rbh.com.