

David Weslow Discusses Domain Name Theft Prevention and Best Practices for Recovery

Domain Sherpa

June 6, 2016

David E. Weslow, a partner in Wiley Rein's Intellectual Property Practice, was interviewed by *Domain Sherpa* about domain name theft and recovery. Every month domain names are being stolen due in large part to "increased hacking across the board," Mr. Weslow pointed out.

According to Mr. Weslow, "where there is something of value, there are people on parts of the Internet and places around the world that want to steal it. They have discovered the value of domain names, much like others." In spite of this growing trend of domain name theft, Mr. Weslow suggested ways to prevent a domain name from being stolen and options to recover stolen domains.

During the interview, Mr. Weslow shared management practices to prevent domain name theft, including best practices for securing passwords, multi-factor authentication, and email monitoring.

He also discussed three steps that can be taken if domain theft does occur. "The first and best thing to do when you discover a name is stolen is contact your registrar ... [who] really is in the best position to either stop the transfer if it is in progress or to negotiate with the gaining registrar to have the name come back."

The second option would be to consider pursuit of an administrative proceeding under the uniform dispute resolution policy (UDRP) panel if it is possible to establish common law trademark rights in the name (for example, by providing sales and marketing figures). "[You] would need to provide sufficient evidence to the UDRP panel," said Mr. Weslow. And the third and final option would be to file a court action

Related Professionals

David E. Weslow
Partner
202.719.7525
dweslow@wiley.law

Practice Areas

Intellectual Property
Litigation

seeking the court ordered return of the name(s).

To watch the complete interview, please [click here](#).