



## Trademark Owners Faceoff with Facebook

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Facebook, the leading social networking website, is now allowing users to register their own personalized Facebook URL (web address) by selecting a unique "username" for their Facebook profile page ([www.facebook.com/username](http://www.facebook.com/username)).

The registration policy, which became effective June 13, 2009, creates significant concerns and potential opportunities for trademark and brand owners.

The usernames will be assigned on a first-come, first serve basis and owners should register their marks on Facebook as part of their profile. The user names will be searchable on Facebook and through popular search engines, such as Google.

There is legitimate concern, as demonstrated with Twitter, that trademarks may be infringed and used by third parties to disparage other companies or create a false sense of endorsement or affiliation with trademark owners. Google was recently sued concerning the latter.

Facebook is encouraging trademark owners to register their trademarks to prevent third parties from registering the marks or brands as usernames. Facebook's site provides an online Intellectual Property Form that can be completed by any person who believes a username infringes upon their trademark ownership rights. The form can be accessed by clicking on this link.

The addition of custom usernames on popular domains is now serving as an eye opener to traditional companies and brand owners who haven't thought about social networking sites before.

The internet platform and popular social networking sites are becoming driving forces in many marketing campaigns. Proactively protecting and policing your rights as a brand owner early and often is far less expensive than fighting infringement once it occurs.

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### **PRACTICE AREAS**

Information Technology Law

Intellectual Property

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