

# Blakes Bulletin

## Intellectual Property

### Facebook's New User Name Policy: An Urgent "Poke" for Trade-mark Owners

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On Tuesday, June 9, 2009, the operator of the social networking website Facebook announced that beginning **Saturday, June 13, 2009 at 12:01 a.m. EDT**, Facebook users will be permitted to create personalized user names for their Facebook pages, in the form [facebook.com/yourname](http://facebook.com/yourname). This will in effect be a personalized URL. Currently, the URLs for Facebook pages are distinguished by randomly assigned numbers.

Trade-mark owners will appreciate that this may present an opportunity, but also a significant risk that unrelated persons could include an owner's marks as part of user names, without license or authorization.

Facebook has advised that trade-mark owners can prevent unauthorized inclusion of a trade-mark by submitting a form available at: [http://www.facebook.com/help/contact.php?show\\_form=username\\_rights](http://www.facebook.com/help/contact.php?show_form=username_rights).

The form indicates that only one trade-mark should be specified (so separate filings would have to be made for each of an owner's trade-marks). The trade-mark owner is asked to provide certain additional information including a registration number. The information available to date does not indicate whether an application number will suffice, or whether an owner of a common law (unregistered) mark may use this mechanism. There is no indication that any fee is payable in respect of such requests. Some additional information is available through an FAQ page: <http://www.facebook.com/help.php?page=896>.

Trade-mark owners have been given only a very limited window of opportunity to make such preventative filings in advance of the implementation of this new user name system. While other mechanisms may be available for dealing with problematic user names after they are registered, trade-mark owners may find that making such filings with Facebook in advance of the deadline, **i.e., no later than 11:59 p.m. EDT on Friday, June 12, 2009**, will provide the most certain and least expensive course of action.

For further information, please contact a member of our [Intellectual Property Group](#).

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