

Technology

# CMG Worldwide wins duel over 'Diana' domain names

By Chris Banguis, BJ Technology Editor

Just a few months ago, if you typed "www.dianaspencher.com" into your Web browser, you'd be linked to a pornographic site.

Local company CMG Worldwide Inc. recently closed that "hot" link by taking that domain name from cybersquatters via binding arbitration. It did so on behalf of its client, the Diana, Princess of Wales, Memorial Fund.

The Internet has opened a new front in the local company's wide-ranging effort to protect the identities of its well-known clients—some dead, some alive.

In fact, CMG secured princessdi.com, princessdiana.com as well as dianaspencer.com in December hearings before the National Arbitration Forum. The NAF is approved by the Internet Corporation for Assigned Names and Numbers to provide binding arbitration in domain-name disputes. ICANN is the international domain-name oversight body. In a prepared statement, a spokesman for the memorial fund said he looks forward "to employing these domain names in a manner which furthers the causes and charities to which the late princess dedicated her life." CMG president Mark Roesler said the NAF has declared the fund the "rightful owner of domain names such as these, which are unequivocal references to the late princess, especially considering the circumstances of the improper and inappropriate usage of the domain names by the former owners."

The duel for the dianaspencer.com

domain name pitted CMG against Steve Gregory of Angeles City, Philippines. CMG attorney Jonathan Fabers said Gregory was practicing "prototypical cybersquatting."

"Indianaspencer.com, the cybersquatter programmed the site to flash a message that the domain was for sale," Faber explained. "And then within seconds the Web user would automatically be taken to a pornographic Web site."

The domain names princessdi.com and princessdiana.com were owned by Naughtya Page of Portland, Ore. Princessdi.com was programmed to lead to a commercial Web site, while princessdiana.com was being "warehoused," meaning a notice was posted that the site was under construction or could not be displayed, Faber said. Page had owned the names since 1997 and only after notice of pending arbitration proceedings did Page post information to the princessdiana.com address. The address, for a short while, led to disparaging information about CMG. The arbitration panel ruled Page had used the domain name in bad faith.

Faber said he is not sure who Page is because he had limited contact with the opposing party during arbitration. He did offer that the name Naughtya Page has its own brand of ubiquity on the Internet. He said it is "readily discernible via Internet searches that Naughtya Page is a stripper as well as a hardcore online pornographer," Faber said. "She also is the owner of numerous other domain names that constitute prototypical cybersquatting

activities."

As a policy, Faber said, CMG does not offer to buy back domain names,



particularly in cases where it believes there is bad-faith use of its clients' namesakes.

"Contrasted with headline stories about music.com or business.com fetching huge sums of money," Faber explained, "we never give in to extortionist demands of cybersquatters to pay substantial amounts to 'buy' the domain name."

Unlike the names CMG fights for, he added, no one would have "superior legal right" to business.com or music.com because they are generic words.

Faber said the company has prevailed in arbitration over jamesdean.net and chuckberry.com. It also settled with a party that had registered billelliott.com before the case could go to arbitration. The company expects a decision on vincelombardi.com in a few weeks.

The cost to arbitrate before the Minnesota-based NAF was \$750, according to Faber, and the company did not use outside counsel.