

Are You a Law.Pro?

New Domain Extensions for Attorneys

By Robert W. Olson, Jr., JD – © copyright 2009

Abstract/ Introduction. Although the seeds of the Internet were planted over 50 years ago, it is only in the past 15 years that the Internet has become part of the legal profession. The gold rush on domain names and the novelty of legal websites of the 1990s has settled into mostly “cookie cutter” legal websites in the 2000s. One thing hasn’t changed, however: these websites tend to serve as little more than online billboards announcing a firm’s existence in the legal community. The 2010s will not be so staid. A new set of domain name extensions specifically reserved for attorneys has been created, and with it extensive and expanded opportunities to brand and market a legal practice.

Birth of the Internet: 1958-1977. In 1958, President Dwight D. Eisenhower authorized creation of the Advanced Research Projects Agency (ARPA) as a response to the Soviet Union’s launch of the Sputnik satellite. One ARPA mission was to create a network to link different computers with different operating systems and remote locations – the idea being that in the event of nuclear attack or other disaster, the destruction of one computer or connection would not interrupt operations or communications of the others. This network was called ARPANET and first became operational in 1969. Starting in 1977, other small governmental and educational computer networks found ways to attach their networks to ARPANET’s network and each other, with a connection called inter-networking. The “Internet” was born.

Hypertext and Web Browsing: 1980-1990. However, four other crucial pieces were necessary before the Internet would become what we know today. Starting in 1980, Tim Berners-Lee came up with the idea of using “hypertext” to link every Internet page with another Internet page. He continued expanding and improving this work through the 1980s. Then in 1990, Berners-Lee invented a text-browsing system to navigate the actual content of Internet pages; that system today is called the World Wide Web (WWW). Berners-Lee didn’t invent the Internet, but his contributions of hypertext and text browsing gave ordinary people the ability to retrieve and display Internet pages (now web pages) and documents.

Domain Names: 1983. In 1983, while Berners-Lee was working on his hypertext protocols, the Domain Name System (DNS) was invented by Paul Mockapetris. The DNS enabled the translation of numerical Internet addresses into natural language, and in 1984 started using the first domain extensions, including the famous .com for commercial use. For the first time, an enterprise could be known by a domain name (such as www.example.com) rather than as an impossible-to-remember number. Unfortunately, commercial use of the Internet was still prohibited, so there was not much incentive for business to obtain a .com

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domain other than to protect an existing trademark. The first .com domain ever registered was Symbolics.com, issued on March 15, 1985, but it took another 2½ years to issue the 100th .com domain name, in November of 1987¹.

Mosaic / Netscape Navigator: 1993-1994.

1993 was a huge year. March saw a policy change, nine years after creation of the .com extension, to permit commercial use of the Internet. Following in April, the WWW became available for everyone at no cost. These changes shifted the landscape completely, and it was Mosaic that took immediate advantage. Mosaic was invented by Marc Andreessen and Eric Bina and first released in February 1993 (later revised and renamed Netscape Navigator in November 1994). Mosaic/Netscape was a web browser with two big differences. It allowed users to view text and images simultaneously on a web page, something never before accomplished, and it introduced the familiar “point and click” interface for Berners-Lee’s hypertext links to other web pages. What is more, it too was provided for free. The Mosaic/ Netscape browser, combined with free WWW navigation tools and permission for commercial use, took the Internet from a technical curiosity for government and academia to a mainstream market monster. Business rushed headlong into the game.

The Domain Name Gold Rush: 1994-2000. Part of that game was the use of natural language to hunt the Internet for relevant web pages, and for business to find ways to capture that traffic. This created a huge “gold rush” for the limited number of domain names that included

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popular generic search terms, such as “Miami lawyer” or “elder abuse law,” that therefore had high commercial value. Some thought it clever to register domains containing somebody else’s commercially successful

names (such as CocaCola.com®) and holding that domain for ransom from the trademark owner. Unfortunately for these latter day pirates, trademark law forced them to surrender their booty without any ransom payment. In fact, it was the generic domain names that made all the money. Business.com sold for \$350 million in 2007 with only \$15 million in annual sales (after selling for \$7.5 million in 1999); sex.com sold for \$14 million in 2006; and diamond.com sold for \$7.5 million in 2007². Numerous other domain names have sold for over \$1 million³.

¹ iWhois; The100 Oldest Registered .COM domains; <http://www.iwhois.com/oldest/>.

² Tweeny, Donald; Jackpot! Business.com Sells for \$350 Million (2007); <http://wired.com/epicenter/2007/07/jackpot-busines/>

³ Carana, Sam; Domain Names sold for at least \$1 million (2007); http://groups.google.com/group/trends/browse_thread/thread/aa22b1a4d1b9563c

Attorney Domains: 1994-2008. The now defunct law firm of Heller Ehrman White & McAuliffe LLP is said to have launched the first legal website in 1994⁴, obtaining the domain name "heller.com" on March 12 of that year⁵. Many large law firms were creating websites by 1995, and like Heller Ehrman were able to register a tight version of their firm name as their domain name. Generic domain names were picked up by websites like findlaw.com (1995) and lawyers.com (1998) for law firm marketing, and some prescient attorneys snagged generic names such as NewYorkLawyer.com (1997) for their private law offices. Those who were not so quick were left to register a domain name with some less than perfect version of their firm name.

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The legal profession, like every other business, would start finding it difficult to obtain an appropriate domain name. Certainly, a law firm could buy their favored domain name from the owner – and it still can. However, short of paying for a desired name, it seemed the chance to get a perfect law firm domain name was gone after 2000.

Attorney-Only Domain Extensions: 2008. All of which brings us to today. Effective September of 2008, after years of work, licensed professionals (including attorneys) are permitted to own domain names with the new domain extension ".pro" (standing for professional). Furthermore, licensed attorneys are permitted to own domain with the new extension "law.pro," "jur.pro" and "bar.pro." (Similar extensions are available to licensed doctors, accountants and engineers.) The requirements of obtaining a .pro domain name are very simple and straightforward. The registrant need only submit its birth date and professional licensing information for verification of their professional status through the governmental licensing board's public website. Annual re-verifications are also required to confirm the registrant still holds the required license. Finally, domain names need to be at least four characters long, and not contain a hyphen in the third or fourth position (such as LA--.law.pro).⁶⁷

Law.Pro Security Features. This new set of exclusive domain name extensions provides attorneys with broad email authentication, security and encryption features. Each domain with a .pro extension is issued with some form of digital certificate to authenticate transactions and communications – and attorneys generally should choose the Secure Multipurpose Internet Mail Extension (s/MIME) certificate for digitally signing email. s/MIME

⁴ Wikipedia; Heller Ehrman; http://en.wikipedia.org/wiki/Heller_Ehrman

⁵ Internic (whois); http://reports.internic.net/cgi/whois?whois_nic=heller.com&type=domain

⁶ ICANN and RegistryPro, Inc.; [Unsponsored Registry Agreement \(2002\); http://www.icann.org/en/tlds/agreements/pro/.](http://www.icann.org/en/tlds/agreements/pro/)

⁷ RegistryPro Inc.; [.Pro End Users Terms of Use \(2009\); http://www.registrypro.pro/legal/user-terms.shtml.](http://www.registrypro.pro/legal/user-terms.shtml)

not only allows an attorney to send secure email via "public key" encryption technology, but it also (1) authenticates the attorney as the sender, (2) guarantees the content of the email and any attachments are unchanged, and (3) proves that the sender actually sent the email. The details of implementing s/MIME in your email are best left to your Internet service provider and webmaster, but the need to use s/MIME is quite clear. Attorneys have a duty of confidentiality to their clients, and it is only a matter of time before the standard of care will require attorneys to use secure communications concerning all client matters. While s/MIME is available as an add-on to any email system or domain name, a .pro email extension provides proof to clients and colleagues that your firm in fact provides secure communications.

Law.Pro Marketing Benefits. The Law.Pro domain extension also provides attorneys with an entirely new set of marketing and branding options that rival the opportunities of 1990s. A new universe of domain names has opened, allowing law firms who were unable to obtain their first choice of domain names another chance to get the exact domain name they want.

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Even better, the competition for these new domain names will necessarily be much smaller, particularly for the law.pro domain extension, as only licensed attorneys are eligible to own these new domain names. Furthermore, there is an obvious cachet to being a "pro," or better yet, a "law pro." Other domain extensions like .biz, .net, org and .us have been available for some time, but they have never caught on with the business community; they simply do not have the proper "ring" of a serious business

enterprise. However, an attorney whose domain name proclaims him to be "JohnSmith.Law.Pro" has a marketing hook that JohnSmith.Bar.Pro and JohnSmith.Jur.Pro do not. Although it is too soon to say, I believe that the cachet of being a "Law.Pro" soon will become an essential element of marketing a legal practice.

Generic Law.Pro Web Search Benefits. Generic domain names have even greater marketing benefits. Consider first an attorney who brands himself as the Trial.Law.Pro. While being JohnSmith.Law.Pro certainly resonates, being the Trial.Law.Pro takes that resonance a step further. This marketing phrase is an immensely powerful and exclusive marketing tool, with the cachet and memorability necessary for branding a legal practice. (Note, however, that purely descriptive domain names are not eligible for federal trademark protection.) The generic name is also of particular benefit for marketing legal services on the Internet. A potential client looking for a trial lawyer would probably search for "trial lawyer" on their web browser. If the search terms match a website's domain name, that website is pushed higher up on the search results, without resorting to pay-per-click advertising. Hence, the trial.law.pro will have a natural placement advantage over any other trial attorney's website in relation to those particular search terms.

Law.Pro and the Small Firm/ Solo Practice: The immediate benefits of Law.Pro branding and Internet search placement should be particularly felt by smaller and newer law firms, particularly if their specialty relies on advertising to generate new clients. Yellow

page advertising is extremely expensive, with long term contracts and content subject to changes only on a yearly basis. Also, the best ad placements are given to advertisers who buy the most pages and have the longest advertising history – new players simply have no way to compete with the big established law firms. By comparison, Internet marketing is far less inexpensive, infinitely adaptable and expandable, easily targeted to specific practice areas and geographic locations, and (with the right domain name and web design) provides web search placement ahead of bigger and more established competitors.

Conclusion. It appears from all sides that search engine marketing is overtaking, or already has overtaken, yellow pages advertising as the primary source of new legal clients.⁸⁹¹⁰ The equity markets recognize the problem all too well: the stock price of the two biggest yellow pages publishers, R.H. Donnelly and IDEARC, have dropped in price over 99% since mid 2007^{11 12} and have been delisted from the New York Stock Exchange. Considering these trends, the need to have a strong Internet marketing plan is clear, and starting with a Law.Pro domain name seems to be the best way to get there.

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⁸ Reifenberg, Phil; Search vs. Yellow Pages - 4 Secrets Why Search Engines Beat Yellow Pages in Local Advertising (2004); http://www.expertlaw.com/library/practice_management/website_roi.html.

⁹ Bland, Jason; Law Firm Marketing Starts Closing the Book on Yellow Pages (2008); <http://www.seolawfirm.com/blog/law/46>.

¹⁰ Smith, Chris; Google Trends: Yellow Pages Will Be Toast In Four Years (2007); <http://searchengineland.com/google-trends-yellow-pages-will-be-toast-in-four-years-12256>.

¹¹ Wall Street Journal; Extinction Threatens Yellow Pages Publishers (November 17, 2008), page B7; <http://online.wsj.com/article/SB122688313315132107.html> (subscription required; also see <http://marketinganalyst.blogspot.com/2008/11/extinction-threatens-yellow-pages.html>).

¹² Yahoo Finance; <http://finance.yahoo.com>