

# THE BUSINESS (IN)SIGNIFICANCE OF THE PRE-DOT DOMAIN NAME WORDING

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**Abstract:** *Post-modern society and the global market heavily rely on the employment of information technology. Today's successful business conduct requires an appropriate e-domiciliation within the Internet. The Internet space is spread in Top level domains (TLDs), each composed of sub-domains. The e-address consists of a numeric or word reference pointing to the relevant TLD (a pre-set few letters behind the dot) and sub-domains (a creative conglomerate of letters before the dot). Each TLD has its own legal and economic regime, and businesses should carefully study them in order to choose the best fitting TLD, so as to have the right few letters behind the dot. However, it is unclear how much importance should be placed on the word designation of the sub-domain(s), i.e. there is no conclusive evidence or commonly accepted consensus about the (in)significance of the letters before the dot. This issue requires an interdisciplinary study and a comparative analysis reflecting actual business reality. This paper summarizes underlying technical setting, concepts and functions of the pre-dot part of a domain name, rejects contemporary shortcuts and presents the domain name and its role from a global and super-temporal perspective. Considering the insufficiency of statistical data, independent studies and generally agreed upon conclusions, even approaches, it is vital to review underlying concepts and settings, and to engage in a comparative analysis along with observations from various angles. The ultimate goal is to enhance awareness and to open a constructive dialogue about intellectual property and domain names, in short, to move from the black-and-white and all-or-nothing perception to a more nuanced approach differentiating between domain names from the same TLD .*

**Keywords:** *Domain name, Top Level Domain (TLD), Sub-domain, Internet, TLD .com.*

**JEL Classification:** *K29, L21, M15, O32, O34.*

## **Introduction**

The 21<sup>st</sup> century society is heavily dependent upon the utilization of information technologies, and the crisis of the last few years places an even greater emphasis upon the appropriate use of the Internet for business conduct all over the world [6]. As a result, e-presentation, e-marketing and e-shopping have become vital hallmarks of current businesses. Thus, it is very instructive to observe and evaluate the relationship between the four basic levels of e-shopping (www presentation, e-commerce, integrated services of e-commerce and e-business conduct) and the actual results of a business, and to assist with addressing this critical issue so as to take full advantage of connecting the business strategy with new technological elements [1].

A myriad of issues is inherently linked to this material. The e-status of a business and its e-activity can be scrutinized while focusing either on form (the e-domiciliation of the business per se – its domain name) or on content (the substance of the www pages and their functions). Within the form branch of the issue, i.e. in the consideration of the e-address, emphasis must be given to the study of the word transcription of the numeric code address indicating the concerned Top Level Domain (TLD) and one of its sub-domains.

There are neither ostensible shortcuts nor intrinsically right or wrong answers regarding the selection of a TLD venue for business conduct, i.e. there is no nonpareil, not one clearly the best for a business TLD. Each has its own regime and brings advantages and disadvantages and awareness, if not directly knowledge, about it, which leads to an educated decision, which is a keystone to a strategic and competitive advantage [6]. Even more than ever before, *scientia potentia est* - knowledge is power [2], while identifying some of the key factors to make the selection and a cursory and comparative analysis of TLD .com, TLD .eu, TLD .cz, TLD .tk, new gTLD), etc. [6]. In sum, regarding TLDs it is a 'given' that it matters for business, i.e. that academics, practitioners, consumers and even the general public at large realize that there are various TLDs with different frameworks, regulations, and orientations.

However, the significance or insignificance of the wording of the part of the domain name pointing to subdomains within a certain TLD appears to be highly arguable and complex. Unlike the post-dot part indicating the pertinent TLD and its regulatory and technical regime, the pre-dot part does not, per se, lead to a creation or to an accession to a certain system. In other words, the pre-dot part of the domain name is predominantly just a designation, not an abbreviated indication of the pertinent regulation.

Considering the global and unified, or at least standardized and protocol-formatted, Internet space distribution, a comparative and interdisciplinary research and analysis seems both highly appropriate and worthy of development, in order to determine the proper meaning, function and ultimate (in)significance of the pre-dot domain name wording. Logically, a relevant study requires an understanding of the structure of the domain name, the functions assumed by a domain name and the (in)direct relationship between them, while focusing on the pre-dot part. Thus, firstly the issue of the Internet, protocols, technical conversion system, and the domain structure with its labeling needs to be analytically covered (1.). Secondly, the nature, regime, and functions of a domain name are to be listed, reviewed and critically scrutinized (2.). Ultimately, the impact of the wording of a domain name for business should be observed and considered, with respect to the structure and function of a domain name (3.). Due to the technical and inter-disciplinary features of the topic and the links to social aspects and statistical data, the discussion and problem solving ideas are presented through all of these three study parts. This should allow one to draw conclusions and bring more light in this dim area and enhance the awareness regarding the evaluation of the pre-dot part of the domain name.

## **1 The Internet, domains and their labelling**

The Internet is a phenomenon of the current society and a critical communicative channel operating in a highly technical and formalized manner. Thus the impact of any part of a domain name cannot be understood and fully appreciated without an awareness about the Internet structure and protocols (1.1), as well as the resulting code version (1.2) and verbal version (1.3) of e-addresses.

### **1.1 Internet structure and protocols**

The Internet is a net of nets, of which probably the most important is the World Wide Web (www). The access of computers or other information technology devices is organized through the hierarchy of domains [10]. Within the virtual Internet space there are large domains (TLDs) and each of them is further divided into sub-domains (second level domains), sub-domains of sub-domains (third level domains), etc. [8].

From a technical point of view, the Internet is a global, worldwide and free connection of network knots through computer networks. These knots are personal computers designated for access to the Internet, server computers for hosting sites and even Internet sites, websites, as such. Each knot has its own numeric address determined by protocols - Transmission Control Protocol (TCP) an Internet Protocol (IP), i.e. TCP/IP. A verbal transcription of a domain IP numeric code address, a domain name is used for practical reasons. Since 1984, the communication between computers, sites and networks is facilitated by a system of special computers proceeding according to set rules and converting a unique numeric code address into a unique verbal address and vice versa - the Domain Name System (DNS)[7]. The DNS is composed of three elements – the hierarchically built Domain name space, administrative Name servers, and communicative Resolvers [3].

## 1.2 Code version of an e-address – formats according to IPv4 and IPv6

Each knot must have a unique address and this address needs to be expressed in a formatted manner. Currently, two protocols and their combination are used – IPv4, IPv6 and IPv6 Dual. In principle, all numbers, meaning numeric code addresses, pursuant to IPv4 have been used, and as a result the public should move to IPv6, offering almost unlimited combinations, and thus unlimited amounts of numeric code addresses. For various reasons this transition does not go smoothly, and both protocols co-exist and even a dual regime has been established.

According to IPv4, the format of an e-address of a knot, i.e. an IP resource, is composed of four sections called octets or quads separated by three dots. Each of these four octets is a number between 0 and 255. An example of an IPv4 address reads as follows:”IP Address (IPv4): 19.117.63.126.” [13]. Thus, the numeric code address of an IP resource in the format IPv4 is 32 bites, composed of 4 bytes each of 8 bites. The total extent is 32 bites and the number of variations of an IPv4 address reaches  $2^{32}$ , i.e. the maximum number of IPv4 addresses available is 4 294 967 296.

**Tab. 1: IPv4 format of an e-address**

IPv4			
Structure of an IP address	byte.byte.byte.byte	quad.quad.quad.quad	
Extent of an IP address in bite(s)	= (2 bite +2 bite +2 bite +2 bite) + (2 bite +2 bite +2 bite +2 bite) + (2 bite +2 bite +2 bite +2 bite) + (2 bite +2 bite +2 bite +2 bite)	= 8 bites + 8 bites + 8 bites + 8 bites	= 32 bites
Number of variations of an IP address	= $(2^2 \times 2^2 \times 2^2 \times 2^2) \times (2^2 \times 2^2 \times 2^2 \times 2^2) \times (2^2 \times 2^2 \times 2^2 \times 2^2) \times (2^2 \times 2^2 \times 2^2 \times 2^2)$	= $2^8 \times 2^8 \times 2^8 \times 2^8$ = 256 x 256 x 256 x 256	= $2^{32}$ = 4 294 967 296

Source: [8]

According to the IPv6, the format of an e-address is composed of eight sections called segments or quads, separated by seven colons. Each of these eight segments is a number

between 0 and 9999 and/or letters up to FFFF. An example of a IPv6 reads as follows:”2001 : db8 : : 1234 : 5678” which implies that the three middle segments are 0 [13]. Thus, the numeric code version of an e-address in the format IPv6 is a 128 bites number and the number of variations of an IPv6 address reaches  $2^{128}$ , i.e. the maximum number of IPv6 addresses available is a number beyond our ordinary imagination and should not be exhausted in the near future.

**Tab. 2: IPv6 format of an e-address**

IPv6			
Structure of an IP address	byte:byte:byte:byte:byte:byte:byte:byte: byte:byte:byte:byte byte:byte:byte:byte	quad:quad:quad:quad: quad:quad:quad:quad: quad:quad:quad:quad: quad:quad:quad:quad	
Extent of an IP address in bite(s)	= 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites + 8 bites	= 32 bites + 32 bites + 32 bites + 32 bites	= 128 bites
Number of variations of an IP address	= $2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8$ $\times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8 \times 2^8$ = 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256 x 256	= $2^{32} \times 2^{32} \times 2^{32} \times 2^{32}$ = 4 294 967 296 x 4 294 967 296 x 4 294 967 296 x 4 294 967 296	= $2^{128}$

Source: [8]

### 1.3 Verbal version of an e-address - domain name

The above indicated technical aspects make it obvious that the use of a numeric code version of an e-address, especially in the new format IPv6, is highly impractical and definitely not consumer friendly. Therefore, DNS offers a conversion system translating the numeric code version of an e-address, regardless whether in the format IPv4 or IPv6, into a verbal version, including letters and numbers, called a domain name. A conglomerate of prima facia meaningless numbers is converted into a conglomeration of letters and numbers which can, and probably should, have a meaning, i.e. from a long, hardly memorisable, figure a designation is created.

Thus a domain name is primarily a verbal identification of an IP resource, a name, a designation, and/or address of a personal computer, a server computer or a website. It is not an accidental concatenation of characters. Contrariwise, it has a clear and pre-determined tree structure, including a several letters formation separated at least by one dot. In the case of more than two parts and thus more than two dots, the ranking goes according to the level of generality and specialty. Typically, the first letters in the formation, placed leftmost, concern a concrete computer and the last letters formation, at the very right, concerns a large group of computers, networks and websites – a top-level domain (TLD). The part before the dot, followed by letters indicating the TLD, can consist either of only

one segment (e.g., bulgari.com, yahoo.com) or of more segments separated by dots (e.g., us.bulgari.com, telegraph.co.uk, finance.idnes.cz). However, for the purpose of this paper only the simplest form of the domain name will be considered – only two parts separated by the dot, i.e. the pre-dot freely chosen wording and the post-dot pre-formatted abbreviation indicating the TLD.

Traditionally, TLDs are grouped and categorized into two types – generic (international) TLDs „gTLDs“ and country code (national) TLDs „ccTLD“. Registration within a gTLD gives the chance to a natural person or legal entity, regardless of their origin, nationality or place of incorporation of business, to obtain a verbal transcription of the concerned numeric code address, i.e. a domain of a certain level within a gTLD. The ending abbreviation of such a TLD will indicate the orientation and specialization of lower level domains appertaining to this gTLD, such as „.com“, „.org“, „.net“, „.edu“. If the concerned natural person or legal entity prefers a classification according to the country of origin more than the classification according to the specialization, then it is appropriate to opt for an identification at a national basis, within a TLD of a particular state – ccTLD, according ISO 3166, e.g. „.cz“, „.de“ or „.uk“.

In 2012, the namespace consisted of 22 gTLDs, 250 ccTLDs and 30 international ccTLDs , each operated on a various model [7]. Yet due to the launch of the possibly revolutionary project of new gTLDs tailored on demand, i.e. allowing creative TLDs to anyone satisfying the requirements and paying the 185 000 USD fee, the scenery has been greatly modified in the last months. From the approximately 2 000 applied for already, several hundreds have materialized and thus in 2013 are operational new gTLDs attractive for business, such as .auto, .business, .discount. [14].

## **2 Nature, regime and functions of a domain name**

Domain names have a sui generis nature and their regime is rather unconventional (2.1). Contrary to popular belief, they have the potential to perform a multitude of functions (2.2).

### **2.1 Nature and regime of a domain name**

Domain names were created by a technical and economic need, and their primary purpose and goal, to facilitate the identification and communication within the Internet, have enjoyed a common, general, and consistent endorsement world-wide. Similarly, there is wide-spread agreement that the virtual domain name is not a mere facilitating instrument without value or just with a nominal value. Nevertheless, a number of professionals and academics with a law background have unsuccessfully tried to put a domain name within conventional categories of assets protected by law and e.g. some legal experts have been inclined to conclude, from the unfitness of the domain name to satisfy the definition of classic immovable-movable assets or the definition of intellectual property assets, that domain names do not reach the objective right regime – *in rem* (such as ownership rights) and can at most be covered by the subjective and freely negotiated right regime – *in personam* (such as claims from a contract). However, such degradation and disrespect of the role, functions, and importance of a domain name violates the basic economic premises and social mandates of our 21<sup>st</sup> century society. It is inefficient to drown oneself in lengthy academic discussions. Instead, a plain observation of the current practice gives crystal clear answers, i.e. solid evidence that the domain name has the potential to have a significant value and to be a rapidly growing economic commodity and a valuable element of enterprise with a possible fair market value exceeding millions of EUR and USD [8].

Since the domain name has evolved into one of the most valuable information commodities and generated disputes, even the positive law starts to recognize it and attempts to regulate it [9]. These attempts are more on the level of national law rather than international law and the lead has been taken within a few legal systems – the USA, the EU, and Finland. Thus the backbone of the regulatory framework of domain names consists of intra-related and pre-formatted Private law contracts [8]. The Czech re-codification of the Private law, namely the emergence of the new Civil Code, changes the understanding of the definition of thing (as opposed to person) and modifies the reach of ownership rights. Further, it moves, or according to some authors just confirms the belonging of, the protection for and against domain names in the field of law against unfair competition [12]. It will be most interesting and instructive to observe and compare the efficiency and efficacy of these various angles to approach the need for domain name protection – intellectual property law, law of contracts, competition law, etc. As well, the clarification and greater understanding of the nature of domain names and their regime should be instrumental in improved accommodation with respect to functions to be performed and satisfied by domain names.

## **2.2 Functions of a domain name**

From a user's point of view, the Internet has a wealth of functions – to inform, to communicate, to do business, etc. [10]. The principal services of the Internet include the www system, DNS, e-mail correspondence, online communication, file sharing, social nets services, etc. [8]. Similarly, the rather easily memorisable identification string defining the part of Internet realm has a number of functions. It would be remiss to perceive the domain name as just a verbal version of the e-address, i.e. a consumer friendly transcript of an original numeric code generated based on the used IP.

It is correctly observed and rightly suggested that the domain name is relatively close and similar to a business billboard [12]. The legal as well as factual resemblance is obvious and results into a conclusion about the 2<sup>nd</sup> function of a domain name, i.e. that the domain name is an address and a marketing device.

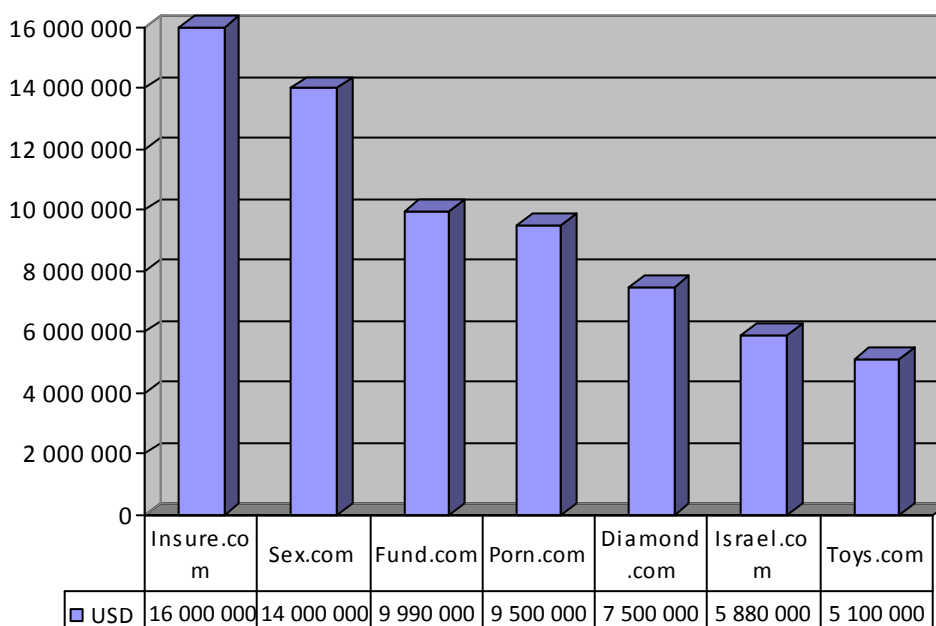
Certainly a domain name has additional functions, some of them are more, others less accepted. Discussions about them reflect the domain name potential for technical, association, trademark and other aspects. In sum, a domain name in its entire wording is apt to perform a number of functions. Even parts of a domain name generally operate in more than one single area.

The post-dot part of a domain name is predominantly a regime indicator and the source of a general orientation, the pre-dot part has a strong marketing and self-image potential which can but does not need to be exploited. The prices for the transfer of a number of domains and their domain names belonging to the TLD Number 1 for business, TLD .com, have several times exceeded 1 000 000 USD in the last few years. Since the domain names with the post-dot part “com” can have a fair market value of 1 USD or up to 16 000 000 USD, the marketing and other features must be present. In other words, had the domain name only a technical-conversion function, then there could not be a consistent and huge difference in transfer prices of domain names from the same TLD.

The following table - Fig. 1 presents the prices at which have been publicly traded and sold selected domain names from TLD .com. Naturally, this is just the tip of the iceberg, and many deals and sales are confidential, or at least the amount of the negotiated and paid prices are. Nevertheless, for mere observation purposes TLD .com is the best

target, because this the TLD with the greatest differences between the trade prices for various subdomains, in other words the free market trade price for domains from TLD .com runs anywhere from 1 USD up to 16 000 000 USD. Interestingly enough, statistical data provided by national Domain Registries demonstrate strong price differences for domains from ccTLDs of various comparable states, such as EU member states. In other words, it is more likely to find expensive domain names from TLD .de than TLD .fr or TLD .it or TLD .es and definitely more than TLD .cz, where prices seldom exceed a price of 100 000 CZK and virtually never that of 1 000 000 CZK (40 000 EUR). In any event, even subdomains from TLD .de with prices reaching up to several hundred EUR are way behind subdomains from TLD .com [4].

**Fig. 1: Resale of selected domain names belonging to TLD.com in 2006-2010**



Source: [5]

### 3 Impact of the wording of a domain name for business

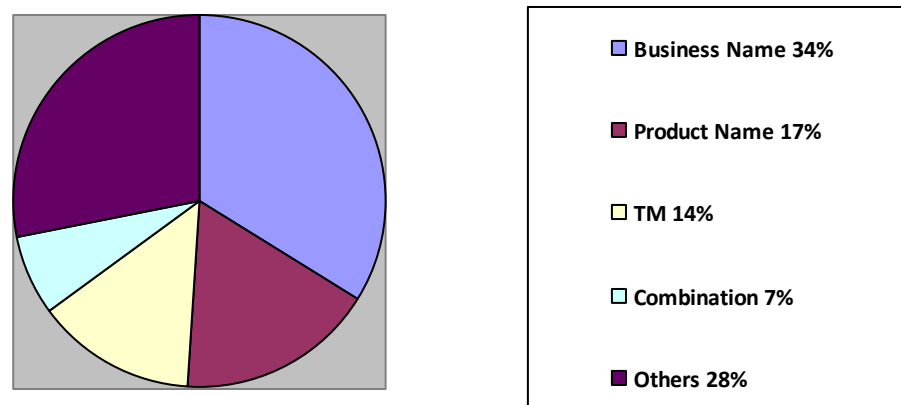
Just as a consensus has not yet been attained about the number, scope and impact of the functions of a domain name, so there are ongoing discussions about the importance, or arguable lack of importance, of the wording of a domain name for business. Bearing this in mind, it is instructive to review and analyse data about the approaches to domain name wording from various perspectives and by different groups - businesses (3.1), consumers (3.2), and others (3.3).

#### 3.1 Current perspective of businesses - a moderate importance of the wording of a domain name

The creation and maintenance of an e-address, particularly of a domain name, has its costs. Businesses carefully select in which TLD they want to establish and maintain their presence. However, once this decision is made, they need to phrase the “free style” pre-dot part of the domain name. Despite certain technical limitations due to the IP functionality and required uniqueness of a domain name, there is still a large space for discretion and for one’s own personal preference manifestation.

There is no great abundance of studies in this respect, as a matter of fact, within the EU such studies are generated only by EURid with respect to TLD .eu and various German resources with respect to TLD .de. Due to the rather short existence and hybrid nature of TLD .eu, German studies seem to be the most suitable for further analysis. They indicate that individuals are inclined to use their first and last names in the pre-dot part of their domain name and rather stay away from creative expressions for their domain names [11]. For businesses, regardless of their legal form, the situation is more complex and a multitude of options needs to be considered and accordingly priorities given. Certainly most all businesses in the EU and in the USA have established their e-presence on the Internet and have at least one domain name. Recent observations suggest that businesses within the EU, particularly in Germany, have a strong preference for the identity of their business name, i.e. the business designation as used during their business conduct, and as is probably registered within the Commercial Register or other Business or Trade official list, to be copied into the domain name. Fig. 2 shows that the pre-dot part of a domain name within TLD .de is twice as likely to reflect the business name than the product name, and almost three times more likely than the trademark.

**Fig. 2: Composition of the pre-dot part of a domain name**



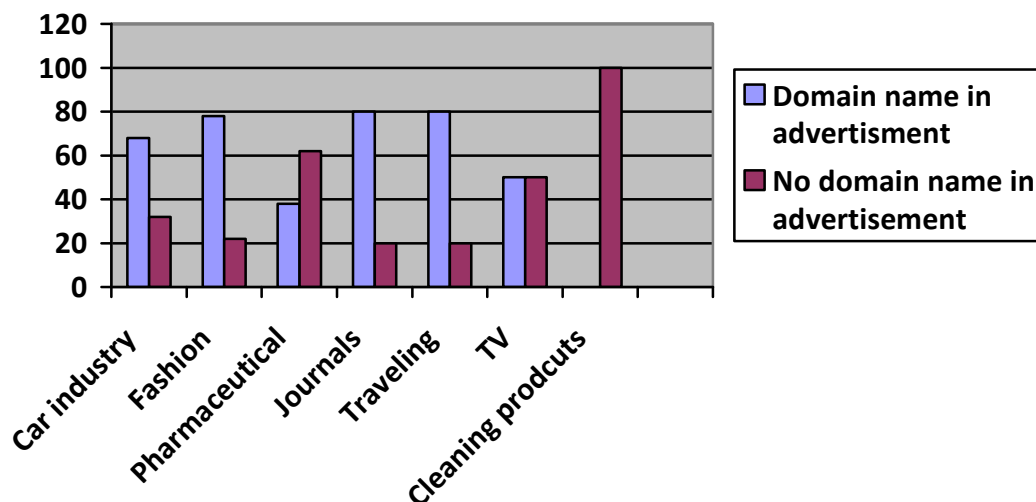
Source: [11]

The statistical data across business and industry branches provides strong evidence that the domain name is perceived by businesses more as their (business) name, possibly as well the name of their key product and key trademark, than as an indication of their line of business, of their business association or a manner of free style fancy labelling [11]. The combination of these elements, e.g. business name plus TM, is rather rare, probably due to the common drive to keep the wording of a domain name “short and sweet.”

However, there are variations based on the business and industry branches and conclusive studies have spelled out the strong relationship between the domain name, meaning the pre-dot wording, and the marketing campaigns in certain fields. The banking, financial, insurance, media, IT, and travel agency industries extensively use their domain names in their advertising campaigns. The suggested explanation of differences between industries refers to the necessity, feasibility, and usefulness of providing information about the business and its products on the Internet [11]. In other words, cleaning products are much less suitable to be a subject of a domain name campaign than retail business products, as shown in Fig. 3.



**Fig. 3: Use of domain names in marketing and advertisement**



Source: [11]

The collected data and resulting conclusions can be presented both ways – either domain names are created to fit into the strategically planned advertising and marketing endeavors of the particular business, or the domain name shapes the wording of advertising and marketing. Naturally, other factors should be taken into account, such as the possibility to be found through search engines (google-it) or the (in)appropriateness to be presented in the Internet setting.

In sum, businesses, especially those from Germany, do care and expend much time and effort to phrase the pre-dot part of their domain name, they definitely recognize the business significance of the pre-dot part of their domain name and are prepared to pay for it. The very wording depends upon the industry involved and generally tends to mirror the business name, or in certain cases, to reflect the line of production or the very product. Often *Melius est nomen bonum quam divitiae multae* - A good name is better than great riches, i.e. an excellent name is an over abundance of assets. At the same time, the low prices and unclear trend and often confusing and unstable domain name strategy by Czech businesses with respect to domains from TLD .cz may be explained various ways. They may be due to the underestimation and under-employment and misunderstanding of their domain names, or by the rejection of TLD .cz by Czech businesses and their preference for directly competing TLDs, such as TLD .eu or TLD .com [6]. Perhaps, they are a result of the pragmatic and short-term strategy mirroring the current customer attitude in the Czech Republic.

### **3.2 Current customer perspective - the variable importance of the wording of a domain name**

The understanding and behaviour of consumers, at least from some countries, seems to follow different patterns and does not necessarily share the business self-proclamation drive through domain names mirroring business names. Although the majority of EU consumers begin their on-line shopping by visiting the www pages of the selected business individual or entity, i.e. they go to the domain under the domain name selected by this individual or entity which probably sounds like its business name, the Czech consumers blatantly reject it and prefer a different online strategy – they go after the best identifiable price via search engines [1]. Since at least one half of Czech consumers shop online

basically by searching through price comparing pages and media, the wording of a pre-dot part of a domain name is stripped of a number of its functions and is “degraded” to serve just as an address where reportedly the goods or services can be purchased for the lowest price. Over 90% of Czech consumers use the price comparative devices and shop accordingly, that behavior makes them EU champions in this respect [1].

It is beyond the scope of this paper to analyze and explain why Czech consumers are much less responsive to the wording of domain names than customers from other EU member states. Nevertheless, it can be suggested that Czech consumers are not exposed to strong and well developed domain name strategies, and that Czech businesses do not aggressively integrate their domain names within their intellectual property portfolio and marketing and mere observation indicates their weakness in customer care. Thus the Czech consumers, heavily driven by price comparison, are not really exposed to an effective and efficient use of domain names and, as a result, can hardly be expected to become loyal customers in the tangible, as well as the intangible, world. This is blatantly a missed opportunity and this paper supports the statement that the sub-domainizational expression can have a much higher consumer business impact in economically comparable countries.

In sum, consumers have a dramatically diversified approach to the importance and impact of the domain name of a business. From the operational management point of view, a preliminary research suggests that Czech businesses should rather spend time and effort to place their domain name on the top of Internet search engines rather than on the wording of its pre-dot part. However, such a conclusion definitely does not apply to other EU countries. From a strategic management point of view, Czech businesses should reconsider their attitude towards intangible assets, their intellectual portfolio and general concepts about how to reach and maintain a competitive advantage. This should ultimately lead to the conclusion that a domain name is a rather inexpensive and flexible instrument that has a tremendous potential, but only, it should go without saying, if backed up by an appropriate product and service.

### **3.3 Analytical and statistic perspective – evaluation of intangible in information society**

Our society seeks relevant information and businesses make educated decisions and obtain a competitive advantage due to objectively optimal choices. Therefore, it seems logical to pull together data to weigh and measure domain names, in particular their pre-dot part, and find out how much they are worth.

Apparently, such a calculation is rather obscure and confusing. First, probably only a tip of the iceberg amount of data is currently available. Secondly, this data demonstrates tremendous discrepancies. Thirdly, conventional analytic and statistical methods do not seem suitable.

Nevertheless, some constants can be identified and stated in a general manner about domain names. The statistically supported formula goes as follows:

- More than 50% of domain names are not used and do not lead to a functional www page [4].
- At least 90% of domain names do not have the potential to become an asset that can be commercialized [4].

- No more than 1% of domain names have the potential to be negotiated for a significant amount of money;
- Even in the middle of the economic crisis, there are instances of the payment of millions of USD for domain name transfers, especially of a domain name with the post-dot part “.com”;
- Domain names belong to the intellectual property portfolio, which has been ever-increasingly overshadowing other components of enterprise, i.e. the value of the intellectual property constitutes the biggest value of an enterprise

*Manifesta non eget probatione* - Obvious does not need a proof. Thus, each domain name is unique in its wording as well as in its impact, importance, and value.

## **Conclusion**

Post-modern society relies on information and educated decisions about the optimal business venue, and in the eternal search for a competitive advantage the e-address definitely matters. Beyond a doubt, the post-dot part of the domain name indicates the pertinent regime, including fees and rules and thus has a significance for business.

The pre-dot part does not serve as a regime reference and thus is not per se of a business significance. The statistical data as well as superficial observation leads to minimizing the business impact of the large majority of the pre-dot domain names, and this trends even to domain names belonging to the most significant business TLD - TLD.com. Nevertheless, the remaining small 10 % part has a potential for significance and the even tinier 1% has an immense significance for business and is a critical business asset. The fair market value for the domain name transfer is dictated by the market. Indeed, there is a true market for some domain names with more or less successful auction situation, direct and even indirect trade mechanisms. No reasonable business would pay millions of dollars for a mere code transcript without any business significance. The fact that there is no abundance of data and that the data is not easily able to be reconciled means that the pre-dot part of a domain name has, under certain circumstances, a true business significance and should be further researched and not rejected. As a matter of fact, the great disparity between the little available data should be interpreted in the manner that the pre-dot domain name wording and its functions and potential are neglected by a large section of the academic community, as well as Czech businesses. Certainly, there is not "the" domain name operating as a key for a permanent business success, but each domain name is capable of influencing business conduct - positively or negatively, strongly or weakly. A domain name is a virtual instrument vital for the 21<sup>st</sup> century society, and its further interdisciplinary study and appropriate business applications are absolutely critical. Established trends and (so far) available knowledge strongly suggests that the pre-dot domain name wording matters, and it is just a question of time when more statistical data and independent studies will be presented to further support this statement. The black-and-white perception of the pre-dot domain name wording, especially its degradation to a neutral code-letter transcript, denies the already noticeable emergence of a modern business venue.

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