

Topic: Internet Prefixes

Question by: Jeff Harvey

Jurisdiction: Idaho

Date: November 16, 2011

Jurisdiction	Question(s)
	Does your state recognize an internet prefix as distinguishable? For example, is www.procounters.com distinguishable from pro.counters.com?
Manitoba	
Corporations Canada	<p>Corporations Canada is responsible for incorporating businesses and not-for-profit organizations that choose to incorporate federally in Canada rather than provincially or territorially.</p> <p>The name www.procounters.com would be treated as distinguishable from pro.counters.com because of the addition of the period between "pro" and "counters." However, Corporations Canada would consider the name</p> <p>Phonetically confusing and request a consent from pro.counters.com. The addition of the internet prefix would not be considered sufficient to eliminate this confusion given that the distinctive element of the corporate name is "procounters" in both cases.</p>
Alabama	
Alaska	
Arizona	
Arkansas	
California	
Colorado	The names would be distinguishable in Colorado.
Connecticut	
Delaware	
District of Columbia	In the District of Columbia the answer would be yes.

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Florida	Florida is exactly the same as Nevada in what would and would not be distinguishable.
Georgia	
Hawaii	In Hawaii, www.procounters.com would be distinguishable from pro.counters.com
Idaho	
Illinois	
Indiana	
Iowa	
Kansas	
Kentucky	
Louisiana	
Maine	
Maryland	
Massachusetts	
Michigan	
Minnesota	
Mississippi	
Missouri	Missouri has distinguishable upon the record as the standard as well. The example below would be distinguishable because of the www; however, the placement of the periods alone in the name would not make it distinguishable if all the alpha characters were the same.
Montana	
Nebraska	
Nevada	In Nevada also, the addition of the “www” would make this distinguishable on the record. The addition or deletion of the punctuation alone i.e., procounters.com v. pro.counters.com (without the addition of another letter or word) would not make it distinguishable.

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New Hampshire	
New Jersey	
New Mexico	
New York	
North Carolina	
North Dakota	
Ohio	Ohio has distinguishable upon the record as the standard as well. The example below would be distinguishable because of the www; however, the placement of the periods alone in the name would not make it distinguishable if all the alpha characters were the same.
Oklahoma	
Oregon	<p>First, punctuation doesn't make a word distinguishable, so the internet prefix isn't an issue by itself for us. The www would be treated like a separate word, and therefore the normalization is "www procounter com" vs. "pro counters com", which are clearly distinguishable. Otherwise, you get to an entity identifier-like situation, where you start stripping "com", "org", "edu", "www", "http", etc.</p> <p>BTW, we are hoping to move next year to a more stringent distinguish ability standard, which would only ignore end of name entity identifiers, strip out punctuation and spaces, and keep special characters. We'd then normalize to a character string and compare that string with others, similar to the way UCC does it.</p>
Pennsylvania	
Rhode Island	
South Carolina	
South Dakota	
Tennessee	

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Texas	<p>This is the Texas administrative rules about internet designators whether used as a prefix or a suffix:</p> <p>A proposed entity name is similar to an existing name and requires a letter of consent if any of the following conditions exists.</p> <p>(7) The proposed entity name is the same as or deceptively similar to that of an existing entity name except for an Internet locator designation at the end or at the beginning of the name.</p> <p>(A) Example: BusinessWorks.com, Inc. would need a letter of consent from Business Works, L.P.</p> <p>(B) Example: <u>WWW.ARTBEAT</u> Company would need a letter of consent from ArtBeats, LLC.</p>
Utah	In Utah also, the addition of the “www” would make this distinguishable on the record. The addition or deletion of the punctuation alone i.e., procounters.com v. pro.counters.com (without the addition of another letter or word) would not make it distinguishable.
Vermont	
Virginia	
Washington	Washington state would file both as distinguishable under current law.
West Virginia	
Wisconsin	In Wisconsin also, the addition of the “www” would make this distinguishable on the record. The addition or deletion of the punctuation alone i.e., procounters.com v. pro.counters.com (without the addition of another letter or word) would not make it distinguishable.
Wyoming	

Additional comments:

Full text of email:

Hello all,

Idaho's statute on name availability states that a name *"must be distinguishable on the records of the secretary of state."*

Does your state recognize an internet prefix as distinguishable? For example, is www.procounters.com distinguishable from pro.counters.com?

Thanks!

Jeff Harvey

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"The only man who never makes a mistake is the man who never does anything." ~ Theodore Roosevelt