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## ARTICLES

### **Finding a Winning Strategy Against the MP3 Invasion: Supplemental Measures the Recording Industry Must Take to Curb Online Piracy**

*Robert T. Baker* ••••• 1

MP3 has invaded the music industry. This Article explains the development of MP3 technology, shedding light on its direct impact on how music is being sold and distributed, illustrating new trends in music piracy, and discussing how statutes and litigation have addressed the problem. Yet, Napster-like hybrids of chat rooms and search engines do not fit neatly into the picture, and industry and legal responses have yet to catch up. The Article analyzes the most publicized measures taken by the recording industry to curb piracy and offers several supplemental strategies.

### **Claim Jumping on the Newest Frontier: Trademarks, Cybersquatting, and the Judicial Interpretation of Bad Faith**

*John M. Carson, Amy C. Christensen, and John N. Kandara* ••••• 27

This Article, from the intellectual property law firm of Knobbe, Martens, Olson and Bear, provides an overview of the current state of trademark law and how it is being applied to trademarks used in Internet domain names. While the law is constantly changing, several trends have begun to emerge. However, these trends have unveiled a myriad of unanswered questions. Regardless of the outcome, the fact remains that in the next few years, trademark owners and domain name registrants will fight, both in and out of the courts, to protect their rights.

**COMMENT**

**The Anticybersquatting Consumer Protection Act:  
Will it End the Reign of the Cybersquatter?**

*Jason H. Kaplan* ••••• 43

The rapid spread of e-commerce, the rush to establish online presences and the first-come, first-served nature of domain name registration have resulted in the phenomenon known as cybersquatting. Many trademark owners find the value of their trademarks in the online world compromised by clever entrepreneurs, known as cybersquatters, who use the marks and variations of them in their own domain names. These cybersquatters, naturally, are willing to transfer the domain names to the rightful trademark owners for heavy ransoms. This Comment picks up where the previous Article left off, examining why traditional trademark law has been ineffective in stopping cybersquatters and how this growing crisis precipitated the need for the Anticybersquatting Consumer Protection Act of 1999. The Comment looks at the ACPA from a law student's perspective, exploring the weaknesses of the ACPA's drafting, and suggesting modifications for ensuring just results. Finally, the Comment offers practical steps for trademark owners to protect their rights online.