

Publisher's Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. <i>Distribution List</i>
☐
☐
☐
☐

THE LAW OF SOCIAL MEDIA AND DOMAIN NAMES

Burshtein and Turco
Release No. 4, June 2026

This publication considers the commercial and legal realities of how trademarks and domain names are used and perceived on the Internet in the context of established trademark and related legal principles. It sets out the history of the technology underlying, and the legal issues relating to, the international domain name system. The publication analyzes whether a domain name is property or some other type of right, and it considers the WHOIS database directory of domain names. The text comprehensively deals with the acquisition and violation of trademark and related rights on the Internet. It also analyzes the many practices and techniques that have emerged on the Internet that, when effected in association with a trademark, trade name or individual name, pose fundamental challenges to the essence of trademark and related laws. These practices and techniques include references to trademarks which are typically the subject of national rights on websites which are available on a global basis.

Thomson Reuters

Customer Support

1-416-609-3800 (Toronto & International)

1-800-387-5164 (Toll Free Canada & U.S.)

E-mail CustomerSupport.LegalTaxCanada@TR.com

This publisher's note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

What's New in this Update:

This release features updates to Chapter 30. Apps and Connected Devices.

Highlights:

Part II. Social Media—Chapter 30. Apps and Connected Devices—II. What an App Is—B. Apps—1. Types of Apps—§ 30:6. AI Apps—The following is an excerpt from this section—Generative artificial intelligence (“AI”) has become one of the biggest technology talking points. The two main services which have come out of generative AI are chatbots and image generators. A chatbot (originally chatterbot) is a software application or web interface designed to converse through text or speech. Chatbots have gained popularity with the release of ChatGPT by OpenAI in 2022. ChatGPT is the lead chatbot in terms of revenue and usage, but there are a lot of competitors, including Google Gemini, Microsoft Copilot, Anthropic Claude and Meta AI. Image generators are generally based on a text-to-image (T2I or TTI) model, which is a machine learning model which takes a natural language input prompt and produces an image matching that description. Many image editing services added generative AI in 2023 (for example, Adobe).

Part II. Social Media—Chapter 30. Apps and Connected Devices—III. App and Device Issues—I. Telecom—1. United States—§ 30:79. Apps—TIKTOK—TikTok Executive Order—The following is an excerpt from this section—In 2024, as lawmakers and federal agencies renewed security concerns, the Protecting Americans from Foreign Adversary Controlled Applications Act (PAFACA) was introduced in Congress. PAFACA would ban operations related to TIKTOK completely within the country unless ByteDance makes a qualified divestiture as determined by the US president. The bill was passed by Congress and signed into law by President Biden. It set a deadline for the app to be banned unless a qualifying divestment were to be made before then. After TikTok filed a legal challenge, the Supreme Court upheld the law. On January 18, 2025, the day before the deadline of the law, TIKTOK voluntarily suspended its services in the United States, even though President Biden had declined to enforce the ban on his last day in office. The following day, after President-elect Trump signaled that he would grant an extension to TIKTOK upon being inaugurated, services were restored. On January 20, 2025 President Trump signed an executive order that halted enforcement of the ban for a 75-day period while his administration pursues a potential sale of TIKTOK to American owners.