

Idiot! Buying SmartBear.com



Being slow cost me \$2000. **IDIOT!**

Yesterday I bought `smartbear.com`.

Smart Bear started as a sole proprietorship.¹ I switched it to a single-member LLC² in Feb 2003, mostly just to see what it was like. (Single-member LLC's and sole proprietorships have identical tax consequences—none.)

At the time Code Historian³ and Code Reviewer⁴ were shareware and the company name didn't seem to matter. After all, I had `http://code-historian.com`, and that's better! So I didn't register `smartbear.com`.

Let me repeat that. I didn't register `smartbear.com`.

I could tell you I didn't have any money to spend on such things, which was true, but that's not an excuse, it's cheap. I could tell you I didn't think things would go so well, which was true, but that's not an excuse, it would have been cheap insurance. I could tell you I didn't think anyone was paying attention to little ol' me, which was true, but that's not an

excuse, the domain trollers watch the chamber of commerce records and grab anything they can find.

There's no excuse.

By the time I came to my senses, a squatter had taken the domain. For a while the page was just broken. Then the page simply said the domain was for sale. \$2000. I ended up getting `smartbearsoftware.com`.

The way you pronounce “`smartbearsoftware.com`” over the phone is:

“Smart Bear Software. One word. That's “bear” as in the animal. No, Smart Bear Software. You have to have the software. (pause) Yeah, I know, that's taken by a squatter. (pause) two thousand dollars. (pause) Yeah, we really should. It's the principle of the thing though.”

And it really was. I offered the guy \$1000. Rejected. I sent a lawyer-letter. Ignored. I asked the lawyer how much it would cost to actually pursue this. Minimum \$2500. (Oh. That's how the price is set.)

I pointed out the trademark. He responded by saying it wasn't a registered trademark. I started the process of registering all our trademarks, but years later we're in the last stage of the process but still waiting.

I was goaded into this by the other Bears. “Just get the domain. We know it sucks. We know it's unfair. But stop making us type ‘software’ all the time like chumps.”

The final straw was a conversation with Chris Boyd, co-founder of the Best Little ISP on the Planet, Midas Networks.⁵ I told him about the domain. “Yeah,” he said, “you just have to pay those guys.” Chris always tells it straight. That's when I know I was sunk.

So I did it.

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