

I C A N N 4 7



Trademark Clearinghouse

17 July 2013



Agenda

- Introduction
- Project status and timelines
- Deloitte: Verification services
- IBM: Sunrise & Claims services
- Q&A

47 Clearinghouse Functions

- TMCH: global database to support rights protection mechanisms in the new gTLD space:
 - Verifies trademark information from rights holders all over the world.
 - Maintains a centralized database.
 - Provides this information to registries and registrars during TLD startup processes.

Clearinghouse Functions

Rights Holders



Verification Service
Deloitte



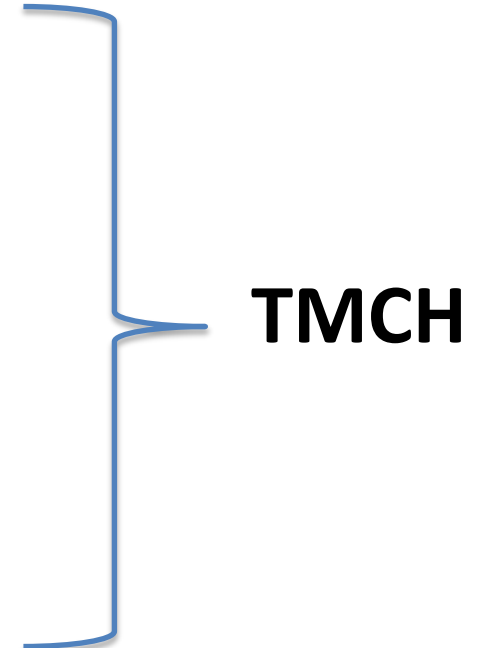
Database



Sunrise & Claims Services
IBM

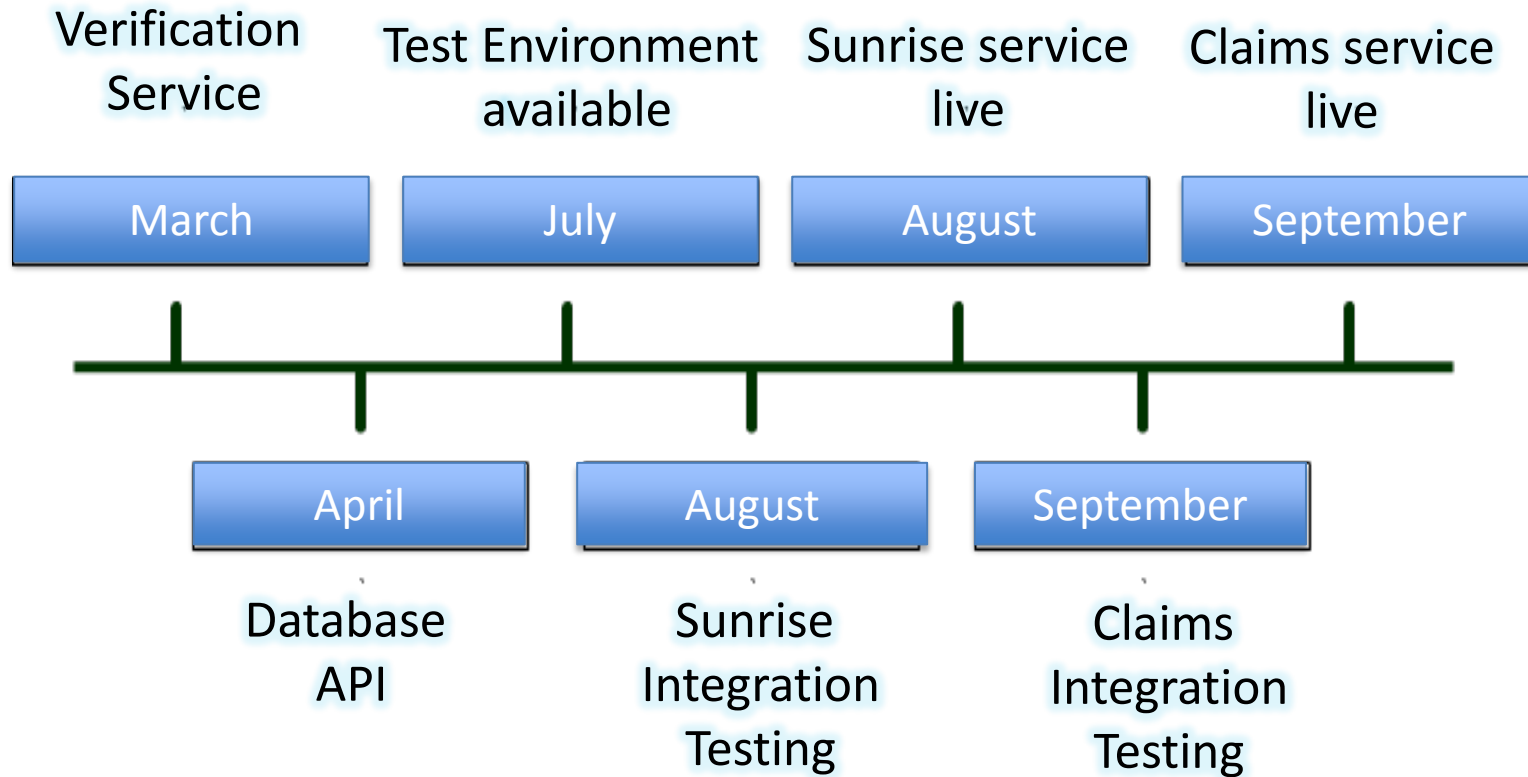


Registries &
Registrars



TMCH

2013 Key Milestones



Continuing Work

- Sunrise Portal
- Inclusion of previously abused labels (+ 50)
- RPM requirements

RPM Requirements

- RPM Requirements intended to fulfill the placeholder reference in Specification 7 of Registry Agreement
- Draft version published on 6 April:
 - Community feedback during Beijing meeting
 - Conference call consultation
 - Engagement with community team

RPM Feedback

- Prioritization among trademarks
 - Exceptions to sunrise priority
 - IDN variants in sunrise period
 - 30-day notice of sunrise
 - Validity periods
 - Schedule changes during startup periods
-
- New version to be posted for public comment

Test SMDs Provided

- Active
- Revoked
- Signed by a Revoked TM Validator (TMV)
- SMD invalid signature

- Data elements: English, Russian, Arabic, Chinese and French

- IDN-labels are provided in the SMDs

Sunrise Integration Testing

- Trust anchor: https://ca.icann.org/tmch_pilot.crt
- CRL: http://crl.icann.org/tmch_pilot.crl
- SMD Revocation list:
<http://newgtlds.icann.org/en/about/trademark-clearinghouse/smd-test-revocation-15jul13-en.csv>
- Test SMDs:
<http://newgtlds.icann.org/en/about/trademark-clearinghouse/smd-test-repository-15jul13-en.pdf>
- Interface to test LORDN upload: Sandbox (information coming soon, **the Sandbox only verifies syntax errors in the LORDN file**)

CLEARINGHOUSE



Trademark Clearinghouse

TMCH ICANN 47 Durban
July 2013

Agenda

- Verification/Re-correction process
- Common errors
- Trademarks in a non-latin script
- 50 abused labels
- What is new or coming soon...
- Customer Support
- Some statistics

Verification Process

- “Four eyes process”: two verifications per TM record + proof of use
- Verification of the accuracy and completeness of the information provided and compliance with the eligibility requirements
- Based on the jurisdiction, the verification is done by resources all over the world

Verification Process

- In the event that the TM or Proof of use is incorrect → recorection process is initiated, trademark record is verified again
- Reasons that initiate a re-correction process:
 - Name of the mark is incorrect
 - Registraton number is incorrect
 - Jurisdiction is incorrect
 - Name of the holder is incorrect and no documentary evidence has been provided
 - Address of the holder is incorrect and no documentery evidence has been provided
 - Registration date is incorrect
 - Description of goods and services are incorrect
 - Detailed description of goods and services
 - Sample of proof of use is insufficient
 - Declaration of proof of use is not signed or dated
 - Copy of the TM certificate is not provided

Common Errors

- Name of the mark (7%)
 - General Rule: exact match as on the trademark certificate
 - E.g. TM X and not TMX
 - Exception: Dots/(.) are not allowed
- Registration Date (9%)
 - Incorrect registration date (in some cases application date is provided)

Common Errors

- Name of the holder (20%)
 - Incorrect name of the holder + type of holder
- Address (22%)
 - If the address is not on TM certificate → provide TMCH with a copy of company registration form or printscreen of the website

Common Errors

- Description of Goods and Services (8%)
 - Some jurisdictions do not follow the Nice Classification, so you need to select N/A (through the API value is 46):

Common Errors

- Detailed Description of Goods and Services (14%)
 - US trademarks
 - Goods and Services in brackets [...] on the certificate are cancelled items for which the TM is no longer protected

Common Errors

- Detailed Description of Goods and Services (14%)
 - Detailed description of goods and services in the language of the TM certificate (e.g. Spanish, France, German, Japanese, Chinese,.....)

Common Errors

- Proof of Use Sample & Declaration (50%)
 - Name of the TM appearing on the sample needs to be an exact match with the name as appearing on the certificate
 - If your trademark is café than your proof of use should be for café and not cafe
 - Invoices are not accepted
 - Printscreen with just the trademark in the URL is not accepted

Common Errors

- Declaration of proof of use
 - Name of the submitting party = name of the Holder
 - Please duly sign (handwritten) and date declaration
 - Use TMCH standard declaration

Common Errors

- Copy of the trademark certificate is not provided
 - List of online database is provided on TMCH website

**Are Trademarks in non-ASCII
accepted by the TMCH (IDNs)?**

YES!

no matter the country or script

Trademarks non-ASCII trademarks

- 150 trademarks in non-Latin script
- URL has been provided in order to facilitate the users working through the API
 - E.g. https://secure.trademark-clearinghouse.com/tmch/public/labels?name=Café&enc=a_xn--caf-dma (a-label)

50 abused labels – UDRP/COURT CASE

- Labels can be added only to TM records that have been VERIFIED
- 50 labels per trademark record
- Only for trademark claims notification
 - not included in the SMD file for Sunrise
- Multiple court cases and UDRP cases can be submitted per TM record
- UDRPP case → ICANN approved service provider
- Court case → National court cases

50 abused labels – UDRP/COURT CASE

- UDRP cases
 - Name of the Service Provider (ICANN accredited)
 - Number of the UDRP case
 - Language of the UDRP case
 - Labels

50 abused labels – UDRP/COURT CASE

- Court cases
 - Name of Court (National effect)
 - Reference number of the Court's decision
 - Language of the court case
 - Copy of the court case
 - Labels

Verification – UDRP/COURT CASE + Labels

- General
- Name of the mark in the TM record must match the name of the mark in the case
- Registration number/reference number provided in the TM record must match the registration number/reference number
- Jurisdiction/Country of protection in the TM record must match the jurisdiction/country of protection on in the case
- Labels must match
- Only one time verification

Costs– UDRP/COURT CASE + Labels

- A cost will be implemented per UDRP case or per court Case
- UDRP case will be less costly then a court case
- Per UDRP case: 50 - 75 USD
- Per court case: 150 - 200 USD
- Cost per label: 1 USD per label per year

What is new?

- Full blown API test environment (agents)
- Weekly notifications are being sent out
- Test SMD files have been made available
- Monthly webinars
- Newsletters are being sent out
- Animations TMCH available in more than 10 languages

What is new?



Coming soon....

- Proof of use upload as separate document
- SMD file (end of July)
- Implementation of the 50 abused labels
- Clearinghouse guidelines to be translated in different languages
- Transfer of TM records
- Updates of the Clearinghouse Guidelines
- Possibility to modify information on the contracting party

Customer Support

- Non-registered users
 - info@trademark-clearinghouse.com
- Registered user
 - Customer support tool through the interface

Information made available for new users

- How to submit a trademark record
- How to edit a trademark record
- How to create a ticket through the customer support tool
- How to submit proof of use
- How to manage your account/profile
 - www.trademark-clearinghouse.com
 - Help
 - Downloads
 - Quick references

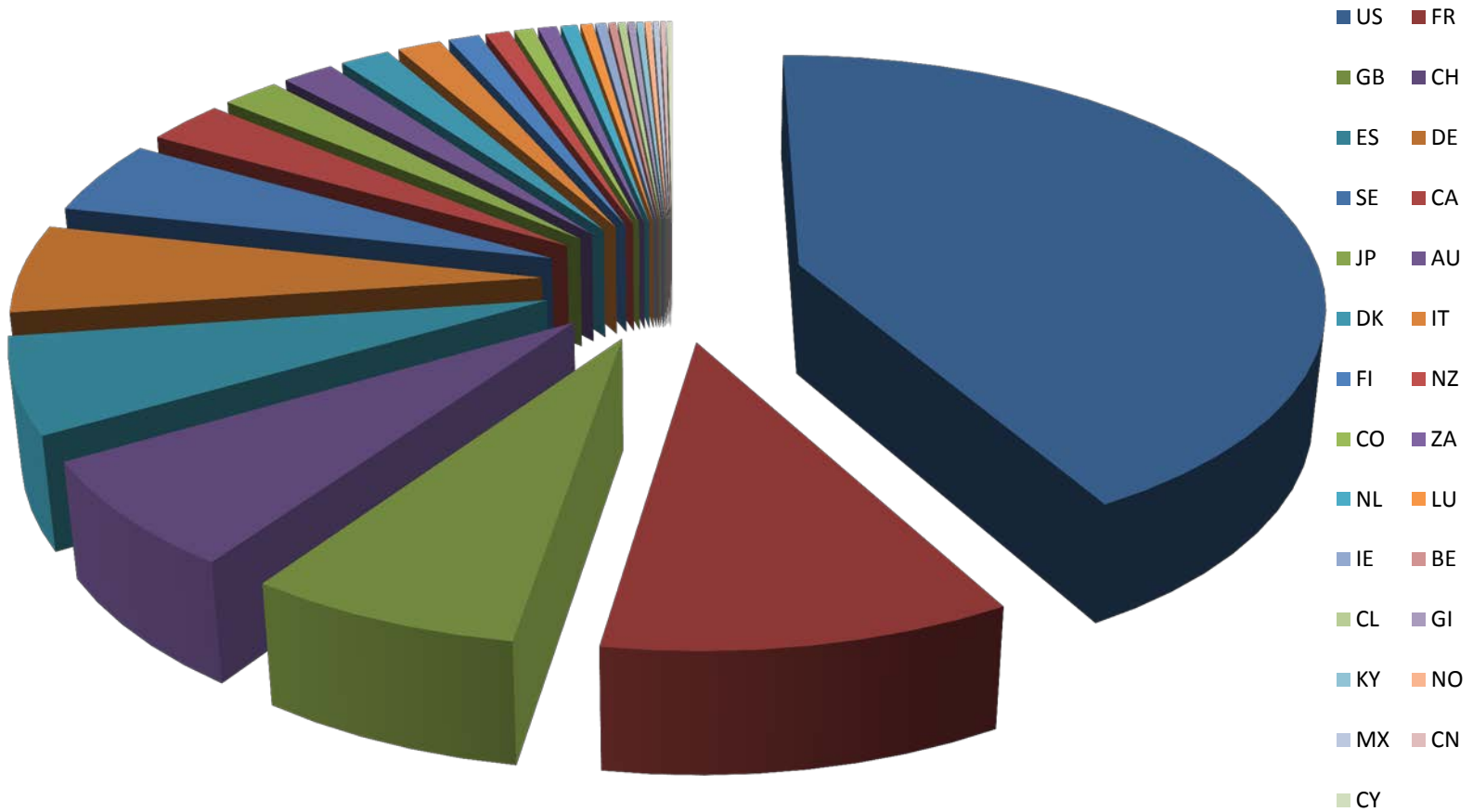
Not to forget

**Early Bird registration is
happening now!**

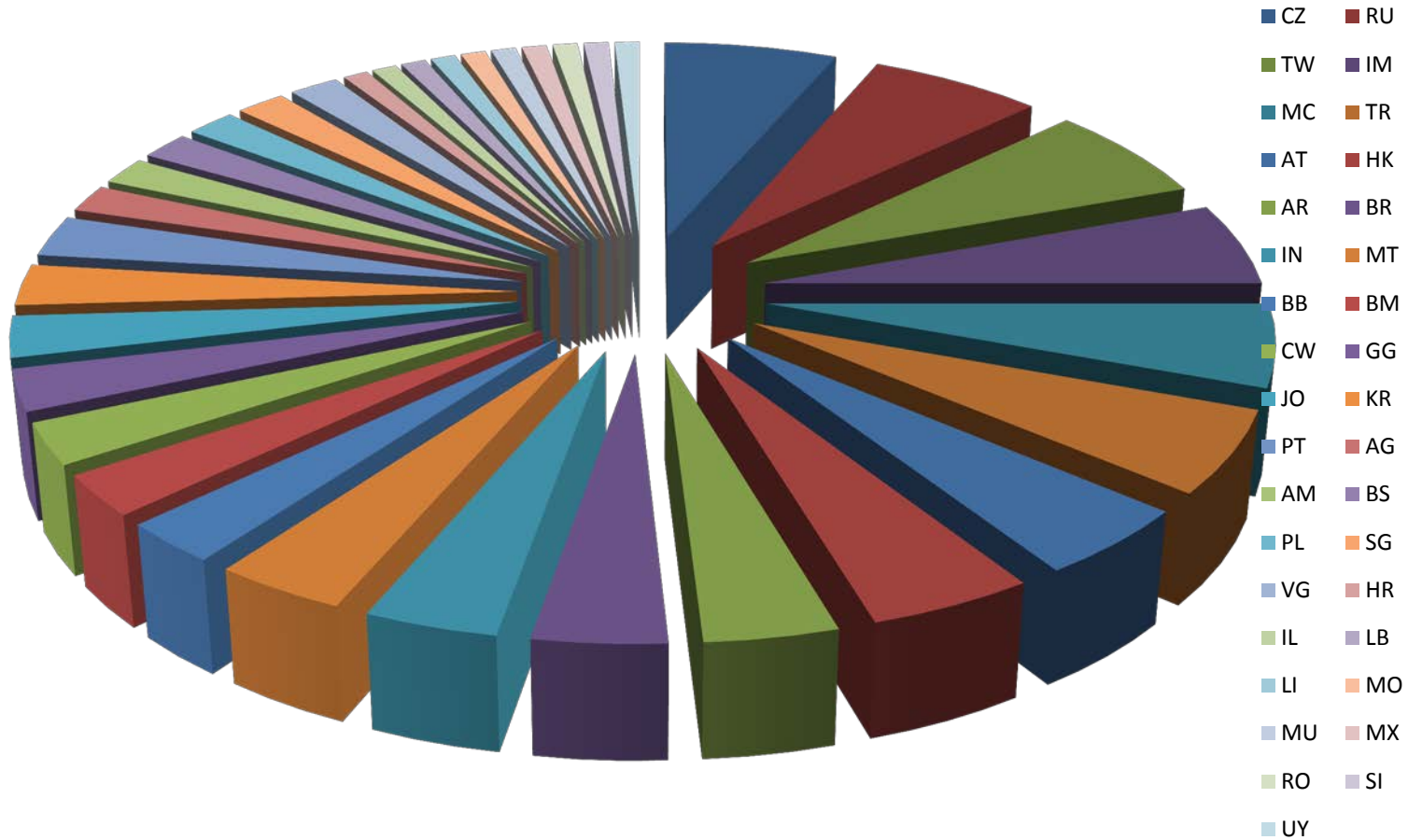
Statistics

- Number of Holders: 800
- Number of Agents: 132
- Number of records: 5900 (62 jurisdictions)
- Number of labels: 11700

Statistics



Statistics

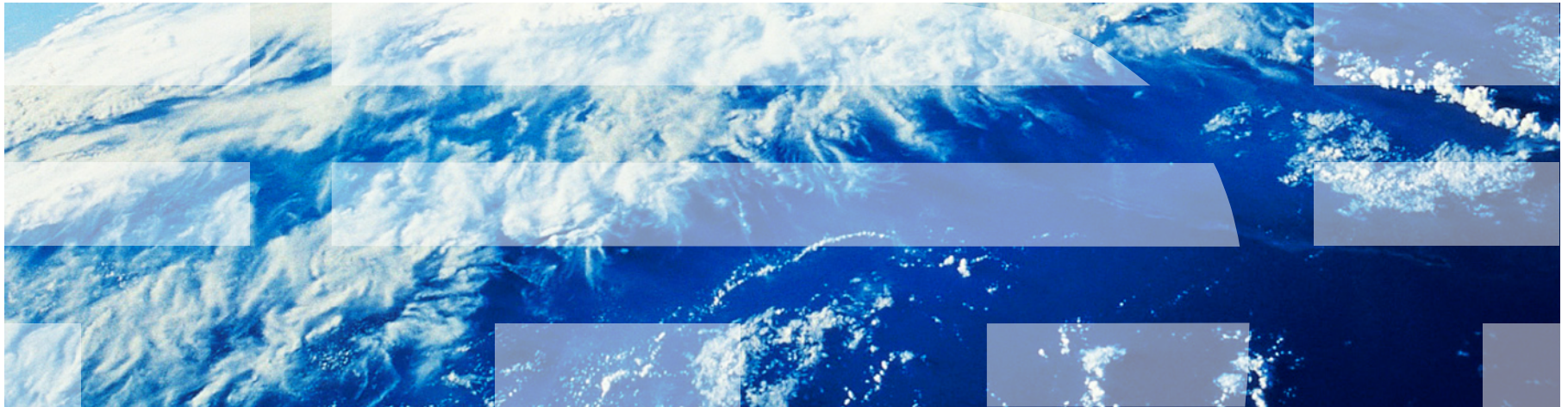


Connect with TMCH

- Website: trademark-clearinghouse.com
- [@TMCHinfo](https://twitter.com/TMCHinfo)
- More questions.... Please see us at our booth



Durban Sunrise & Claims update

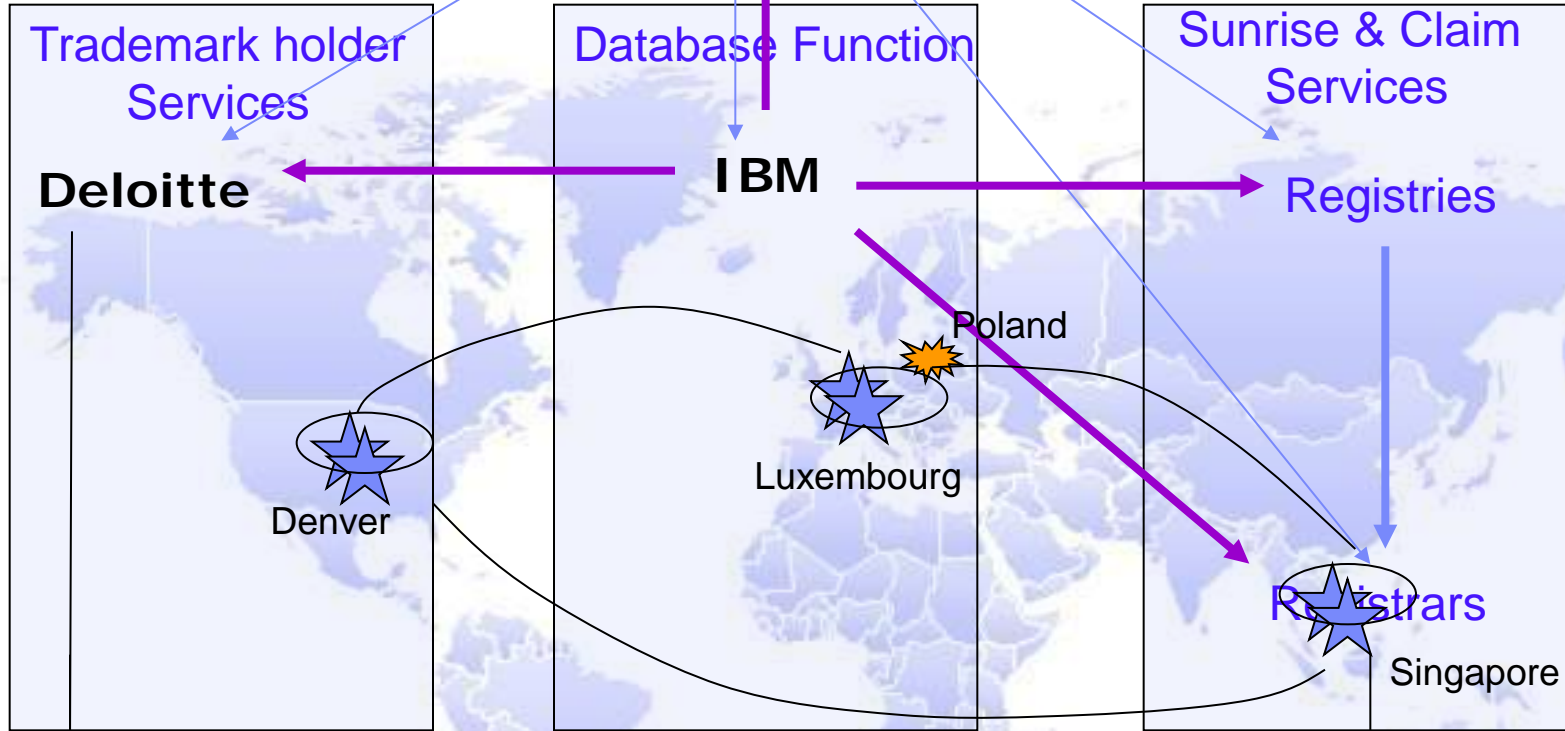
17 July 2013



Trademark Clearinghouse

ICANN

 Callcenter 24/7
 Datacenter



Trademark holders

 Services Delivery

Registrants

Agenda Durban

- Status and Timeline for Sunrise and Claims services - Dirk De Bevere
- Sunrise and Claims Sandbox environment - Adrie ten Bookum
- Sunrise & Claims process - Jan Jansen
- Documentation - Adrie ten Bookum
- Customer Support - Adrie ten Bookum
- Communication - Adrie ten Bookum

Status and Timeline for Sunrise and Claims services

Sunrise

- Go-Live: August 9, 2013
- Beta testing: July 31, 2013

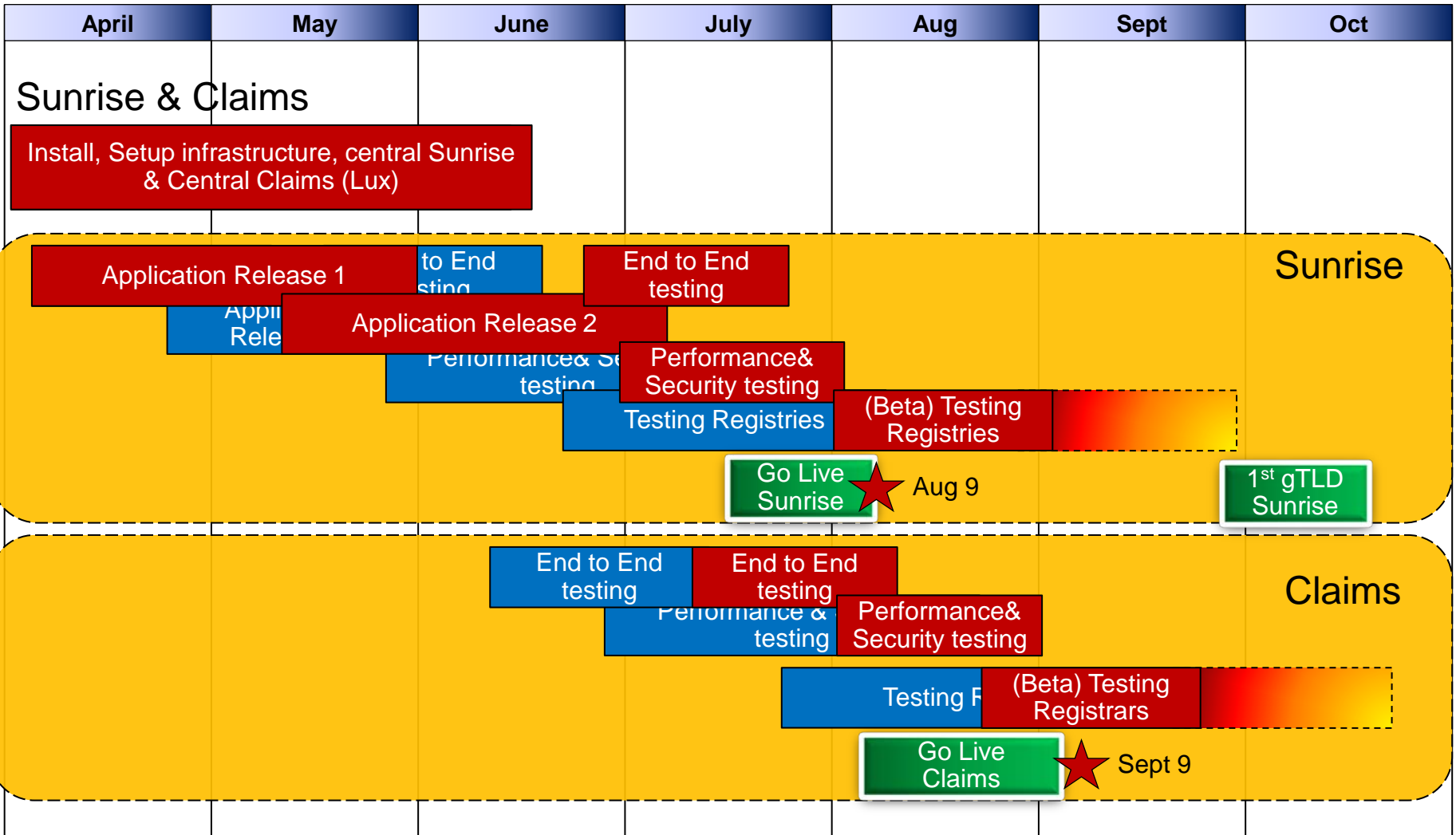
Claims

- Go-Live: Sept 9, 2013
- Beta testing: Aug 21, 2013

Current S&C project status

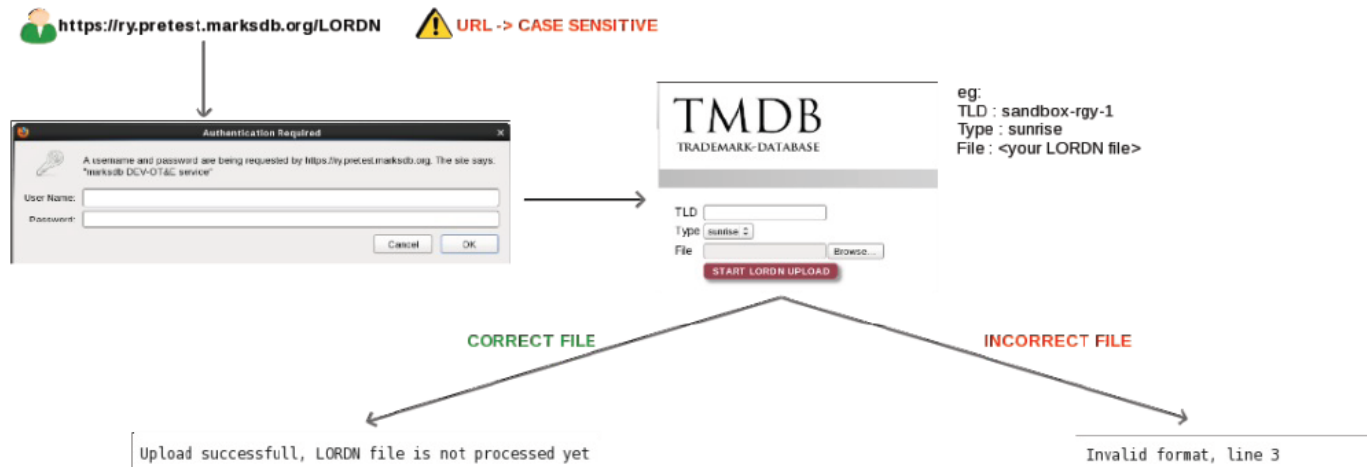
- Sandbox operational
- Sunrise Production & OT&E Platform enters Performance & Security tests
- Claims platform tests are about to start

Timeline - Sunrise & Claims Services



Sunrise and Claims Sandbox environment

- Sandbox is a temporary setup (URL <https://ry.pretest.marksdatab.org/LORDN>)
- Available till S&C OT&E environment is operational (on or before Go-Live of Sunrise)
- provides limited test functionality to pretest LORDN file uploads.
- ICANN will communicate the access process



VALID EXAMPLE	1,2013-07-11T07:20:00.0Z,1 roid, domain-name, SMD-id, registrar-id, registration-datetime, application-datetime SH0006-REP, test1.sandbox-rgy1, 000000731370870703720-1, 999999999, 2013-07-11T06:20:00.0Z, 2013-07-11T02:10:00.0Z
INVALID EXAMPLE	1,2013-07-11T07:20:00.0Z,1 roid, domain-name, SMD-id, registrar-id, registration-datetime, application-datetime SH0006-REP, test1.sandbox-rgy1, 000000731370870703720-1, 999999999, ERROR HERE-07-11T06:20:00.0Z , 2013-07-11T02:10:00.0Z

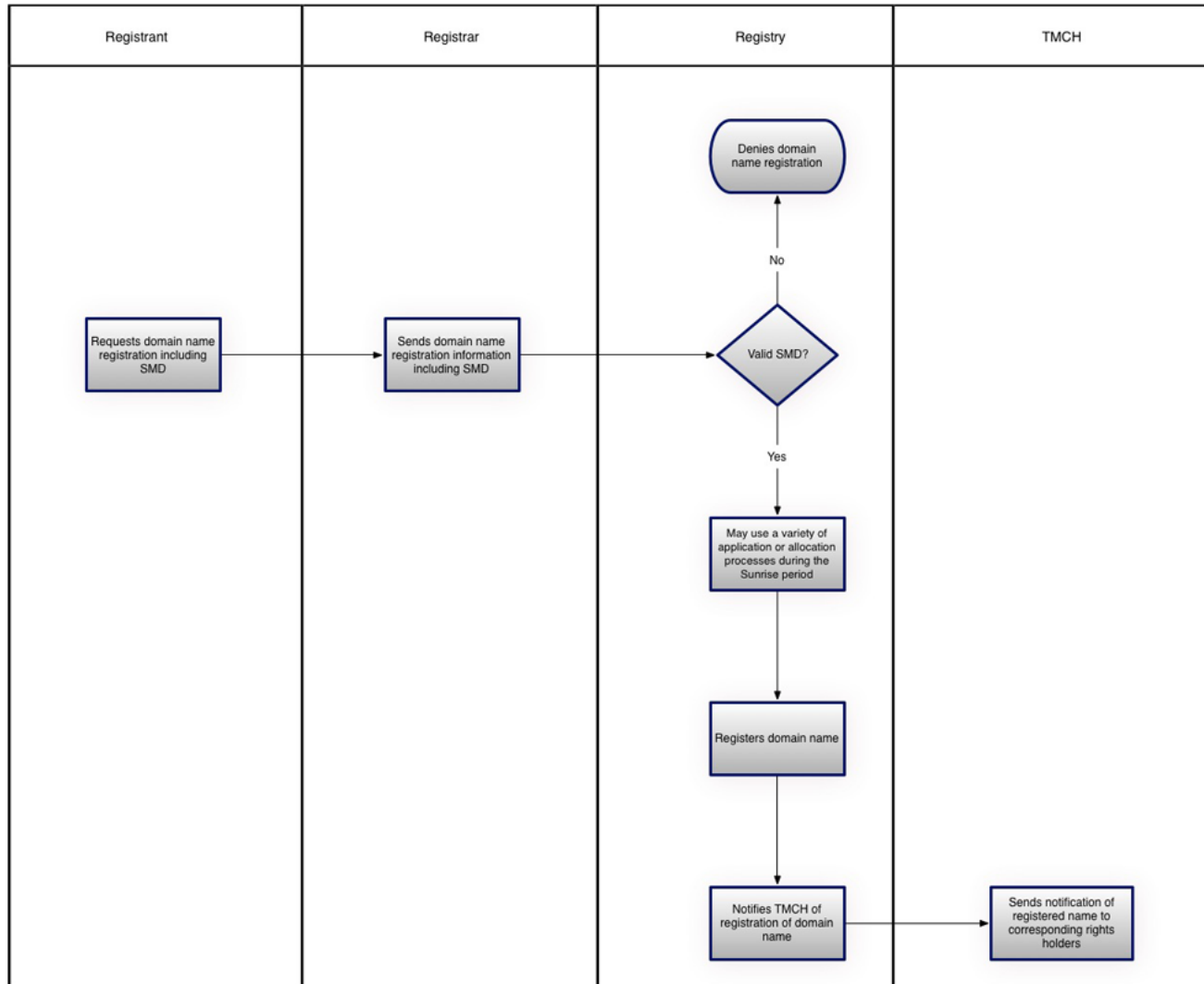
Sunrise & Claims processes

- Process diagrams can be found on:
 - <http://newgtlds.icann.org/en/about/trademark-clearinghouse#flow-charts>

- IETF website with all the specifications
 - <http://tools.ietf.org/html/draft-lozano-tmch-func-spec>

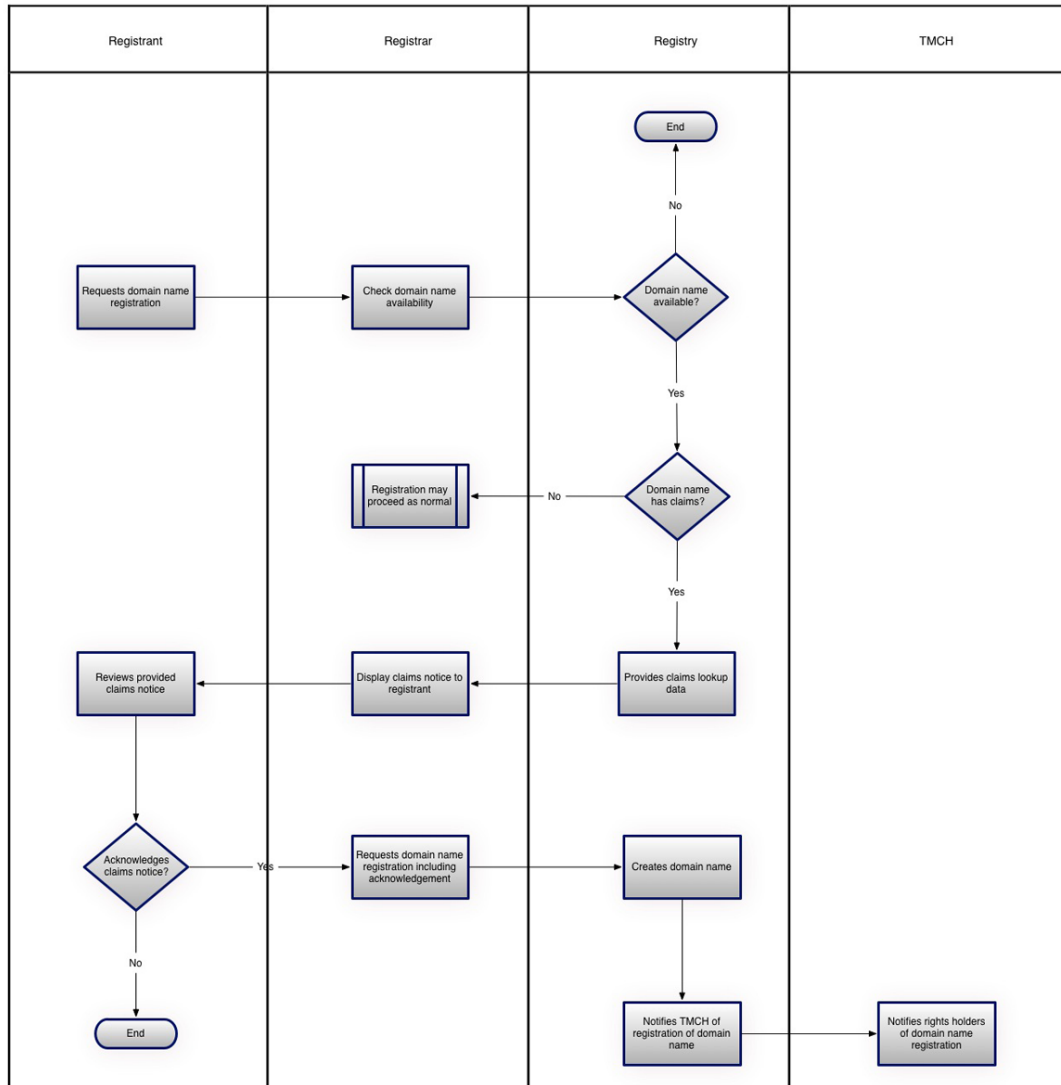
Sunrise process

Overview of Domain Name Registration during Sunrise



Claims process

Overview of Domain Name Registration during Claims



Documentation

ICANN Sunrise and Claims	Version: 0.5 (Draft)
TMDB system User manual	Datum: 11 juli 2013

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- User manuals
 - Sandbox environment
 - S&C User manual
 - S&C Registry manual
 - S&C Registrar manual
 All in:
 - Web format
 - PDF format
- Q&A
 - will be included in user manuals
 - Parts will be web based
- Technical specifications
 - See ICANN website
- Documentation will be available on
 - the Trademark Clearinghouse website for at least the Validator parts
 - The Sunrise & Claims systems at least on the ICANN websites
- First release of the S&C user manual will be (or have been made) available this week

Customer Support

- Support will be provided depending on the request by
 - ICANN
 - TMV (Deloitte)
 - IBM
- All Support Desks will assume responsibility in their own expertise area
 - ICANN: for all gTLD (non-technical, non-Mark Validation & registration) related questions
 - TMV (Deloitte): for all TMCH Mark validation & registration questions
 - IBM: For all system technical related topics

All desks will work independent, and will guide the requester if needed to the correct desk.
- In the Onboarding/Welcome package, which will be provided for S&C by ICANN, an instruction will be given on the registration process to obtain support from the IBM desk.
 - Access to the Self Service Portal and the Service Desk of IBM will only be possible after completing the registration process.
 - Registration is essential on an individual basis with a maximum of 5 persons per Ry/Rr
- ICANN, Deloitte and IBM are looking into centralizing support information

Self Service Portal

Tivoli. software

Welcome; please enter your information.

user name

password

ESS8 PROD IMPORTANT NOTE: Sensitive personal information (financial, medical and similar information identifiable to an individual) SHOULD NOT be entered into this system.

QuickStart Version Information:
Version: 5.6.0.33
ESS8 PROD
Date: 06-07-2012

IBM Service Desk

Your IBM Service Desk is opened
24/7
Your IBM Service Desk is opened
Providing the Service in English language

Contact Data

Please call the Service Desk on telephone number:

+32 27118604 or
+48 7 1760 8509

Or send a Mail to: IBMNSD@pl.ibm.com

Self Service Web Portal:
<https://www.ess8.uk.smi.ibm.com:8452/maximo>

Please be aware that we will only accept requests from authorized users.

Create Service Request

Use this form to fill out a new request for service. When you are done, select the Service Request field.

Service Request:

* Reported By:

* Phone:

* E-mail:

Source:

[Download Remote Diagnostics Agent](#)

Major Incidents

Urgent or Critical issues must be reported (additionally) via phone call

Configuration Item Name:

Affected User:

Service Group:

Service:

Reported Priority:

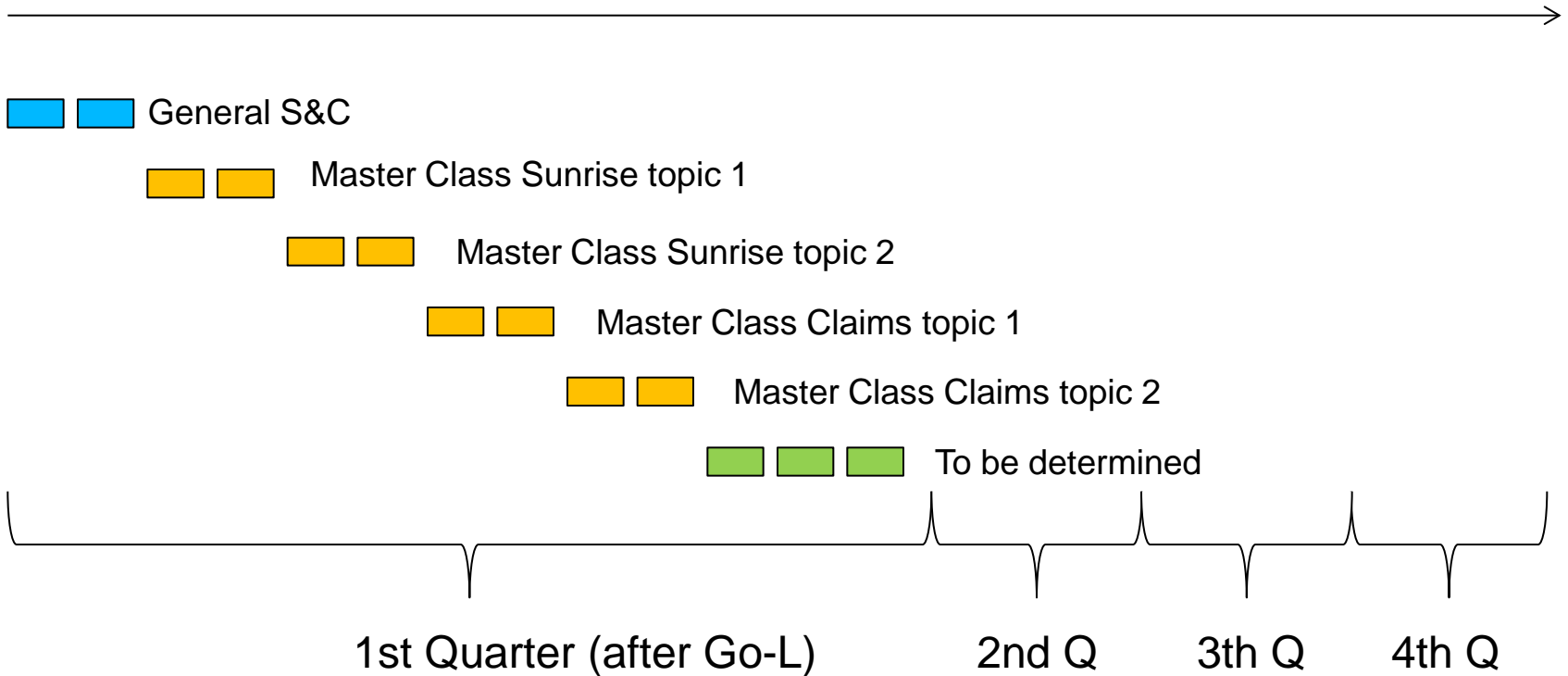
Reported Date: 01/07/13 15:39:22

Communications

- Weekly Webinars will be offered
- Webinar content
 - Fixed part (session dependant):
 - ranging from platform introduction to master classes
 - Frequently asked questions
 - Q&A part:
 - Questions from users will be answered
 - Questions can be submitted till 48 hrs before the Webinar
- First Webinar will be planned in the first week of Aug
- Additional Registry/Registrar sessions will be reviewed and discussed as potential supplement
- “Plugfest” session with registries will be considered and looked into with ICANN

Upcoming Webinars

Timeline



All sessions are given twice, to increase the possibility of customer attendance.

The session in the next quarters are basically the same as the first quarter, in the last 3 weeks the sessions are evaluated and adjusted.

The last 3 sessions in a quarter will be based upon input received by the customers.

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Thank you

