



ICANN NO. 51 | 12-16 OCTOBER 2014
LOS ANGELES

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15 October 2014

Rights Protection Mechanisms: User Feedback Session

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Agenda

- Introduction (10)
- Panel & Interactive Discussion (50)
 - Trademark Clearinghouse
 - Sunrise Period
 - Trademark Claims Service
 - Uniform Rapid Suspension
- Other Feedback / Q&A (15)

Introduction

Panelists

- **Anthony Beltran**
*Chief Operating and Financial Officer,
101Domain, Inc.*
- **Vicky Folens**
*Senior Manager, IP & Internet Services &
Strategy, Deloitte Bedrijfsrevisoren*
- **Statton Hammock**
VP, Business & Legal Affairs, Rightside
- **Susan Payne**
Head of Legal Policy, Valideus

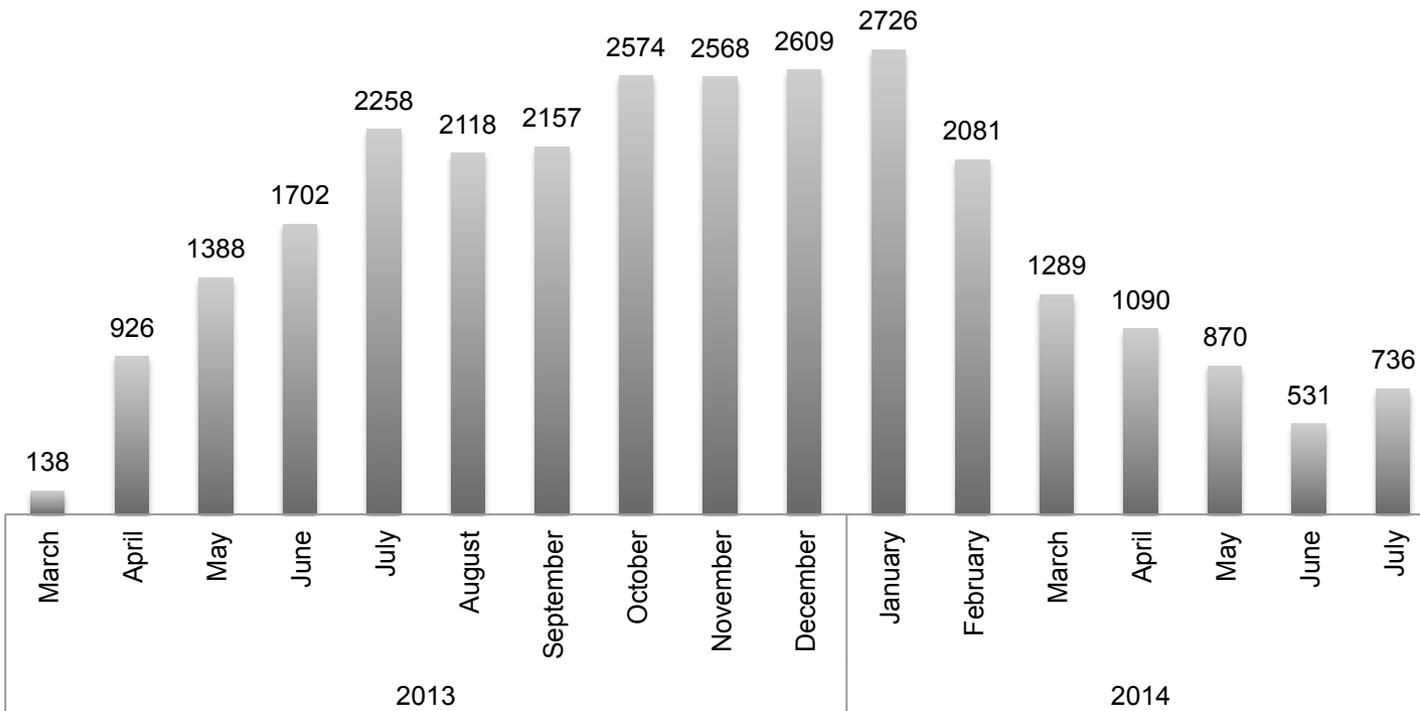
Rights Protections in New gTLD Program



Verified Trademarks Submitted into the Clearinghouse

March 2013 - July 2014

■ Total = 27,761



Source: Deloitte Monthly Trademark Activity Reports

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Sunrise Periods

Through
9 Oct 14

Sunrise periods completed: **269**

Sunrise periods in process: **35**

Highest reported Sunrise total:
713

Average Sunrise transactions per
TLD: **118** (based on 228 TLDs)

Trademark Claims

Through 9 Oct 14 Claims periods completed: **162**

Claims periods in process: **97**

Through July 2014 Claims notices sent: **6,361,411**

Cumulative Claims transactions: **60,735**

Average Claims transactions per TLD:
299 (based on 228 TLDs)

Uniform Rapid Suspension (URS)

Estimates only: Differences vs. UDRP based on 145 URS cases

| | Total Days | Fees (USD) |
|------|------------|------------|
| URS | 2050 | 54,375 |
| UDRP | 8700 | 217,500 |

The Trademark Clearinghouse

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The Trademark Clearinghouse

Topics covered in review:

- Trademark verification process
- Trademark Clearinghouse guidelines
- Proof of use
- Misuse of data
- Matching rules
- Outreach & communications

Trademark Clearinghouse Discussion

Rights Holders:

- What was your experience in submitting marks into the Clearinghouse?
- Were the challenges, if any, with submitting marks into the Clearinghouse?
- Are there any additional processes or features that you would like to see implemented?
- Were any issues identified relating to misuse of Clearinghouse data?

TMCH:

- What types of questions did you hear from rights holders about the Trademark Clearinghouse processes?

Sunrise Period



Sunrise Period

Topics covered in the review:

- Statistical analysis on TLD sunrises
- Limited Registration Periods
- Approved Launch Program & Qualified Launch Program
- Sunrise Dispute Resolution Policies
- Reserved names

Sunrise Period Discussion

- Rights Holders:
 - What was your experience in registering names during the Sunrise period?
 - What factors did you take into account in choosing TLDs in which to pursue Sunrise registrations?
 - What information sources were most useful in planning for and assisting you with the domain name registration process?
- Registries:
 - What patterns did you observe during the Sunrise period?
 - How often was the Sunrise Dispute Resolution Policy used to resolve disputes?
- Registrars:
 - What types of questions did customers have regarding the Sunrise registration process?

Trademark Claims Service

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Trademark Claims Service

Topics covered in the review:

- Statistical analysis on Claims notices and transactions
- Addition of previously abused labels based on UDRP/court proceedings
- Ongoing notification service via TMCH
- Extended Claims services offered by registries

Trademark Claims Discussion

- Registrars:

- What types of questions did customers have related to the Claims notice?
- What was your perception of how the Claims notice was received by registrants?

- Rights Holders:

- Did receiving a timely Notice of Registered Name help you decide what steps to take next?
- How could the Claims service be improved?
- Are there other pieces of information that should be included in these notices?

Uniform Rapid Suspension

Uniform Rapid Suspension (URS)

Topics covered in the review:

- Case data
- Costs and resolution time
- Implementation questions across providers

URS Discussion

- What was your experience in using the URS?
- Did the URS effectively meet its goal of being quick and inexpensive?
- Is the URS appropriately balanced to consider trademark rights as well as factors of registrant use?
- What factors might make the URS process more effective?

Additional Discussion

- What data or statistics do you suggest would be most helpful to inform the analysis?
- What topics do you consider most important to address in the RPM reviews?

GDD + Related Sessions

Wednesday, 15 October

- DNS Risk Framework
- GDD Service Delivery, Customer Service & Service Level Agreements
- Universal Acceptance

Thursday, 16 October

- DNSSEC Key Rollover Workshop
- Thick WHOIS Implementation (Working Session)
- Deploying the IETF's WHOIS Replacement

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