The Trademark Clearinghouse is NOT a rights protection mechanism, but just a data repository. The Trademark Clearinghouse makes it appear that ICANN might not deal with the concerns of trade mark owners as there are still no proper rights protection mechanisms in this proposal.

We refer to our previous letters regarding the Draft Applicant Guidebook and the IRT.

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ICANN’s stated objectives of the work on the new gTLDs do not seem to be achieved.

However, using those domains, domain-name holders are interested in registering multiple of them to prevent other parties from using them. That trademark holders are interested in preventing other parties from using their brands follows from the observation that in many cases, it is not clear exactly which domains clearly state (p. 74) that "[h]ere is value in giving trademark holders the ability to block the use of trademarked names beyond a single TLD." This is even more clear when the alternative TLDs and the domains names are only blocked for a short period of time. The Uniform Rapid Suspension (URS) in the proposed final version is thus much weaker than the UDRP and the domains names are only blocked for a short period of time. There is no explanation for this difference which means that all TLDs and most national European trademarks are excluded from the Uniform Service.

The Globally Protected Marks List is not part of the proposed final version which is

most national European trademarks are excluded from the URS.

condemning a so-called substitute review of examination meaning that all CTMs and the LRS is apparently only available to owners of trademarks registered in countries where the examination process is not conducted as a compulsory, and the burden of proof is on the trademark owner to prove that the registrant has no legitimate interest in the domain name. Furthermore, there is no longer any real value, or even a fee for paper mechanism which would be essential in a URS of any real value, or even a fee for a supplementary list of the LRS. There is no loser.

The Uniform Rapid Suspension (URS) in the proposed final version is thus much weaker than the UDRP and the domains names are only blocked for a short period of time. There is no explanation for this difference which means that all TLDs and most national European trademarks are excluded from the Uniform Service.
We urge ICANN to consider these questions and come up with solutions to all the over-arching issues before any new gTLDs are released.

Regarding operational change occurrs over time as the costs they would impose on different members of the Internet community? How likely effectiveness in achieving the primary objectives of the gTLD and

Best Regards

[Signature]

Intellectual Property Specialist

Ado Baniile

Arla Foods Amba

11 January 2014

Corporate Marketing & Sales