

Trademark Clearinghouse

- What percentage of your marks did you record in the Clearinghouse? What factors did you take into consideration in making this decision and which was the most important factor?

Whether the trademarks are important to client or not. Only the most important ones were registered.

- What were the challenges, if any, in terms of satisfying the requirements for trademark inclusion into the Clearinghouse?

Cost.

- What changes might make the trademark verification process more effective?

The proof of use is a rather formal requirement. It should be waived. Besides, in the European Union no proof of use must be given within the first 5 years after registration so that this system is not in accordance with European trademark law.

- Did you encounter any issues with updating Clearinghouse records, and if so what would improve this?

N/A

- If you have submitted proof of use, what challenges have you encountered, if any, in terms of satisfying the proof of use requirements?

Mainly technical problems.

- What changes might make the proof of use verification process more effective?

Skip it.

- If you are a trademark holder, have you had any concerns about distribution and misuse of your data in the Trademark Clearinghouse? Have you identified any issues in this respect? Do the Clearinghouse benefits outweigh the concerns about distribution of data?

N/A

- Do you think Trademark Clearinghouse has been effective in restricting eligibility to the trademarks of legitimate trademark holders? Have you detected any gaming of the Clearinghouse verification process? If so, could this be prevented by modification to the verification standards?

N/A

- What, if any, other changes to the Clearinghouse would improve its effectiveness and increase your use of it?

Skipping of proof of use.

Sunrise Period

- Have you made Sunrise registrations of domain names? What factors did you take into consideration in deciding whether to do so and which was the most important factor?

Mainly cost related.

- What were the challenges, if any, in terms of registering a domain name during the Sunrise period?

- What changes might make Sunrise processes more effective?

- Did having a set of minimum requirements across the Sunrise Periods of different TLDs (i.e. having a valid Trademark Clearinghouse record with verified proof of use; having a minimum sunrise duration, minimum measures to give notice before name allocation began) provide for increased efficiencies in registration processes? Were there advantages or disadvantages for a rights owner?

- How effective is the Sunrise period for protecting intellectual property rights?

N/A

- Were there instances where you could not register a name during Sunrise due the the name having been reserved by the registry? Were there instances where a name which was reserved during the Sunrise was subsequently released by the registry after the Sunrise had ended and what happened? If you are able to, please give actual examples.

- Do you feel that the registry discretion to reserve names from registration is too wide? Are there additional considerations which should be applied when registries reserve names?

- Were there instances where a name that you wanted to register during Sunrise had been designated a Premium name by the registry? What impact did this have on the pricing and on your decision whether to register during Sunrise? If you are able to, please give actual examples.

N/A

- Do you feel that the registry discretion to designate Premium names is too wide? Are there additional considerations which should be applied when registries do so?

N/A

- Did you use a Sunrise Dispute Resolution Process (SDRP) to challenge a Sunrise registration? If so, how useful was the SDRP in resolving disputes?

N/A

Trademark Claims

- Have you received a notice of registration of a domain name matching your/your client's trademark? If so, how clear was this notice? Is there any other information that should be included in this notice? Did this notice help trademark holders decide on next steps?

Was satisfactory.

- Have you received a notice warning you about an existing trademark matching the domain name you have sought to register? If so, what has been your/your client's response to the notice? Was this notice an effective form of communication?

N/A

- Did you encounter cases where the notice was not received in a timely manner?

N/A

- It is possible to record up to 50 previously-abused names against the trademark record on the Trademark Clearinghouse. Have you recorded any previously abused labels? If so, how effective has this been in protecting against trademark abuse and infringement? Should the standards for verification of previously abused labels be modified?

N/A

- How could the Claims service be improved?
- Have you had experience of an extended Claims services (i.e. Trademark Claims period that is longer than 90 days)? How useful are extended Claims services? What were the challenges, if any, of extended Claims services?

Uniform Rapid Suspension (URS)

- Have you encountered cybersquatting in the new gTLDs?
No.
- Have you used the URS? What were the factors you took into consideration in deciding to use the URS, and which was the most important factor? If you did not use the URS, what did you do instead?

- How effective is this service in providing a quick and low-cost process for addressing infringement?

N/A

- What were the challenges, if any, in terms of using the URS?

N/A

- Are translation and language elements of the notification processes effective?

N/A

- How could communication processes be improved among URS providers, registry operators, registrars, and registrants?

N/A

- What might make the URS more effective?

Registry-specific RPMs

- Did you make use of other registry-specific RPMs, such as the Domains Protected Marks Lists (DPMLs) offered individually by some registry operators such as Donuts and Rightside? Please identify which.

N/A

- What were the advantages of these registry-specific RPMs?

N/A

- What were the challenges, if any, in using any of these registry-specific RPMs?

N/A

- What changes might make these registry-specific RPMs more effective?

N/A