

Instructions:

This table was built to assist the Sunrise Data Review Sub Team in its analysis as to whether, and how, the previously collected Sunrise data (between December 2016 and March 2018) answer each of the final agreed Charter questions.

- In the **Sunrise Tab** of the [analysis tool](#), Staff have included excerpts, as well as the relevant page/slide reference, from the previously collected data that staff believe may assist in answering the final agreed Charter questions. Summaries of the excerpts are included in Column B.
- The excerpts cited by Staff are nonexclusive; Sub Team members are welcome to download and reference the actual documents, linked from the **Source Tab**, to cite relevant information that may help answer the final agreed Charter questions.
- When providing input, please note the source name and page/slide number of the previously collected data.

Sunrise Charter Question 12:

(a) Should Sunrise Registrations have priority over other registrations under specialized gTLDs?

(b) Should there be a different rule for some registries, such as certain types of specialized gTLDs (e.g. community or geo TLDs), based on their published registration/eligibility policies? Examples include POLICE.PARIS and POLICE.NYC for geo-TLDs, and WINDOWS.CONSTRUCTION for specialized gTLDs

Sub Team Member Name	Do the previously collected data help answer this Sunrise Charter Question?	If yes, which sub question(s) do the survey results assist?	How do the data assist (e.g. "Information X in document Y demonstrate Z")?	Source Name & Page/Slide Reference
George Kirikos	Yes	a-b	<p>On page 5 of section 2.1.1 of the Deloitte TMCH Report, March 2013 - February 2017, it shows there were only 127 verified TMs for all of Russia. This reinforces what Maxim has been saying about the potential need for changes to account for local lack of use of the TMCH.</p> <p>According to page 7 of the Analysis Group report, 97% of recordals are Latin script, and also there are only 1700 users, with USA dominating (both of these might impact geoGTLDs outside the USA and IDN gTLDs).</p>	<p>Deloitte TMCH Report, March 2013 - February 2017, 2.1.1 (page 5)</p> <p>AG report p. 7</p>

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KKleiman	Yes	A and b	<p>Deloitte’s detailed responses show acceptance of a wide range of data never anticipated in the TMCH rules passed by the Council and the Board. Named the “Trademark Clearinghouse” on purpose, it was designed for acceptance of federally registered marks, with a few exceptions (such as court-validated common law marks). Now, however, we see in Question 7 and 6 we see that Deloitte has gone much further -- seeming on its own authority -- to include geographical indications, protected designations of origin, and protected appellations of of origin, although not trademarks, although widely disputed as trademarks in international negotiations. Ditto for extraction of words and letters of design marks in Question 6. One way to deal with the overbreadth is to create a different rule for some registries, including specialized gTLDs, .eg., Community or GEOs, and (a) allow the specialized gTLD the choice of whether to have a traditional sunrise or some other appropriate limited registration period, (b) limit sunrise period to only those TMCH registrations applicable to the appropriate Geographical area, Community, or restricted gTLD category (e.g., future .BANKS, .CONSTRUCTIONS and .ATTORNEYS).</p> <p>What the Deloitte answers assure is that in a future .CALIFORNIA, the European Geographical Indications for wine, including burgundy and champagne, will be protected over the local brands, absent changes to our Sunrise rules. This would shock the Californian wine growers if they knew.</p>	Follow-up questions from Deloitte (5 March 2017), Ques 6 and 7

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Griffin Barnett	Yes		Deloitte Response: - Upon request of the community, the SMD-file was designed in such a way that the Registry Operator had at all times the necessary information to limit registration by goods and services themselves. As such the TMCH has not been involved in the management or decisions in relation to any restrictions implemented by the Registry Operator. RO Responses: Have you used the TMCH option to limit registrations by goods and services in a particular registration period? PIR: No. DONUTS: No. AFNIC: No.	Listed in Prior Column
David McAuley	Probably not so much		But see second comment at top of page 66 (on geo TLDs) (Appendix I) with respect to question 12(b). (This a comment by 'a registry').	
Sub Team Discussions			<ul style="list-style-type: none"> George K: Page 7 of AG report and 97% of Latin script users 	
David McAuley	No		Referring to INTA Survey	
David McAuley	No		Referring to Staff compiled sunrise launch metrics, TLD startup information, and DT transcript w Jon N.	

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