Housekeeping

• Please MUTE your phone *6
• Please log into Adobe Connect for each call where possible
  – Raise hand via the User Icon
• All participants should declare their interests when participating
  – Potential bidders should make this explicit
• Follow-up will occur via e-mail outside the call
• Participants can use the distribution list for discussion
Agenda

(5 min) Review 30 Nov 2011 Meeting Highlights

(30 min) Review Comments Received for P3
  • Recommendations Received
  • Clarifying Questions and Discussion Period

(30 min) Review Comments Received for P5
  • Recommendations Received
  • Clarifying Questions and Discussion Period

(20 min) Introduce New Issue P4

(5 min) Wrap-Up
30 Nov 2011 Highlights

• Summarized the consensus views P1, P2
• On the call the issue of a code per markholder vs. per mark was raised.
• For P1, discussion on the use of a code per mark or markholder.
• For P2, capability to have both real-time and time-shifted processing
• Review P3, P5 and called for written recommendations
P3 – Responsibility for Trademark Holder Registration Notice

• Written comments and recommendations
  – Majority view: TMCH is most appropriate to send claims notices to markholders.
  – Minority view: Registrar is better to send claims notices.
  – Standardizing notice text, subject lines, etc. will increase probability they will go through, not only for markholder notices but also potential registrant notices.
  – Many expressed concern about the distribution of clearinghouse data, citing the potential for misuse/abuse (T1/T2)
P3 – Responsibility for Trademark Holder Registration Notice

• Clarifying Questions
  – “Is service active or passive" - should TMCH monitor and notify based on inquiries about a mark, or only trigger notification based on domain name registration?

• Discussion Period
  – What are the scenarios for misuse and/or abuse of clearinghouse data that are not possible through other commercial or public sources today?
  – What information should be contained in the markholder notice?
P5 - Responsibility to Perform Trademark Claims Checks

• Written comments and recommendations
  – Very strong majority view Registrar is the most appropriate place to check for claims
  – This view is justified by enhancing speed of process, limiting distribution of data to unnecessary parties.

• Discussion Period
  – Are there any other comments or views that need to be discussed on this topic?
Next Issues

• **P4 – Community Audit/Logging/Compliance Requirements**
  – What are the community requirements for retention, publication, and disclosure of clearinghouse information, including audit and logging trails?

• **Discussion Period**
  – What are the important events for the TMCH to capture and report on to ensure compliance with applicable laws and regulations?
  – What does the community want to learn about IP protection through the use of audits and logging trails?
Wrap-Up

• There will be a final comment period for recommendations on P3 & P5 closing 28 Dec
  – Please don’t resubmit prior comments; only send new recommendations

• Comments on P4 are due 11 Jan (23:59 UTC 10 Jan)
  – TMCH Implementation Issues document discusses each issue and the alternatives in more detail