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 16 Dec 2011 Meeting Highlights

(20 min) Review Comments Received for P4
  • Recommendations Received
  • Clarifying Questions and Discussion Period

(30 min) Introduce New Issues N2, N3
  • Discussion Period

( 5 min) Wrap-Up
16 Dec 2011 Highlights

• Summarized the consensus views P3, P5
  – Majority view TMCH is most appropriate to send claims notices to markholders.
  – Standardizing notice text, subject lines, etc will increase probability they will go through, not only for markholder notices but also potential registrant notices.
  – Very strong majority view Registrar is the most appropriate place to check for claims

• The comment period for P3, P5 is now closed
P4 – Audit, Logging, and Compliance

• Written comments and recommendations
  – Focus on the TMCH's role as "fact checker" -- any exercise of discretion is likely to be problematic
  – Procedures need to be established in sufficient detail so as to avoid the exercise of discretion
  – Logging and audit trails should focus on collection and documentation of facts to achieve reproducibility and traceability (transparency and accountability)
  – Metrics should measure the lag time from registration to protection
  – Logs and data should be kept long enough to meet the appropriate statute of limitations

• Discussion Period
  – What community, legal or regulatory compliance considerations should the TMCH be considering when designing reporting metrics?
  – What process step(s) could be measured to provide insight into the performance of the clearinghouse service and its value to the community?
New Issues

• **N1 – Rights Verification**
  – What should constitute adequate supporting information for authentication of trademark data?

• **N2 – Proof of Use**
  – What requirements should be in place for validating proof of use?
    • Two components contemplated: Signed declaration and specimen of current use
Wrap-Up

• There will be a final comment period for recommendations on P4 closing 20 Jan
  – Please don’t resubmit prior comments; only send new recommendations

• Comments on N2, N3 are due 25 Jan (23:59 UTC 24 Jan)
  – A new TMCH Implementation Issues document for N2 and N3 will be circulated prior to 1/18