

**Discussion of Remaining Open TMCH Charter Questions
10 April 2017**

As of 10 April 2017, the questions below are those that are still open as part of the initial TMCH review. All other questions have either been deferred for further review following the Working Group’s discussion of Sunrise and Claims Notifications, or agreed as not requiring further discussion at this time. For details on these other questions, please refer to the [“TMCH Next Steps Table – updated 30 March 2017”](#) on the following wiki page: <https://community.icann.org/x/Jb-RAw>.

TMCH Charter Questions	Proposal	WG Discussion/Decision
TMCH Category 3: Breadth & Reach (Scope)		
7. How are design marks currently handled by the TMCH provider?	<p>1. In the interest of the fairness and balance sought by the original GNSO Council and Board-adopted recommendations and hopefully by this Working Group as well, the Working Group should require that Deloitte (and any future providers of TMCH verification services) accept only trademarks registered as “word marks” per se into the TMCH database – not words, characters and numbers extracted from design marks, transformative, figurative marks and other trademarks from amidst with patterns, logos, special lettering, colors and/or other design, pattern and lettering aspects and features.</p> <p>2. Timing [Note: this is a proposal for the WG]: In fairness to the current registrants of such marks, the Working Group recommends that current registration continue in the TMCH Database for a period of no longer than a year – to be canceled during the normal review of TMCH registrations which we understand Deloitte conducts on an annual basis.</p>	

	3. We urge Deloitte to bring to the Working Group any questions regarding this policy so that the Working Group can facilitate a discussion of rules consistent with this recommendation.	
8. How are geographical indications, protected designations of origin, and protected appellations of origin currently handled by the TMCH provider?		
10. Should the TMCH matching rules be retained, modified, or expanded, e.g. to include plurals, 'marks contained' or 'mark+keyword', and/or common typos of a mark?		
TMCH Category 5: Access & Accessibility		
15. What concerns are being raised about the TMCH Database being confidential, what are the reasons for having/keeping the TMCH Database private, and should the TMCH Database remain confidential or become open?		