Michelle DeSmyter: Welcome to the Review of all Rights Protection Mechanisms (RPMs) Sub Team for Sub Team for Trademark Claims on Friday, 09 June 2017 at 16:00 UTC.

Kristine Dorrain - Amazon Registry Services:Is this slide new? I like it.

Kristine Dorrain - Amazon Registry Services:Or maybe I just never join on time.... :)

Michelle DeSmyter:It is! :)

Greg Shatan:More broadly, to Rebecca's point, any survey should be designed to be as "valid" as possible.

Rebecca Tushnet:I think that kind of thing is what a good internet panel from an existing survey company can do: ID registrants not at the stage of actually registering

Kristine Dorrain - Amazon Registry Services:I agree

Rebecca Tushnet:yes

J. Scott:agree

Kathy:yes

Greg Shatan:Agree. SurveyCo needs a "client."

Rebecca Tushnet:Kathy asked my question

Amr Elsadr:Done.

Greg Shatan:We should see if putting the notice in Comic Sans has any effect.

Greg Shatan:Sounds like a Supergroup!

Kristine Dorrain - Amazon Registry Services:STRAW PROPOSAL FOR Q4 REWRITE: Should the marks in the TMCH be used to generate non-exact matches for the purpose of providing a broader range of claims notices? If so, how? And how should the claims notices be written?

Greg Shatan:I didn't think it was the role of the subgroup to answer the first question, as drafted.

Amr Elsadr:The Sub Team may need an additional call to get this work done.

Amr Elsadr:The proposals are ready to be loaded in the AC room, if folks would like to take a look.

Amr Elsadr:If I recall correctly, question 4 was initially drafted assuming that non-exact matches would either be included in the TMCH, or may generate Claims Notices. Additional questions may be required for the full WG to address the three proposals.

Greg Shatan:QUESTION: In order to assist the WG in analyzing the proposal for non-exact matches, the following data would be helpful:

Greg Shatan:That's all I've got for the moment. More to show the approach than anything else.

Greg Shatan:Populating the list is a separate task.

Rebecca Tushnet:Is it really a charter question at this point?

Kathy:In light of the evidence of the TM Claims gathered in

Questions 1-3 above, how extensive is the need for non-exact matches? What is the proof of harm under the existing system? What unintended consequences might non-exact matches have? What is the appropriate balance going forward? a.   If non-exact matches are not adopted, then no further action is necessary.b.   If non-exact matches of some form are adopted, should the marks in the TMCH be used to generate non-exact matches for the purpose of providing a broader range of claims notices? If so, how should the claims notices be written?

  Philip Corwin:To amplify the point I made verbally, "Google" consists of three letters in the center horizontal row of a Qwerty keyboard (G x2, L) and three letters in the top row (Ox2, E). The first three have 6 possible far finger variations, while the latter three have 4. So that totals 30 potential fat finger variations of Google that could generate claims notices (or at least registration notices to the TM holder) if we adopt that suggested non-exact match. Neither Greg or anyone else has suggested that those 30 typo-varations should go into the TMCH database; rather, as I understand it, they would exist in a second database and all attempted domain registrations would be tested against both the TMCH and that second database.

  Philip Corwin:As to whether or not 30 additional variations that could generate a Claims Notice is a "dramatic" increase, that is a subjective judgment on which opinions may differ ;-)

  Greg Shatan:How many of those variations are likely to be applied for?

  Amr Elsadr:Following up on Kathy's proposed question, would the Sub Team like to draft questions that address each of the variations listed in the proposals + data requirements? Is that necessary?

  Rebecca Tushnet:In terms of Phil's comment, maybe this shows the importance of breaking out the data on each proposed addition: are fat finger typos a significant problem v. true negatives, etc.

  Rebecca Tushnet:So Kathy's proposal, applied to each type of change

  Amr Elsadr:Apologies. Was dropped off the call.

  Philip Corwin:@Greg--I have no idea how many of those potential variations would be regarded as useful by a prospective cybersquatter

  Kathy:+1 Kristine

  Kathy:That's exactly it.

  Greg Shatan:A cybersquatter might find them all useful, as fat-finger typos. The question is how many of these variations are likely to be applied for by an applicant with a legitimate purpose.

Kathy:To clarify for chat, as Kristine in the discussion, the following is a proposal for Questions 4: In light of the evidence of the TM Claims gathered in Questions 1-3 above, how extensive is the need for non-exact matches? What is the proof of harm under the existing system? What unintended consequences might non-exact matches have? What is the appropriate balance going forward? a.   If non-exact matches are not adopted, then no further action is necessary.b.   If non-exact matches of some form are adopted, should the marks in the TMCH be used to generate non-exact matches for the purpose of providing a broader range of claims notices? If so, how should the claims notices be written?

Amr Elsadr:Back on the call now. Apologies.

Amr Elsadr:Will listen to the recording to see what I missed.

Philip Corwin:@Greg--I don't know. We'd have to run each variation and guess which might be the basis for a legitimate registration.

Philip Corwin:But are intentional cybersquatters deterred by recipt of a claims notice?

Kathy:Tx for a great call!!

Philip Corwin:Especially for 49 cent domains?

Louise Marie Hurel:Thanks all!

Philip Corwin:Bye all