

LIST OF REFINED CHARTER QUESTIONS ON TRADEMARK CLAIMS
Proposed by the Trademark Claims Sub Team – 26 May 2017

	Original Charter Questions	Updated Question	WG Discussion/Updates
1.	<p>Does a Trademark Claims¹ period create a potential “chilling effect” on genuine registrations, and, if so, how should this be addressed?</p> <p>What is the effect of the 90-day Trademark Claims process?</p> <p>Should the Trademark Claims period be extended beyond ninety (90) days?</p>	<p>1. Is the Trademark Claims service having its intended effect, specifically:</p> <ul style="list-style-type: none"> a. Is the Trademark Claims service having its intended effect of deterring bad-faith registrations and providing notice to potential registrants? b. Is the Trademark Claims service having any unintended consequences, such as deterring good-faith registrations? 	
2.	<p>Should the Trademark Claims period continue to apply to all new gTLDs?</p>	<p>2. If the answers to 1.a. is “no”, or 1.b. is “yes”, or if it could be better: What about the Trademark Claims service should be adjusted, added or eliminated in order for it to have its intended effect?</p> <ul style="list-style-type: none"> a. Should the Claims period be extended - if so, how long (up to permanently)? b. Should the Claims period be shortened? c. Should the Claims period be mandatory? d. Should any TLDs be exempt from the Claims RPM and if so, which ones and 	

¹ The Sub Team agrees that, as used in this list of Charter questions, the phrase “Trademark Claims” covers both the pre-registration Claims Notice that is sent to a prospective registrant who is attempting to register a domain name that matches a trademark label in the TMCH, and the post-registration Notice of Registered Name that is sent to the relevant rights-holder when the registrant proceeds to complete the registration.

		why?	
		<p>3. Does the Trademark Claims Notice to users meet its intended purpose?</p> <ul style="list-style-type: none"> a. If not, is it intimidating, hard to understand, or otherwise inadequate? <ul style="list-style-type: none"> i. If inadequate, how can it be improved? b. Does it inform potential registrants of the scope and limitations of trademark holders' rights? <ul style="list-style-type: none"> i. If not, how can it be improved? c. Are translations of the Trademark Claims Notice effective in informing potential registrants of the scope and limitation of trademark holders' rights? 	
		<p>4. If the Review of all RPMs in all gTLDs PDP determines that non-exact matches of trademarks should be allowed inclusion in the TMCH, should the TM Claims Notice be changed, and if so, how?</p>	
		<p>5. Should the Trademark Claims period continue to be uniform for all types of gTLDs in subsequent rounds?</p>	