

AC Attendance:

Brian Beckham
David McAuley
Griffin Barnett
John McElwaine
Paul Tattersfield
Philip Corwin
Renee Fossen (Forum)
Zak Muscovitch

On Audio Only: none

Apologies: Kathy Kleiman

Staff: Andrea Glandon, Berry Cobb, Mary Wong, Nathalie Peregrine, Julie Bisland

AC Chat:

Nathalie Peregrine:Dear all, welcome to the call for the RPM Sub Team for URS Documents on Wednesday, 18 July 2018 at 17:00 UTC

Nathalie Peregrine:Agenda wiki page: https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_jYxHBQ&d=DwlCaQ&c=FmY1u3PjP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QIF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=K2dkAGwhoafaNAnC9aewKP1J_H_E-6D4fOi9CgphLx4&s=0TCR6JVfGlvb-BH0rWSp81envMvfuB2eMFQ611Cbntk&e=

Zak Muscovitch:I have joined by telephone as well.

Zak Muscovitch:That's me @416

David McAuley:I am #5498

Philip Corwin:Hello all

Paul Tattersfield:Hello everyone

David McAuley:not really

Renee Fossen (Forum):I'm #6400

Nathalie Peregrine:thanks, noted.

Griffin Barnett:Apologies for joining a few minutes late

David McAuley:That's better, Brian

John McElwaine:Sounds good

David McAuley:Agree with john, sounds good

David McAuley:John, that is

David McAuley:did anyone else lose audio

Mary Wong:@David, no - AC audio is still working for me

David McAuley:ok - will chjeck, Berry cut out for me after a moment

David McAuley:i better redial in

Mary Wong:Berry is going to share his screen

David McAuley:bck in with audio restored

Julie Bisland:thank you, David

John McElwaine:Yes

David McAuley:I think so

David McAuley:when it comes to comments, i will have a few on appeals

Berry Cobb:Can't raise my hand. Would like to expand on this section.

Mary Wong:@John, @Brian, all - is there a more fundamental question here as to whether or not it should be within scope for URS review to consider whether the marks that are the subject of the URS complaint are descriptive, fanciful, etc.?

John McElwaine:I would remove that bullet from the Document

David McAuley:I thought it also went to registered mark, treaty mark, court recognized mark

Mary Wong:Put another way - does the data on types of marks reveal any problems or need to amend/clarify the standing requirement?

David McAuley:agree with Brian - it went to standing as I recall

Griffin Barnett:I support that approach

John McElwaine:+1

Berry Cobb:Let me know if its difficult to see my screen.

David McAuley:It is hard for me to read, Berry. I am toggling between adobe and the document emailed

John McElwaine:I dont see anything on that page relevant to standing

Mary Wong:@Berry, font is kinda small and hard to read

Mary Wong:Thanks! :)

Berry Cobb:Hand raised

Berry Cobb:I think you'd need the private key from the TMCH to decode the hash.

Mary Wong:@John, you're not talking about the human-readable part of the SMD file, right, just the "coded" portion?

Zak Muscovitch:@brian, I agree with that approach re smd

Mary Wong:Yes - that part

Berry Cobb:I think it was to better understand the Class of goods/use

Mary Wong:@John - right, it's not clear whether the potential problem relates to what information is in the human readable vs coded parts of the SMD file, the use of the SMD file per se, or some other issue.

John McElwaine:But is that data not required as part of the URS complaint?

Zak Muscovitch:@john yes we also need to precisely understand what all the associated issues are with the smd vis a vis the URS, if any

Mary Wong:@John, you're right, it's required - trademark plus class of goods/services plus evidence of use, which can be via the SMD file

Griffin Barnett:To me it's not necessarily that the time frames were too long or too short, per se, but more about the issue of possible overlapping/duplicative mechanisms for reviewing/appealing/reopening

Berry Cobb:De nove Review w/in 6 months of default; vs. Appeals based on decision

Griffin Barnett:Just fyi I have to drop off the call at the top of the hour

Julie Bisland:thank you, Griffin

Griffin Barnett:Need to drop, but thanks Berry, bBian, and all

Griffin Barnett:*Brian

Renee Fossen (Forum):Forum did supplement with more information on the 637 in Panama

Mary Wong:@Brian, correct

David McAuley:i like the latter - just note it for now

David McAuley:seems unlikely to be a basis for any sound conclusion

Renee Fossen (Forum):I have to drop in a minute. Thanks everyone.

Julie Bisland:thank you, Renee

David McAuley:Thanks Renee

David McAuley:hand up

David McAuley:agree with Phil - we should maintain clear distinction from udrp

Philip Corwin:Guidance to examiners would be fine. Changing it could be problematic in my personal view.

David McAuley:what page is that on display, anyone know?

David McAuley:oh i see - table 11

David McAuley:Berry, could you tee up what that deeper dive is in an email?

Mary Wong:@Brian, staff can clean up the table and provide some bullet points or additional points for your and the sub team's consideration before next week, if that helps

Berry Cobb:yes, and will provide the case #s for peeps to peer into the cases.

Zak Muscovitch:That would be great, Berry. I will try to take a look as well.

David McAuley:I can help if we can divide up - am still working on de novo appeals as well

David McAuley:sounds good Brian, thanks

Zak Muscovitch:Thanks Brian, Berry and Mary

Paul Tattersfield:thanks Brian, all

Philip Corwin:Good call