

At-Large Independent Review of Trademark Clearinghouse Services Draft Report Workspace

Comment Close Date	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
2016/09/03	Independent Review of Trademark Clearinghouse Services Draft Report	No Statement	n/a	n/a	n/a	n/a	n/a	n/a	Antionietta Mangiacotti antionietta.mangiacotti@icann.org	n/a

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Brief Overview

Purpose: The draft report of the Independent Review of the Trademark Clearinghouse (TMCH) assesses the effectiveness of TMCH services and identifies considerations for future application rounds of the New gTLD Program.

Current Status: The draft report of the Independent Review of the Trademark Clearinghouse is open for public comment. This report considers the effectiveness of key areas related to the TMCH in meeting its intended objectives.

Next Steps: ICANN will review and analyze the comments received during this period. The paper will be updated based on the feedback received and will be provided to the Governmental Advisory Committee (GAC) for review and consideration. The input received on the report will help inform various reviews and activities within ICANN.

Section I: Description, Explanation, and Purpose

This paper is intended to assess the TMCH services in meeting their intended objectives. Specifically, this report analyzes TMCH and third-party data sources, as well as interviews and surveys of TMCH stakeholders, in order to understand the effectiveness of the matching criteria, the Trademark Claims service and the Sunrise period. The purpose of this study is to identify considerations for future application rounds of the New gTLD Program and to inform various reviews and activities within ICANN.

Section II: Background

The TMCH was established by ICANN in March 2013 and serves as central repository for information to be authenticated, stored, and disseminated, pertaining to the rights of trademark holders in ICANN's New gTLD Program. This review, which began in Q1-2016, is based on the GAC [recommendation](#) [PDF, 110 KB] in May 2011 for a comprehensive post-launch independent review of the TMCH to be conducted one year after the launch of the 75th new gTLD in the round.

Specifically, ICANN committed to review the processes pertaining to the TMCH in conjunction with the specified areas for review proposed by the GAC. The GAC advised that the review should include an examination of whether the matching criteria could be expanded to include non-exact matches and the effect of extending the Claims Service period. This paper, as updated to incorporate feedback received during the public comment period, is intended to inform related reviews within ICANN and will be provided to the GAC for consideration.

Section III: Relevant Resources

[Independent Review of Trademark Clearinghouse \(TMCH\) Services Draft Report](#) [PDF, 1.15 MB]

Section IV: Additional Information

- [Trademark Clearinghouse Independent Review page](#)
- [The Trademark Clearinghouse](#)
- [The Trademark Clearinghouse Guidelines](#) [PDF, 2.24 MB]
- [GAC Advice regarding Independent Review of Trademark Clearinghouse](#) [PDF, 110 KB]
- [Explanatory Memo: Implementing the Matching Rules](#) [PDF, 194 KB]
- [Implementation Recommendation Team Final Report on Trademark Protection in New gTLDs](#) [PDF, 299 KB]
- [New gTLD Trademark Clearinghouse Sunrise and Trademark Claims Processes - Summary of Input from the Implementation Assistance Group](#) [PDF, 591 KB]
- [Special Trademark Issues Review Team Recommendations](#) [PDF, 403 KB]
- [Affirmation of Commitments](#)
- [RPM Requirements](#) [PDF, 386 KB]
- [Revised Staff Report: Rights Protection Mechanisms Review](#) [PDF, 2.5 MB]

Section V: Reports

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FINAL VERSION TO BE SUBMITTED IF RATIFIED

The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.

FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.

FIRST DRAFT SUBMITTED

The first draft submitted will be placed here before the call for comments begins.