

## Proposed Question 4 by Greg Shatan – 16 June

4. Does the exact match criteria for Trademark Claims Notices limit its usefulness?
  - a. What is the evidence of harm under the existing system?
    - i. Are there studies, reports or articles discussing the harm of typosquatting and other forms of non-exact-match cybersquatting?
    - ii. What is the actual experience of brandowners?
    - iii. What is the link between non-exact-match cybersquatting and phishing, malware distribution, botnets, counterfeiting, and other related harms?
    - iv. What information can be gleaned from UDRP/URS studies? What are the limitations of relying on UDRP/URS studies
    - v. What other sources of information should be used to explore the level of harm?
      - b. Should the matching criteria for Notices be expanded?
        - i. If so, how (which criteria) and why?
  - A. Review each suggested non-exact match
    - ii. What results (including unintended consequences) might each suggested form of expansion of matching criteria have?
      - iii. What balance should be adhered to in striving to deter bad-faith registrations but not good-faith registrations?
  - c. What is the feasibility of each form of expanded matches?
    - i. Should the marks in the TMCH be the basis for an expansion of matches for the purpose of providing a broader range of claims notices?
    - ii. Who should be tasked to implement a solution for a expansion of matches?
    - iii. What are the anticipated costs of implementing a solution for a expansion of matches?
  - A. Who should bear these costs?
    - d. If an expansion of matches solution were to be implemented:
      - i. Should the existing TM Claims Notice be amended? If so, how?
      - ii. Should users pay a fee to use it?
      - iii. Should the Claim period differ for exact matches versus non-exact matches?