

Instructions:

This table was built to assist the Trademark Claims Data Review Sub Team in its analysis as to whether, and how, the previously collected Trademark Claims data (between December 2016 and March 2018) answer each of the final agreed Charter questions.

- In the **Trademark Claims Tab** of the [analysis tool](#), Staff have included excerpts, as well as the relevant page/slide reference, from the previously collected data that staff believe may assist in answering the final agreed Charter questions. Summaries of the excerpts are included in Column B.
- The excerpts cited by Staff are nonexclusive; Sub Team members are welcome to download and reference the actual documents, linked from the **Source Tab**, to cite relevant information that may help answer the final agreed Charter questions.
- When providing input, please note the source name and page/slide number of the previously collected data.

Claims Charter Question 4:

Is the exact match requirement for Trademark Claims serving the intended purposes of the Trademark Claims RPM? In conducting this analysis, recall that IDNs and Latin-based words with accents and umlauts are currently not serviced or recognized by many registries.

(a) What is the evidence of harm under the existing system?

(b) Should the matching criteria for Notices be expanded?

(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) 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 domain name applications?

(iv) What is the resulting list of non-exact match criteria recommended by the WG, if any?

(c) What is the feasibility of implementation for each form of expanded matches?

(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 the Claim period differ for exact matches versus non-exact matches?

Sub Team Member Name	Do the previously collected data help answer this Claims Charter Question?	If yes, which sub question(s) do the survey results assist?	How do the data assist (e.g. "Information X in document Y demonstrate Z")?	Source Name & Page/Slide Reference
----------------------	--	---	--	------------------------------------

Claims Charter Question 4:

Is the exact match requirement for Trademark Claims serving the intended purposes of the Trademark Claims RPM? In conducting this analysis, recall that IDNs and Latin-based words with accents and umlauts are currently not serviced or recognized by many registries.

- (a) What is the evidence of harm under the existing system?
- (b) Should the matching criteria for Notices be expanded?
- (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) 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 domain name applications?
- (iv) What is the resulting list of non-exact match criteria recommended by the WG, if any?
- (c) What is the feasibility of implementation for each form of expanded matches?
- (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 the Claim period differ for exact matches versus non-exact matches?

George Kirikos	Yes	b(i)	<p>Section 2.3.1 of the Deloitte TMCH Report (March 2013 - February 2017) stated there were 209 cases of abused labels, with 375 abused labels in total, compared to 38,172 successfully verified records. This would suggest limited current usage of “expanded match” via those abused labels. (™+50). Same stats in answer to Q16 of January 2017 document.</p> <p>According to sections 2.1.1 and 2.1.2, there were 28,549 total verified trademark records, and 57,393 total number of domain names/labels derived from those trademark records, imply that there is already a “doubling” (expansion) of the matches, compared to a strict 1:1 ratio.</p>	<p>Deloitte TMCH Report, March 2013 - February 2017, point 2.3.1, 2.2.1.2, 2.1.1, 2.1.2</p> <p>January 2017 Deloitte responses to initial questions from TMCH Data Gathering Sub Team, Q16</p>

