# T1

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| --- | --- | --- |
| Approach | Advantages | Disadvantages |
|  **Locate data at clearinghouse only with multiple channels**Locating the data in a centralized authoritative source for trademarks is consistent with the model used for domain names being centralized in a domain name registry. This model works well to address security concerns as well as availability concerns for trademark information. To support multiple clients (Domain Name Registries, Trademark Registrars, Domain Name Registrars, Trademark Registrants, and Domain Name Registrants) the TMCH needs to define multiple channels with different availability, different security policies, and different amount of data. The channels could include:1. Trademark Registrar / Registrant Channel – Provides access to provision trademarks. Security is high (e.g. ACL, 2-way SSL, authentication) for this channel.
2. Domain Name Registry Channel – Support extended extended query information and domain registration notice interface with a high level of security (e.g. ACL, 2-way SSL, authentication).
3. Public Trademark Web Channel – Available for Domain Name Registrants and Trademark Registrants to get trademark information. The Domain Name Registrar can link to the Public Trademark Web Channel to provide trademark information to the Domain Name Registrant for the claims notice. The channel would not require authentication and would not provide sensitive information similar to the whois service for domain names.
 | 1. Centralized data provides for a single authoritative source of truth.
2. Supporting multiple channels allows for flexibility in the security, availability, and data access policies.
3. Using a model that is consistent and familiar to the domain name industry.
4. The model defines clear separation of roles and responsibilities of the clients and the TMCH. The TMCH is a service with multiple types of clients.
 | 1. Multiple channels with different data policies can add cost.
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# T2

What’s essential for defining the level of Data Access required of the TMCH is the definition of the different entities / clients that need to interface with the TMCH and the level of data access required for those interfaces. Specifically, the following clients could exist:

* Trademark Registrant – At a minimum the Trademark Registrant would need access to the publically available information. If the Trademark Registrants need to directly interface with the TCMH for creating and managing trademarks than they would need a higher level of data access and data privileges. In this case the TMCH is acting as both a Trademark Registrar and a Trademark Registry, and the Trademark Registrant would require read and write access to the data that they create.
* Trademark Registrar – Intermediary for Trademark Registrants to the TMCH for the creation and the management of trademarks. The Trademark Registrar would require a secure channel to the TMCH with read and write access to data that they sponsor and could require read access to some of the data that they don’t sponsor. The benefits of the Trademark Registrar include:
	+ Follows traditional model for domain names where there is a Domain Name Registry, a Domain Name Registrar, and a Domain Name Registrant.
	+ The Domain Name Registrars could be Trademark Registrars since many of the Domain Name Registrants will also be Trademark Holders. This would simplify the sunrise process and reduce confusion for sunrise Registrants.
	+ Having the TMCH function as a B2B service with Trademark Registrars will greatly decrease it’s cost and complexity since a B2C web interface would not be required along with payment services (e.g. credit card) and the size of the system could be greatly reduced.
	+ The security requirements for write access to the data can be increased since there are a smaller number of clients (Trademark Registrars) that must follow it. Requirements like 2-way SSL, IP filtering, password complexity, lockout, and password resets could be done more easily.
* Domain Name Registrant – Follows the standard definition of a Domain Name Registrant except that during the Rights Period, the Domain Name Registrants are required to accept the Claims Notice when there is a matching Trademark. They would need access to the public Trademark information matching their domain name registration request. This could be handled via the Domain Name Registrar linking to the TMCH public lookup system or the Domain Name Registrar gathering all of the relevant information from the TMCH to present to the Domain Name Registrant.
* Domain Name Registrar – At a minimum be able to check if there is a matching trademark for a domain name registration during the Rights Period. To satisfy the Claims Notice to the Domain Name Registrant, the Domain Name Registrar would need to either directly gather the information from the TMCH to present to the Domain Name Registrant or provide a link for the Domain Name Registrant to the TMCH public lookup system to display the relevant information.
* Domain Name Registry – Requires the following from the TMCH:
	+ Validate a Trademark during the Sunrise Period.
	+ Get detailed Trademark information during the Sunrise Period to determine the outcome of one or more domain name registration requests.
	+ Ability to notify the TMCH of successfully registered domain names during the Sunrise Period and the Rights Period.

The definition of the “Data Use” types in the table provided should be updated to reflect the known clients that match the types. We also request a clarification of the definition of “Clear text” for Partner and Restricted types. The assumption is that “Clear text” means an unencrypted connection. When “Clear Text” is not available, it means that an encrypted connection is required and that the data itself is not encrypted. For all clients other than Public and Internal, the assumption is that an encrypted connection is required. The Partner type is split into separate distinct client types to reflect the different level of access.

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| --- | --- | --- | --- | --- | --- |
| Class of data | Internal | PublicDomain Name Registrant, TM Registrant with TM Registrar | Trademark Registrar  | Domain Name Registrar | Domain Name Registry |
| Trademarks - **Need to determine what Trademark attributes are needed for public access** | Yes | Yes | Yes | Yes | Yes |
| Mark Holder or Agent Contact Information | Yes | No | Yes, for entities they sponsor | No | No |
| Strings Potentially Registerable as Domain Names - **Unsure of the purpose of this** | ? | ? | ? | ? | ? |
| Domain Registrant Contact Information- **Data available in Domain Registry Whois** | No | No | No | No | No |
| Authentication and Validation History | Yes | No | No | No | No |
| Transactional Information | Yes | No | No | No | No |
| Validate Trademark | Yes | No | No | No | Yes |

# T3

Use EPP since the model for provisioning trademarks is not that much different from that of domain names. EPP could be used for the Trademark Registrar / Registrant Channel as well as the Domain Name Registry Channel. If the Domain Name Registrars have a need to directly interface with the TMCH, then EPP could be used there as well. EPP can be extended to support additional objects types like trademarks. The Registrars and Registries are familiar in implementing EPP, so it’s a natural fit. The only channel that would use something different would be for public information that functions more as a resolution service. For example, the Public Trademark Web Channel could be a web application and optionally a RESTful service to allow Registrants access to the trademark public information, so from a protocol perspective REST could be supported for it. Similarly if a Trademark Registrant directly interfaces with the TMCH without the use of a Trademark Registrar a web interface would be needed without the use of a new protocol.