

Trademark Clearinghouse Implementation Assistance Group Technical Call #4



Friday, February 10, 2012
16:00 UTC

Housekeeping

- Please MUTE your phone *6 (to un-mute, *7)
- Please log into Adobe Connect for each call where possible
 - Raise hand via the User Icon
- All participants should declare their interests when participating
 - Potential bidders should make this explicit
- Follow-up will occur via e-mail outside the call
- Participants can use the distribution list for discussion
- Reminder: this call is being recorded.

Agenda

(5 min) Introduction and Housekeeping

(40 min) T1 discussion

- Previous discussion recap
- Clarifying Questions and Discussion Period

(40 min) T3 discussion

- Previous discussion recap
- Recommendations Received
- Clarifying Questions and Discussion Period

(5 min) Wrap-Up / Next Steps

Background/Introduction

- Purpose of the group is to provide advice on key TMCH processes and high level technical implementation issues (not to design solutions).
- Goal is for ICANN to deliver a set of business requirements to the service provider(s) selected out of the TMCH RFI Process.
- The technical discussion track has allocated more time around three interrelated areas of discussion, spread across multiple calls:
 - T1: Data Locations – what business requirements will apply to the distribution of TMCH data to registries/registrars?
 - T2: Data Access – how should the TMCH classify data and what mandatory access controls should be written into the business requirements?
 - T3: Communication Protocols – what protocols should the vendor and other parties involved (e.g., registries, registrars) be required to use to implement the TMCH's core functions, and what extensions to standards are going to be required to support that functionality?

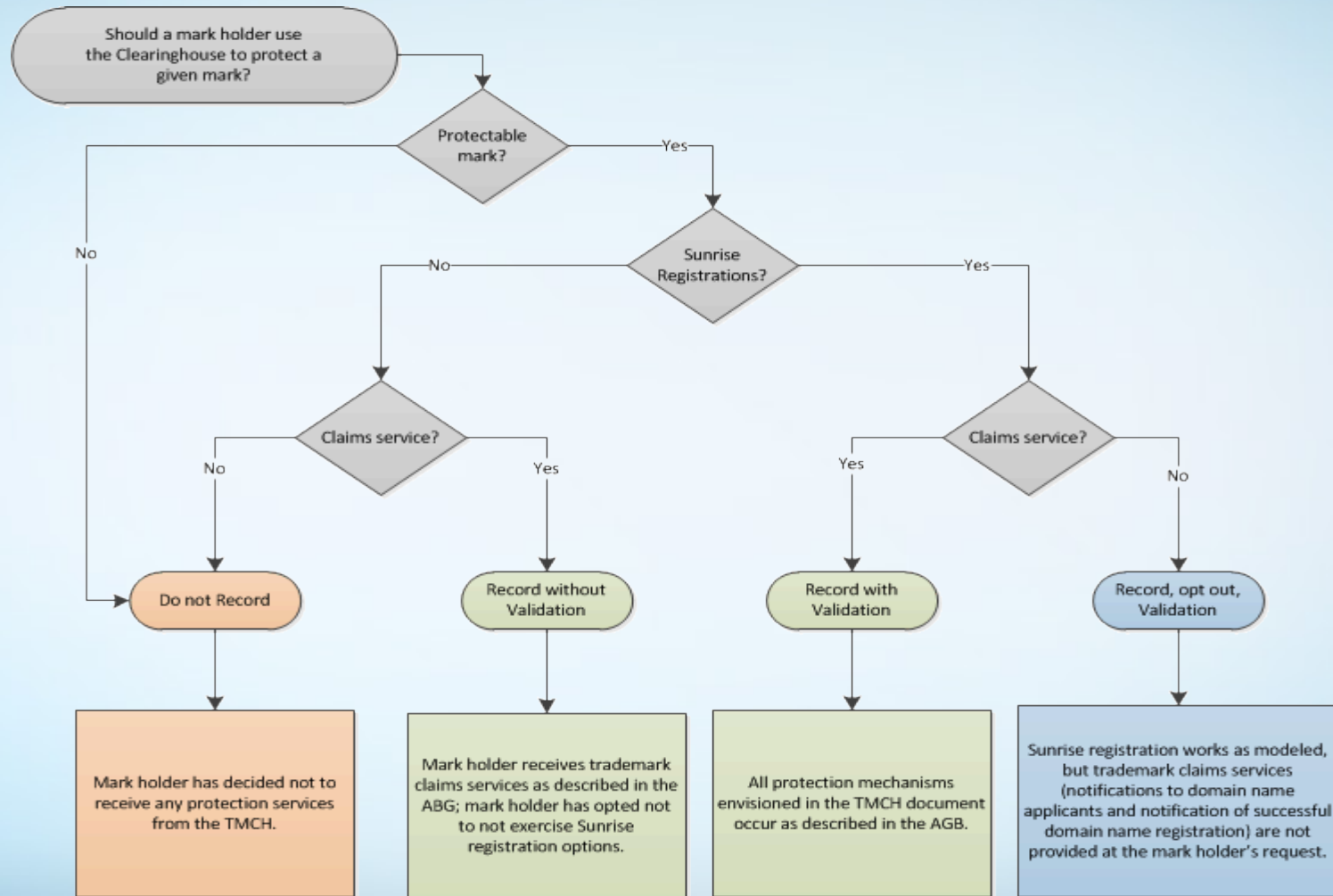
T1 – Data Location

- Summary of Issue To Date:
 - Rights holders have concerns about the aggregation of mark data through the TMCH, which may expose:
 - Brand protection strategies / competitive intelligence
 - Gaps in protection approaches
 - Various phishing risks
 - Registries and Registrars have concerns about being mandated to use a solution which may ensure appropriate uptime/performance.
 - Risk of third-party affecting Ry/Rr business success
 - Single point of failure in TMCH operator for new gTLD launch

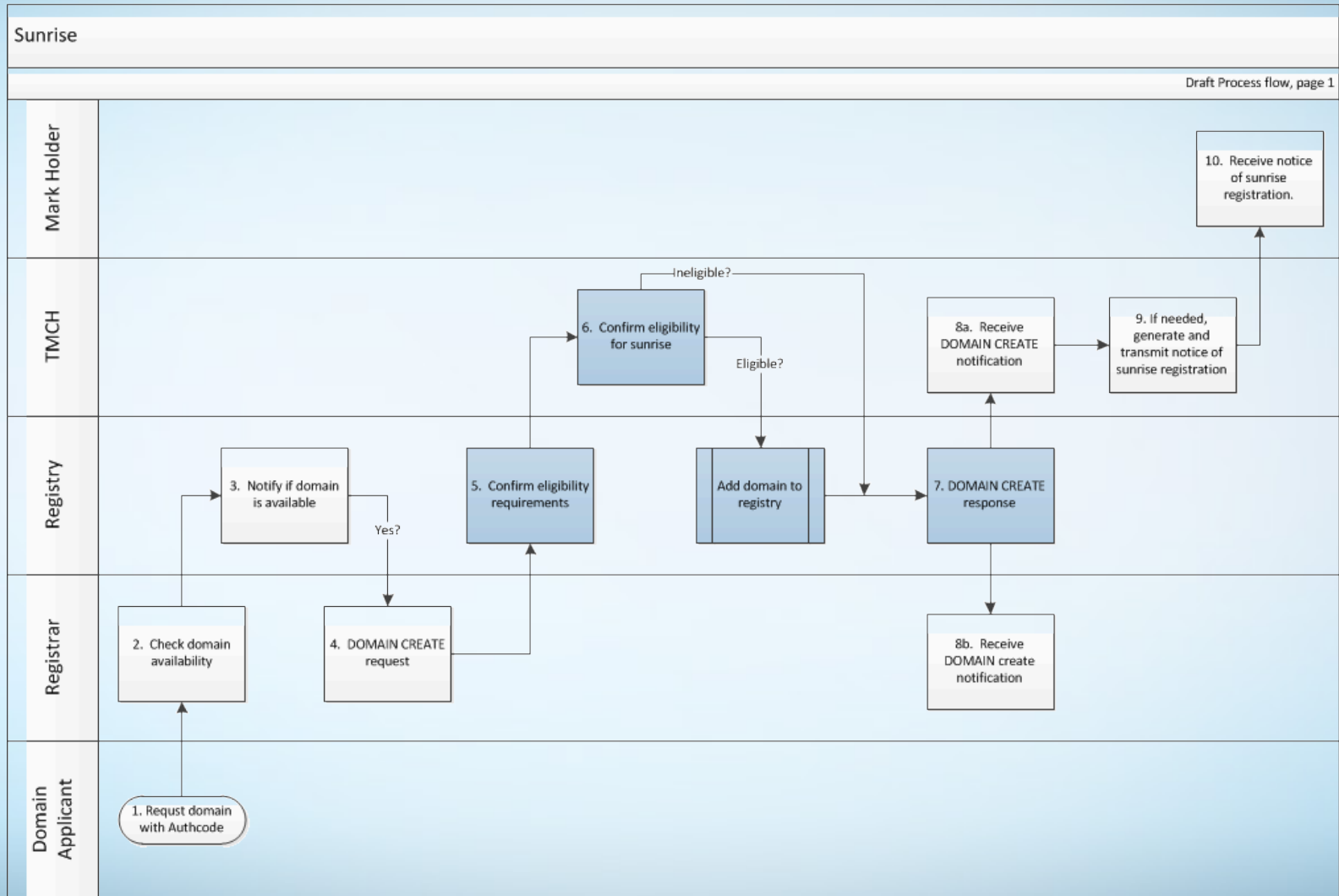
T1 – Data Location

- For discussion: adding a choice for rights holders to opt-out of trademark claims service
 - Opting out eliminates:
 - Notices to domain name applicants.
 - Notification of domain registration to mark holders.
 - Consequences:
 - Applicants not given opportunity to abort registration due to trademark claims.
 - Is this a helpful option for rights holders?

T1 – Data Location



T3 – Sunrise

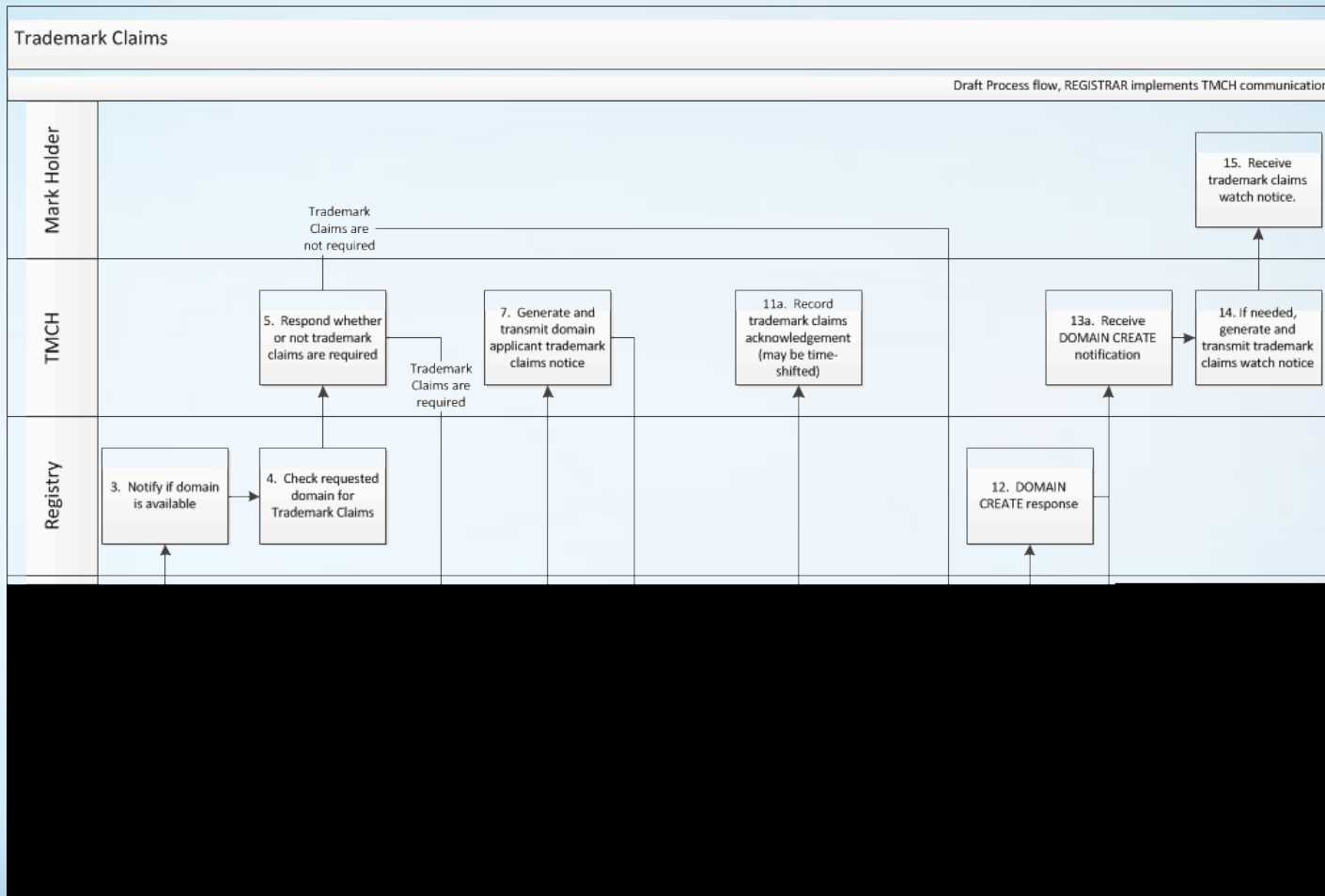


TLD-specific eligibility requirements are not included in this process flow diagram.

T3 – Sunrise Data Protocols

Sunrise Transaction	Protocol	Send	Receive
Check domain name availability	EPP <check>	Registrar	Registry
Add a domain name	EPP <create>	Registrar	Registry
Perform a TMCH lookup of a domain name and auth code		Registry	TMCH
Notification of a new domain registration		Registry	TMCH
Notification of a new domain registration	EPP <response>	Registry	Registrar
Transmit notice of sunrise registration.	SMTP	TMCH	Mark holder

T3 – Claims



T3 – Claims Data Protocols

Claims Transaction	Protocol	Send	Receive
Check domain name availability	EPP <check>	Registrar	Registry
Check for claims on a requested domain name	DNS	Registrar*	TMCH
Obtain trademark claims notice text and content		Registrar*	TMCH
Present trademark claims notice	Registrar UI	Registrar	Applicant
Capture acknowledgement of claims notice	Registrar UI	Applicant	Registrar
Communicate acknowledgement to TMCH		Registrar	TMCH*
Registrar registration process	Registrar UI	Registrar	Applicant
Add domain name	EPP <create>	Registrar	Registry
Confirm claims notice		Registry*	TMCH*
Notification of new domain registration		Registry	TMCH
Notification of new domain registration		Registry	Registrar
Transmission of trademark claims watch notice	SMTP	TMCH	Mark holder

T3 – Data Protocols

- Sunrise
 - How will a registry look up sunrise authorizations?
 - How should the registry notify the TMCH of a successful sunrise registration?
- Claims
 - How should a registrar notify the TMCH of a trademark claims acknowledgement?
 - How will the registry know that the acknowledgement occurred?
 - How should the registry notify the TMCH of a successful registration?

T3 – Data Protocols

- Who should be communicating with the TMCH: Registry or Registrar implement communication to and from the Clearinghouse?
- Preserving first come-first served principle in registration during claims (with PENDING CREATE)
- Gaming PENDING CREATE states to deny registrations

Wrap-Up

- Next call at 08:00 UTC 24 Feb 2012
- We will continue to accept comments on T1, T2, T3 until 23:59 UTC 21 Feb 2012 to prepare for the next call.
 - Please don't resubmit prior comments; only send new recommendations