

NEW gTLD PROGRAM: NEXT ROUND

Brand and Trademark Protections

Rights Protection Mechanisms

Intellectual property rights protection is a critical part of the New gTLD Program. Robust mechanisms are in place to verify brand and trademark data and offer tools and resources that alert brand owners when a name is registered that might infringe on their trademark. These rights protection mechanisms are foundational in maintaining and expanding the Domain Name System (DNS) so that competition and innovation can flourish.

RESOURCES

[DRAFT AGB Section on Brand Eligibility](#)

[Brand and Trademark FAQs](#)

[Trademark Clearinghouse Submissions](#)

[New gTLD Program: Next Round Resources](#)

Recording a Trademark

Recording a trademark in the [Trademark Clearinghouse](#) is the first step in helping rights holders around the globe protect their trademarks across new gTLDs. The Trademark Clearinghouse is the first centralized, international repository of verified trademark data for use with the DNS. Benefits of registering a mark in the clearinghouse include:

- **Sunrise Services:** All new gTLDs must offer a period of at least 30 days wherein trademark holders have priority access to register domain names corresponding to their trademarks.
- **Trademark Claims Services:** For a minimum of 90 days after registration opens for new gTLDs, registries must cross-reference domain name registration requests with records in the Trademark Clearinghouse and alert trademark holders of any domains registered that may be infringing rights.
- **Abuse Case Management:** The ICANN Registry Agreement requires registries to handle abuse complaints and to operate in compliance with the Trademark Clearinghouse obligations.

Filing a Claim

The [Uniform Rapid Suspension System](#) (URS) provides relief for clear-cut cases of infringement that a trademark holder can use if someone else registers a name they believe is infringing. It is a proceeding that considers a complaint from a trademark holder and a response from the domain name registrant whereby, if the complaint is upheld, the domain name registration can be suspended.

The URS is built upon the longstanding [Uniform Domain-Name Dispute Resolution Policy](#) used when more extensive review is needed. The UDRP allows trademark and service mark holders to arbitrate certain claims against a domain name registrant before an approved dispute resolution provider.

The [Trademark Post-Delegation Dispute Resolution Procedure](#) enables trademark holders to challenge conduct by a new gTLD registry operator that takes unfair advantage of their trademark, either in its operation of the gTLD or in practices that demonstrate a bad-faith intent to profit from the systematic registration of infringing second-level domains within the gTLD.

Frequently Asked Questions

Question	Answer
What is the Trademark Clearing House?	<p>The TMCH is a global repository for trademark data designed specifically for the DNS. TMCH providers:</p> <ul style="list-style-type: none"> • Verify trademark data from multiple global regions. • Maintain a database with verified trademark records.
Who can use the TMCH?	<ul style="list-style-type: none"> • Trademark holders can submit trademark data to be verified by TMCH. • Registries and registrars are required to connect to the TMCH to provide sunrise and claims services to registered trademark holders.
Are there costs associated with using the TMCH?	<p>Yes. The parties using the services of the TMCH are responsible for paying their associated costs.</p> <ul style="list-style-type: none"> • Trademark holders pay a fee for the verification of data by TMCH. • Registries and others using the data to support sunrise and trademark claims services also pay fees.
What languages are serviced in the Trademark Clearinghouse?	<ul style="list-style-type: none"> • The TMCH will accept trademark data from all over the world and support users in multiple languages.
What steps can I take to protect my trademark?	<ul style="list-style-type: none"> • Record your trademark: TMCH clients receive notifications of potential intellectual property infringement indefinitely. • Use the URS: If someone registers a domain that infringes your trademark, you can file a complaint under the URS to seek suspension of the registration. • Engage with a brand protection service: These services provide comprehensive monitoring, enforcement, and takedown support to address the unauthorized use of trademarks in domain names.
Where can I find information about upcoming TLD launches?	<p>The TMCH website offers a comprehensive new gTLD calendar to help you stay up to date on the latest trademark launches of new gTLDs. The TMCH website's interactive tool provides timely information on Sunrise Periods, Claims Periods, and ongoing notifications.</p>