

TMCH: level of trademark owner engagement revealed

In the same week that the Internet Corporation for Assigned Names and Numbers (ICANN) published the first responses to the recent Governmental Advisory Committee (GAC) advice on the generic top-level domain (gTLD) programme, Deloitte revealed that 636 trademark holders and 119 agents have registered with the Trademark Clearinghouse.

The figures were announced in a new gTLD webinar, presented in early June by Christine Willett, ICANN's vice president, gTLD operations. In total, 3,027

records were submitted up to the date of the webinar – of these, 1,380 had been verified, 1,380 were 'in process', 503 had been determined as incorrectly submitted and 12 had been deemed invalid.

The number of submissions will, of course, increase further, particularly as the first sunrise periods approach. Willett commented: "At this time, because we have not yet had the start of the first sunrise period, we are still in the early bird submission phase so the one-year registration of your trademark has not yet started."

A projected timeline was

presented, based on which trademark counsel are looking at October for the first sunrise period to start. However, the likelihood is that the first sunrise would occur later than this date. Willett underlined that "this is the earliest path to the first new gTLD – it is most definitely tentative".

In addition to approving the registry agreement by the end of June, ICANN must decide how it should address the GAC advice regarding safeguards applicable to broad categories of gTLD strings. Also in early June, the ICANN Board New gTLD Programme Committee

adopted a resolution accepting nine items of the GAC's advice. However, for the most part the message was "advice accepted, we will consider further" (eg, with regard to the GAC's advice that the board reconsider its decision to allow singular and plural versions of the same string, the committee stated that it "accepts this advice and will consider whether to allow singular and plural versions of the same string").

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