



The Internet Corporation for Assigned Names and Numbers

25 July 2016

Thomas Schneider
Chair, ICANN Governmental Advisory Committee

Re: The Independent Review of the Trademark Clearinghouse

Dear Mr. Thomas Schneider:

For the GAC's consideration, please see the attached draft report on the Independent Review of the Trademark Clearinghouse, which was published for [comment](#) on 25 July 2016. ICANN committed to this review based on the GAC [recommendation](#) in May 2011 for a comprehensive post-launch independent review of the TMCH to be conducted one year after the launch of the 75th new gTLD in the round. Specifically, the GAC advised that the review should include an examination of whether the matching criteria could be expanded to include non-exact matches and the effect of extending the Claims Service period.

The attached report evaluates the effectiveness of the TMCH services in conjunction with the areas for review proposed by the GAC. Specific considerations related to the (a) Matching Criteria; (b) Trademark Claims Service; and (c) Sunrise period are assessed in the review, which was conducted by Analysis Group. This study is informed by an analysis of TMCH and third-party data sources, as well as interviews and surveys of TMCH stakeholders. The sections of the report include an overview of the study and the primary TMCH services, as well as background on trademark infringement in the context of the TMCH followed by the methodological approach and key findings.

As mentioned above, the comment period opened on 25 July 2016 at 23:59 UTC and the reply comment period will continue until 3 September 2016 at 23:59 UTC. We encourage the GAC to provide input and feedback on the draft report, which will help inform the preparation of the revised report. Following the public comment period, ICANN will review and analyze the feedback received and will also provide a revised report to the GAC for review and consideration.

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We hope you find this information helpful and welcome any additional requests you may have. If you have any questions or comments regarding this study, please contact Antonietta Mangiacotti at antonietta.mangiacotti@icann.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Lentz", with a long, sweeping horizontal line extending to the right.

Karen Lentz
Director, Operations & Policy Research
ICANN