

Trademark Database Sunrise & Claims

2012 Round TMDB Certification Exemption Procedure

Document History

Document Location

This is a snapshot of an on-line document. Paper copies are valid only on the day they are printed. Refer to the author if you are in any doubt about the currency of this document.

Revision History

Date of this revision: 07-31-2020	Date of next revision TBD
-----------------------------------	---------------------------

Revision Number	Revision Date	Summary of Changes	Changes marked
0.1	12 Nov 2013	Initial version for comments	(N)
0.2	16 Nov 2013	Added template & template narratives	(N)
0.3	20 Nov 2013	Added process description	(N)
0.3-ICANN	20 Nov 2013	Version for ICANN	(N)
0.4-ICANN	21 Nov 2013	Reworked with reviewer comments	(N)
0.5-ICANN	21 Nov 2013	For Final Review	(Y)
1.0-ICANN	22 Nov 2013	Final Version	(N)
1.1-ICANN	14 Jan 2014	Process extended to include Registrars. Replaced Dana King with Aaron Hickmann. For review.	(Y)
1.2-ICANN	7 Feb 2014	Updates to the certification waiver process.	(N)
1.3-ICANN	31 Jul 2020	Updated certification form	(N)

Contents

1.	Introduction	5
1.1	Intended Audience	5
1.2	Purpose of the Document	5
1.3	Document Validity	5
2.	Certification Exemption Request Procedure.....	6
2.1	Certification Process	6
2.2	Certification Exemption Pre-requisites.....	6
2.3	Certification Exemption Criteria	6
2.3.1	Registries.....	7
2.3.2	Registrars	7
2.4	Certification Exemption Request.....	7
2.5	Certification Exemption Request Timelines for Assessment.....	7
2.6	Approved Certification Exemption.....	8
2.7	How to Use a Certification Exemption for an Additional TLD.....	8
2.8	How to Use a Certification Exemption for a Registrar.....	8
3.	Exemption Recertification.....	9
3.1	Exemption Recertification Conditions	9
4.	Disclaimers	10
5.	Information to be Provided	11
6.	Certification Exempt Request Form.....	12

1. Introduction

This document describes the procedure for requesting an exemption to the certification process for TMDB testing during the 2012 round . The latest version can be found at <http://newgtlds.icann.org/en/about/trademark-clearinghouse/scsvcs>.

The Exemption procedure is meant to eliminate the need for Registries to certify access to the TMDB Sunrise & Claims services in cases where a Registry Operator or its backend registry operator maintains multiple gTLD services from a single platform. Registrars who own multiple IANA IDs can also apply for certification waiver.

An Exemption can only be requested if the Registrar or Registry Operator complies with the criteria set forth in this procedure.

1.1 Intended Audience

This document is intended for:

- Registry Operators who maintain multiple TLDs under the 2012 round of the New gTLD Program, or Registry Operators who are using a backend registry operator who maintains multiple TLDs under the 2012 round of the New gTLD Program.
- Registrars with multiple IANA IDs who have entered into an agreement with ICANN that utilize a common backend.

1.2 Purpose of the Document

The purpose of this document is to provide the guidelines and requirements for requesting a Certification Exemption to the certification procedure as defined at <http://newgtlds.icann.org/en/about/trademark-clearinghouse/scsvcs>.

1.3 Document Validity

This document and the described Exemption Procedure can be changed or withdrawn at any time by either ICANN and/or IBM at their sole discretion.

If this Exemption Procedure is modified, all granted Exemptions will be re-reviewed to ensure compliance with any updated requirements.

If this Exemption Procedure is withdrawn, all granted Exemptions will automatically be withdrawn as well.

2. Certification Exemption Request Procedure

The Certification Exemption request can only be used by Registry Operators who maintain multiple TLDs under the ICANN new gTLD program, Registry Operators using a backend registry operator who maintains multiple TLDs under the ICANN new gTLD program, and by Registrars with multiple IANA IDs who have signed an agreement with ICANN.

2.1 Certification Process

Under the 2012 round of the New gTLD program, guidelines have been given to Registries and Registrars in order to obtain access to the TMDB production platform by means of a certification request to IBM.

This Certification request, for Registries, must be made for each gTLD.

This Certification request, for Registrars, must be made for each IANA ID.

Check the ICANN website at

<http://newgtlds.icann.org/en/about/trademark-clearinghouse/scsvcs>

for detailed information.

2.2 Certification Exemption Pre-requisites

A Certification Exemption Request can only be done if all of the following criteria can be answered with a 'yes':

Registries	Registrars
The Backend Registry operator I am using has performed at least 3 successful certifications for (at least) 3 gTLDs	The Registrar has performed at least 3 successful certifications for (at least) 3 IANA IDs
The Backend Registry operator operates all successfully certified gTLDs (at least 3) from the same infrastructure	The Registrar operates all successfully certified IANA IDs (at least 3) from the same infrastructure
The Backend Registry operator operates all successfully certified gTLDs (at least 3) from the same application	The Registrar operates all successfully certified IANA IDs (at least 3) from the same application
The Backend Registry operator operates all successfully certified gTLDs (at least 3) from the same IP addresses	The Registrar operates all successfully certified IANA IDs (at least 3) from the same IP addresses

If any one of the above criteria is answered with a 'no,' do not apply for a Certification Exemption.

2.3 Certification Exemption Criteria

A Certification Exemption may be requested by a Registry Operator that is maintaining multiple TLDs, by a Registry Operator that is using a backend registry operator that is maintaining multiple TLDs and by Registrars maintaining multiple IANA IDs.

2.3.1 Registries

In order to become eligible for a Certification Exemption, the Registry Operator will need to provide evidence that three or more gTLDs have successfully been certified as follows:

1. Evidence that the same application coding was used for each of the three gTLDs already certified
2. Evidence that all of the gTLDs for which the exemption is being requested use the same IP address(es) to connect to the TMDB platform
3. Copies of at least 3 certifications requests that have been submitted and granted that meet conditions 1 and 2 above (i.e., the same code was used for all three already certified TLDs and that the same IP address(es) were used by the three already certified and affirmation that the gTLDs for which exemption is being requested will also use those same IP addresses).

2.3.2 Registrars

For Registrars, the requirement is three or more successfully certified IANA IDs. The following must be submitted with the exemption request:

1. Evidence that the same application coding was used for each of the three (or more) IANA IDs already certified
2. Evidence that all of the IANA IDs for which the exemption is being requested use the same IP address(es) to connect to the TMDB platform
3. Copies of at least 3 certifications requests that have been submitted and granted that meet conditions 1 and 2 above (i.e., the same code was used for all three already certified IANA IDs and that the same IP address(es) were used by the three already certified and affirmation that the IANA IDs for which exemption is being requested will also use those same IP addresses).

2.4 Certification Exemption Request

A Certification Exemption Request can be submitted to the in the same way in which a request for certification is submitted (via email at support@marksdb.org), with the addition of the Certification Exemption Request Form found in section 6 below.

The Certification Exemption Request form must be filled in completely. Forms with incomplete information will be rejected.

Check the ICANN website at: <http://newgtlds.icann.org/en/about/trademark-clearinghouse/scsvcs> for detailed information on the standard Certification request process.

2.5 Certification Exemption Request Timelines for Assessment

Within 7 business days (CET) the Certification Exemption reviewer will complete the review of the Exempt Request and, if approved, a written Certification Exemption Approval will be issued to the requester.

If the Exemption Request is rejected or not approved, the requester will be informed. The request will be closed, and new Exemption Request would have to be uploaded to be reconsidered.

2.6 Approved Certification Exemption

An Approved Certification Exemption document will be sent to the requestor with a copy to ICANN.

2.7 How to Use a Certification Exemption for an Additional TLD

Upon delegation of a new gTLD, 2012 round Registry Operators have to follow the TLD Launch Process as directed by ICANN.

See process documents at: <http://newgtlds.icann.org/en/about/trademark-clearinghouse/scsvcs>

When a Certification Exemption Approval has been obtained from IBM and it is applicable to the TLD, the Registry Operator/Registrar must submit to ICANN:

- The Certification Exemption Approval (Part 1) *and*
- Complete Certification Exempt Request Form (Part 2) for each TLD.

Without a copy of the Certification email from IBM or a copy of the Certification Exemption Approval included in the TLD Start-up Information submitted to ICANN for the delegated TLD, the TLD launch process cannot commence.

2.8 How to Use a Certification Exemption for a Registrar

When a Certification Exemption Approval has been obtained from IBM and it is applicable to an IANA ID, the Registrar must submit to ICANN:

- The Certification Exemption Approval *and*
- Complete Certification Exempt Request Form (Part 2).

3. Exemption Recertification

The requestor will be required to request a recertification if conditions under which the initial Certification Exemption Approval were granted have changed.

IBM and/or ICANN can also request a recertification if the circumstances warrant such a request.

The requestor should pro-actively request a recertification if conditions in their infrastructure or application are going to (or have already) changed.

The OT&E environment is available to Registrars and Registry Operators to execute tests prior to using the production environment. It is strongly recommended that Registrars and Registry Operators test any changes within the OT&E and then request a recertification review of any existing Certification Exemptions.

3.1 Exemption Recertification Conditions

Conditions under which recertification may be required (list is not meant to be all inclusive):

- The Registry Operator's/Registrar's environment under which the original Certification Exemption was granted has or will be changed. Examples include:
 - A major change to the application code impacting the way in which the Registry Operator/Registrar will communicate with the TMDB infrastructure
 - Source IP addresses have been or will be changed
- The TMDB infrastructure and/or interface has been or will be changed
- Major changes have been or will be implemented impacting the published ICANN technical specifications

4. Disclaimers

IBM and/or ICANN retain the right to withdraw any or all Certification Exemption Approvals at their sole discretion at any time if circumstances arise that adversely impact the stability of the Trademark Database or if the Exemption process has been or might have been abused.

5. Information to be Provided

Registry Operator/Registrar Name	The Registry Operator/Registrar Name as on the Registry Operator/Registrar Agreement with ICANN
Backend Registry Operator name	If applicable, the backend registry operator's name executing the services on behalf of the contracting Registry
Requester contact details	
Name	Name of the individual of the Registry Operator/Registrar requesting the exemption
E-mail address	E-mail address of the individual requesting the exemption
Telephone number	Telephone number where the Requester can be contacted
Organization's Address	Full address details of the Requester's organization
Requester's Work Address	Full work address of the Requester. If identical to the Organisation's Address please re-enter it here
Country	Country of the Organization and Requester
TMDB Registration Token	The TMDB registration token provided by ICANN
TLD name/IANA ID	The name of the TLD in IDN-notation/IANA ID
Certification date	The date that the Certification was granted by IBM for each TLD/IANA ID
Source IP Address(es)	The IP address(es) as entered into the TMDB system for the specific TLD(s)/IANA ID. (please list all addresses entered into the TMDB system)
Application name	The name of the application used by the RO/Rr to interface with the TMDB system
Application version	The version of the application (and interface module if applicable) used by the RO/Rr to interface with the TMDB system
Additional supporting information for the IBM reviewer	Provide any additional information you believe relevant for the Exemption reviewer
Date Request submission	The submission date of this Exemption request
Information to be filled in by IBM reviewer	
Service Request Number	The Service Request Number that uniquely identifies the Certification Exemption request and determination
Reviewer comments	Additional comments from the reviewer
Exempt granted date	The date that the Certification Exemption has been granted
Exempt granted by	The individual granting the Certification Exemption

6. Certification Exempt Request Form (Part 1)

This form is to be used to request a certification exemption request for the 2012 round of the New gTLD Program.

Complete Section 1 of the form (Part 1) and submit to IBM **when certification exemption is being requested for additional TLDs/IANA IDs**. The Certification Exemption Request form must be filled in completely.

Section 1: To be completed by Registry Operator or, if applicable, Backend Registry Operator, or Registrar			
Registry Operator/Registrar name			
Backend Registry Operator (if applicable)			
Request Date			
Requester contact details			
Name			
E-mail address			
Telephone number			
Address			
Country			
	TLD-1/IANA ID-1*	TLD-2/IANA ID-2*	TLD-3/IANA ID-3*
Token			
TLD name/IANA ID			
Certification date			
Source IP-address(es)			
Application name			
Application version			
Additional supporting information for reviewer			
Confirmation Statement of Registry Operator or, if applicable, backend registry operator			
As a Registry Operator , I understand and confirm that subsequent TLD start-ups requested under this Certification Exemption Approval will be operated from the same IP address, infrastructure and application (version) as defined for the above TLDs.			
Signature:		Name:	
Confirmation Statement of Registrar			
As a Registrar , I understand and confirm that subsequent IANA IDs used in TMDB under this Certification Exemption Approval will be operated from the same IP address, infrastructure and application (version) as defined for the above IANA IDs.			
Signature:		Name:	

*Three Certified TLDs or three certified IANA IDs must be provided.

If approved, Section 2 of this form will be completed with a Certification Exemption Approval and sent back to the requester.

Section 2: To be completed by IBM reviewer			
Verified TLDs/IANA IDs			
Service Request Number			
Reviewer comments			
Exempt granted date			
Exempt granted by			

7. Certification Exempt request form (Part 2)

Complete this form after IBM has provided Certification Exemption Approval in Section 2 of Form (Part 1).

The Registry Operator/Registrar must submit to ICANN:

- The completed Certification Exempt Request Form (Part 1) with IBM approval *and*
- This form (Part 2) completed for the requested TLD/IANA ID

To be completed by Registry Operator/Registrar submitting exemption to ICANN	
Registry Operator/Registrar name	
TLD/IANA ID	
Confirmation Statement by Registry Operator/Registrar	
I understand and confirm that use of this exemption applies only to TLDs/IANA IDs that are operated by the backend registry operator/Registrar listed in Section 1 of the approved Certification Exempt Request form (Part 1).	
Signature:	Name: