

## **Trademark Clearinghouse: Preliminary Cost Model**

**1 June 2012**

The Trademark Clearinghouse facilitates the protection of trademark rights in new generic top-level domains (new gTLDs). All new gTLD registries will be required to use Clearinghouse data to ensure that a set of mandatory trademark rights protection mechanisms are implemented during a TLD's startup periods.

The Clearinghouse collects information about trademark rights directly from the holders and representatives of such rights, and communicates that information with registry operators. The Clearinghouse will provide notices to participating rights holders when domain names matching Clearinghouse records are registered during a TLD's startup periods.

This is an update to provide an initial indication of the anticipated pricing for Clearinghouse services. The information is an estimate only, based on current knowledge, and is subject to change. Updated information will be provided as it becomes available.

- **Services to Rightsholders**

The primary services offered to rights holders are: (1) authentication as a trademark and (2) validation of proof-of-use. The first establishes that rights information meets the criteria for Clearinghouse inclusion and the second establishes that a Clearinghouse record meets the standard for Sunrise eligibility as described by ICANN, i.e., demonstration of use of the trademark. A bundled fee is expected where these services are performed together. Proof of use validation would also be available at an individual price if such is requested subsequent to the original submission of rights data for authentication.

The bundled fee or price for these initial services (authentication and validation) is expected to be less than USD 150 per submission. Annual renewal fees for Clearinghouse records are expected at a percentage of the initial price. The low fee requires that submissions be inexpensive and straightforward to process. Complex circumstances and additional services will add to the cost.

There may be additional charges if further scrutiny is required (such as a re-submission due to errors in the original submission or an appeal to the initial Clearinghouse determination). Also, non-electronic submissions might be available at a higher rate in order to cover handling costs.

- **Services to Registries**

Initial implementation and fee discussions indicate that registries will pay for access to the Clearinghouse database. Further details are still being worked out; however, initial estimates based on currently available information indicate that a set-up fee of USD 7,000 - 10,000 will be due per TLD registry. The set-up fee would cover Sunrise and Trademark Claims processes as established by ICANN, as well as assistance in integration and testing. Additional fees will be due in other circumstances such as participation in other programs or ancillary services.

Customer service, including the provision of reasonable training and/or consulting services to new gTLD registry operators is expected to be available without additional charges.

- **Ancillary services**

Beyond the core services above, there may be additional fees for ancillary services (for example, provision of services to support the URS). There are pre-requisites to the Clearinghouse providing ancillary services that are described in the previously published Clearinghouse documentation.