

What is the Trademark Claims Period?

Question

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Answer

Every new extension that launches, starts with a period of at least 90 days in which trademark holders are protected against others registering a domain that matches their trademark: the so-called "Trademark Claims Period" (TCN). During this period, the intended domain holder is informed about the existence of the trademark, and if he chooses to continue the registration, the trademark holder will receive a notification that the domain was registered.

Note that this period is arbitrary: the minimum length is 90 days, but there are several extensions that decided to extend this period forever.

Trademark claims notification

From the domain registrant's perspective, the process when registering a domain that matches a validated trademark is the following:

- The domain name is ordered in Openprovider
- The domain name is put on status "REQ" (requested) and the order is put on hold
- The intended registrant receives an e-mail with information about the matching trademark, and a link to acknowledge this information
- If the intended registrant decides that he does not infringe third party's rights, he can continue the domain registration
- The domain is registered and marked "ACT" (active) in Openprovider

Did you know that you can [completely customize](#) the e-mail that Openprovider sends to the domain holder? Brand it with your name and styling, send it from your e-mail address and include a link to

your own website instead of Openprovider's!

Domain registration notifications

From the trademark holder's perspective, the benefit is that he is informed as soon as somebody registers a domain that matches his trademark.

The trademark holder can then investigate the domain name and decide whether or not the domain holder infringes his rights. If so, the trademark holder can decide to start a legal procedure. Note that in most cases the registration itself is no valid ground for starting a legal procedure - there should be clear evidence of infringement of rights.

This notification service thus is nothing more than that: it does only inform about a registered domain but does not judge about the legal status of it.

Ongoing notifications

The Trademark Clearinghouse (TMCH) extended its service and does not only send notifications during an extension's TCN, but also afterwards. On top of that, they included all existing gTLDs (.com, .net, etc.) as well.

This means that the holder of a trademark in the TMCH will receive notifications for any gTLD registration of his trademark. On the [IANA website](#) you can find the list of extensions in the root zones; the ones marked "generic" or "sponsored" all apply to the TCN.

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