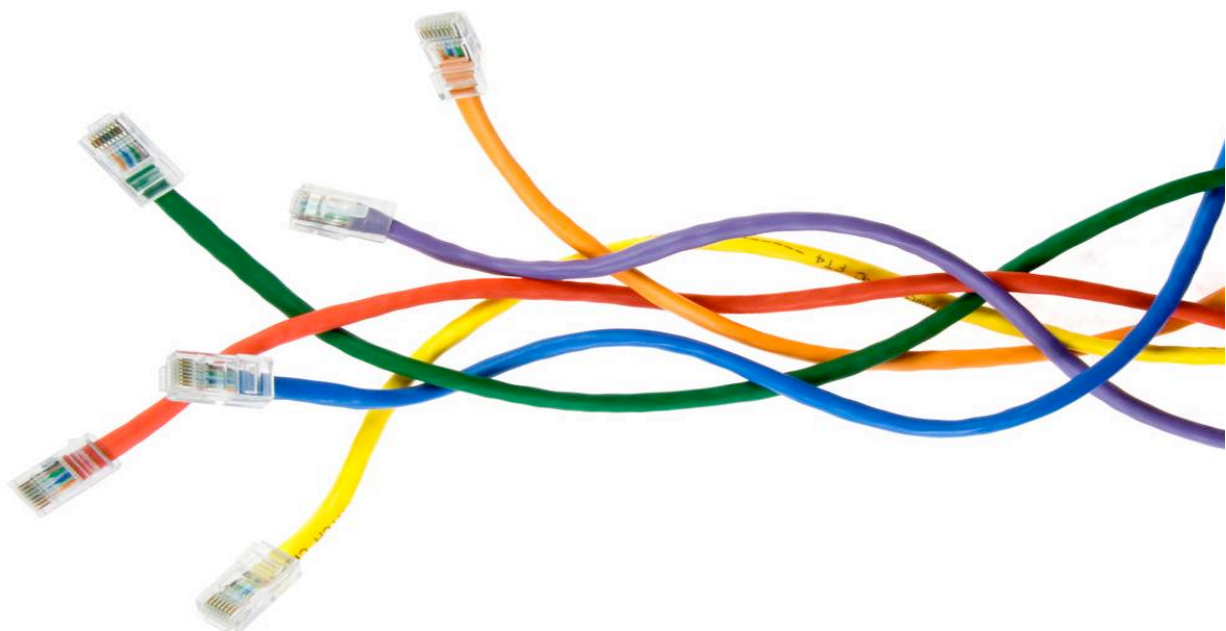


IP Clearinghouse Information Guide

Supporting Trademark Owners in the
Context of the .CO Sunrise Process



The information contained in this Information Memorandum, as well as the technical descriptions, functionalities and functions of the IP Clearinghouse are proprietary to Deloitte, Laga and its respective licensees. They may not be copied, distributed and/or communicated to the public without the prior written consent of Deloitte and Laga, which consent may be subject to certain conditions.

Considering the fact that this version of the IP Clearinghouse is currently only deployed in the context of the launch of the .CO TLD, the information contained in this Information Memorandum is in any case subject to the .CO Launch & Registration Rules, which supersede any statement or process description contained herein.

This document may be updated on a regular basis, when more functionalities become available.

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1. Introduction

The IP Clearinghouse that Deloitte and Laga are deploying in order to support trademark owners and their registrars in the context of the .CO Sunrise is an optional service that can be used by registrars that are accredited by the .CO Registry (“CO Accredited Registrars”) and/or by any ICANN Accredited Registrar(s) that are Resellers of the .CO Accredited Registrar(s)”) (jointly referred to as “Registrar(s)”).

During past Sunrise processes, many domain name applications were rejected due to the fact that the information provided by trademark holders or their agents was incorrect. By way of the IP Clearinghouse, Deloitte and Laga will make available a system and a process that will make it easier for Registrars to safeguard their customers’ trademark rights: by way of this facility, Registrars can obtain up-front certainty on whether or not the domain name application data they intend to submit to the .CO Registry in the context of the .CO Sunrise Process meets the requirements of the .CO Launch & Registration Rules.

With the IP Clearinghouse, it will be virtually impossible for Registrars to report inaccurate data to the .CO Registry, which will result in a higher overall customer satisfaction.

There is no additional charge for using the IP Clearinghouse over and above the pre-registration and registration fees to be paid to the .CO Registry.

2. Accessing the IP Clearinghouse

2.1. Introduction

In order to obtain access to the IP Clearinghouse, Registrars need to contact Deloitte and Laga by email: **ipclearinghouse@deloitte.be**. They will receive the IP Clearinghouse's terms and conditions, which need to be returned, duly signed by the Registrar.

Following receipt of the signed terms and conditions, Deloitte and Laga will send login and password details to the Registrar concerned. With this login and password, the Registrar can access the IP Clearinghouse and submit domain name application data for pre-verification.

Following receipt of the signed terms and conditions, Deloitte and Laga will send login and password details to the Registrar. By way of this login and password, the Registrar can submit domain name application data to the IP Clearinghouse in one of two ways:

1. by using a web interface (for manual processing of application data), which shall be located at **www.ipclearinghouse.co**; or
2. by completing a template, made available by Deloitte and Laga, in XLS format, duly completed with domain name application data in the template's structure, which needs to be reported to the IP Clearinghouse by using an upload facility that is made available through the web interface.

The Registrar that obtains a login and a password will become a user of the IP Clearinghouse for the purposes of submitting domain name application records to the IP Clearinghouse.

2.2. The IP Clearinghouse's WHOHAS Interface

All Internet users will be able to consult the contents of the IP Clearinghouse. Access to relevant pre-validated information stored in the IP Clearinghouse will be made available through a so-called "WHOHAS" web interface.

The information that is made available by the WHOHAS interface consists of the following:

- details with respect to the IP Claim (e.g. trademark, type of trademark; country of registration; trademark registration number; etc.);
- name and address information of the holder of the validated trademark, including any similar information of authorized users (cf. WHOIS records);
- domain names pre-verified in the name of the holder of the verified trademarks, and their authorized users.

The WHOHAS interface is made available at www.ipclearinghouse.co.

3. Submitting Data to the IP Clearinghouse

3.1. General

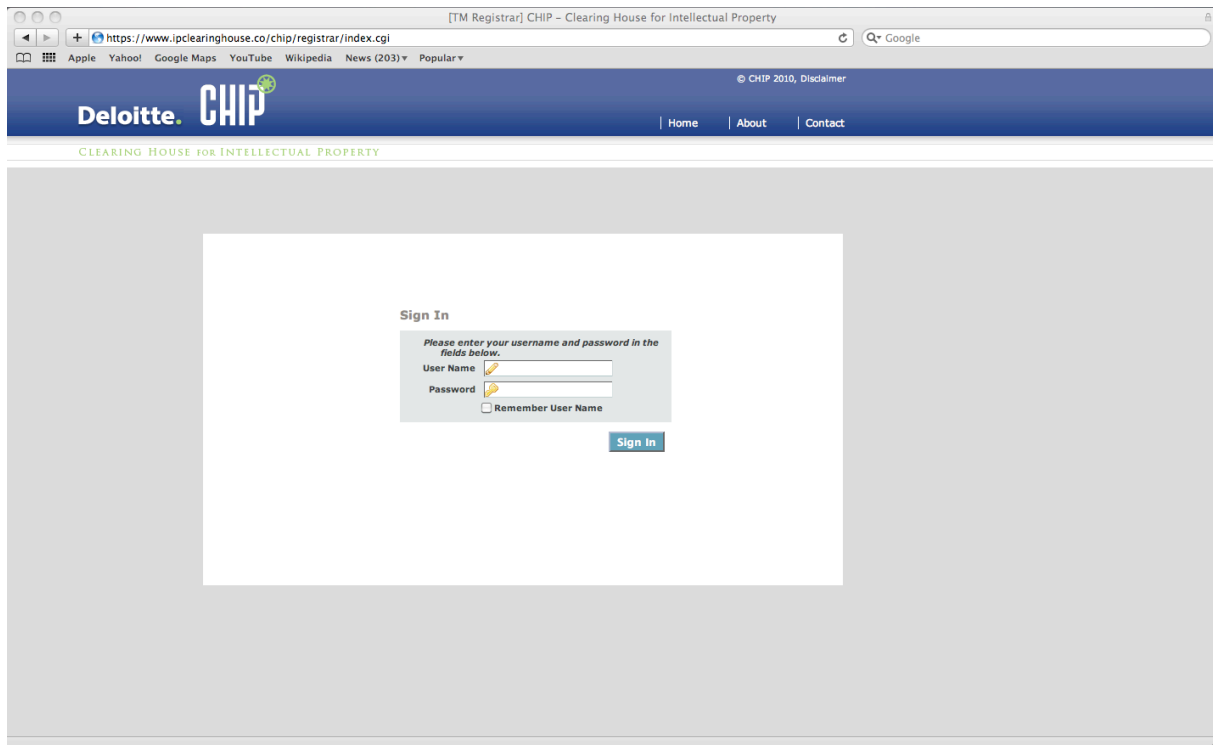
Registrars need to report the following domain name application data to the IP Clearinghouse in connection with the .CO Sunrise Process:

- information relating to the applicant (in principle, this is the official holder of the trademark reported to the IP Clearinghouse);
- information relating to the trademark (mandatory fields include: country in which the trademark is registered and trademark registration number);
- the domain name the applicant intends to apply for during the .CO Sunrise Process; and
- the .CO Accredited Registrar selected for submitting the application to the .CO Registry (mainly to be used by ICANN Accredited Registrars that are Resellers of .CO domain names.).

Domain name application data should be as accurate as possible, in order to facilitate the timely verification of such data.

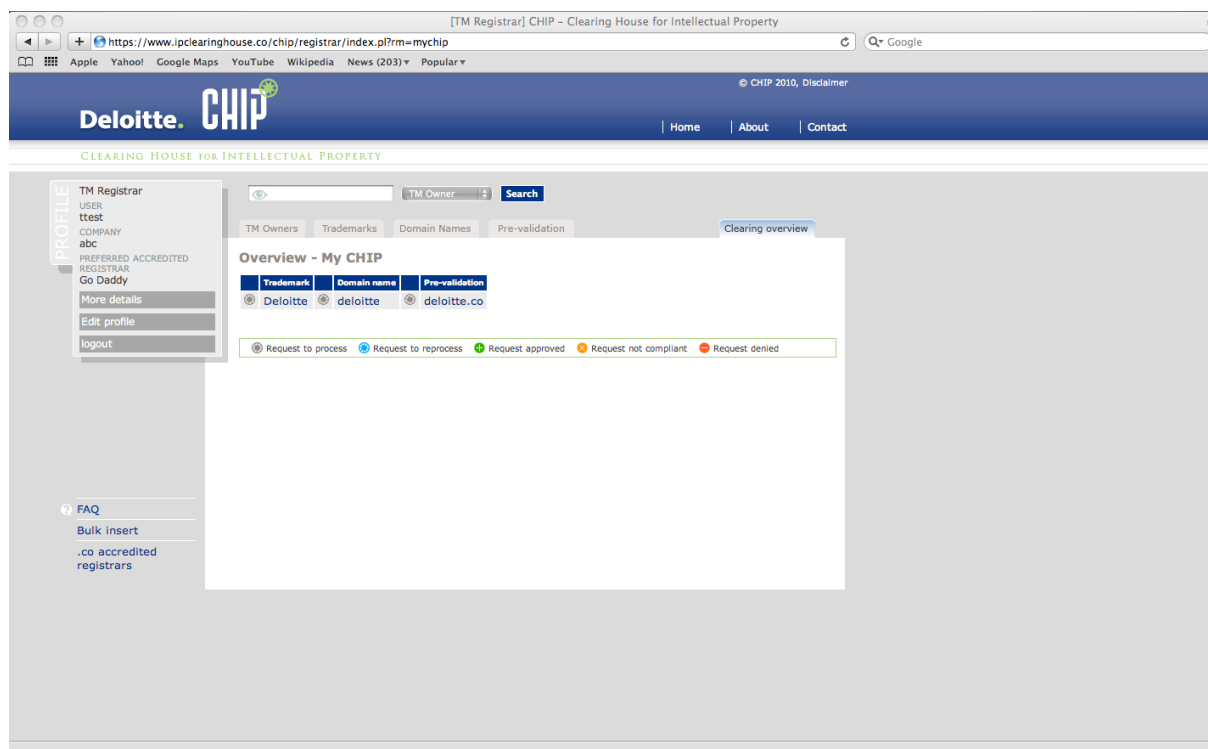
3.2. Login

The user will be required to log in to the IP Clearinghouse with its login and password:



3.3. Overview Screen

When logged in, the user will see an overview of all complete domain name application records that have been reported to the IP Clearinghouse. For the purposes of the IP Clearinghouse a “domain name application record” is a record wherein all relevant information submitted for pre-validation has been included. It consists of trademark owner data (TM Owner), trademark data (Trademarks) and domain name data (Domain Names).



3.4. Status Overview

In the overview screen, as well as in the specific screens where the Registrar can submit information related to the Trademark Owner, the Trademarks and the Domain Names (these are the tabs that are visible on the web interface), the user will be able to track status updates on each of the various components of its domain name application records.

This status is displayed by the following icons:

Icon	Title	Description
Grey	Request to process	The Registrar has submitted a domain name application record, in whole or in part, hereby submitting a request to the validation agent to pre-validate the data. Please note that the validation agent will only be able to process a domain name application record insofar and to the extent all mandatory information for the full record has been provided;
blue	Request to reprocess	Following the request of the validation agent to provide for further clarifications, the Registrar has submitted additional, eligible and correct

information to the validation agent, with the request to reconsider its initial assessment on the basis of this additional or corrected data;

green **Request approved**

The validation agent has confirmed that, on the basis of the information provided by the Registrar, the domain name application record is eligible for the .CO Sunrise Process;

orange **Request not compliant**

The validation agent was unable to validate the domain name application record, in whole or in part, on the basis of the information provided to the Registrar in its original "request to process". The Registrar has the opportunity to submit accurate, up-to-date data within the timeframes set by the .CO Registry;

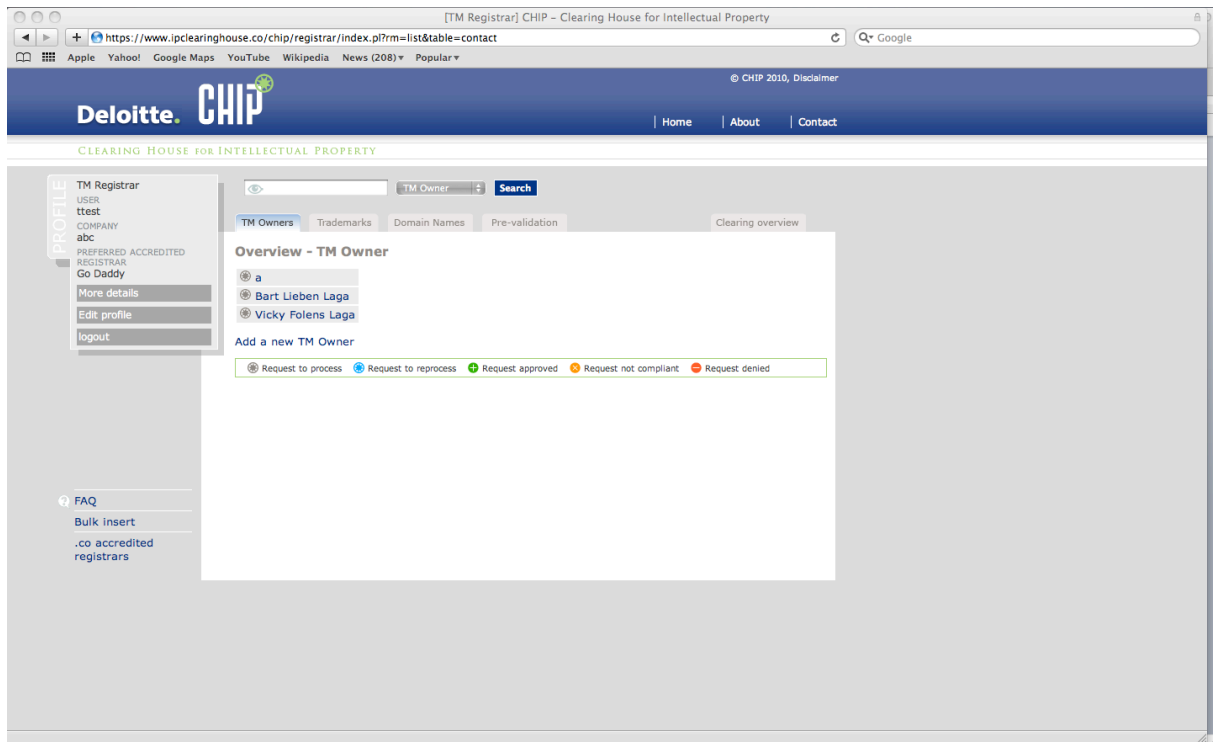
red **Request denied**

The validation agent was unable to reprocess the domain name application data following a resubmission of the domain name application record. Reasons for such status can be: (i) the trademark was not eligible for the .CO sunrise process; (ii) no link could be established between the domain name applicant and the trademark owner; (iii) the validation agent could not retrieve the trademark referred to in the domain name application record; etc.

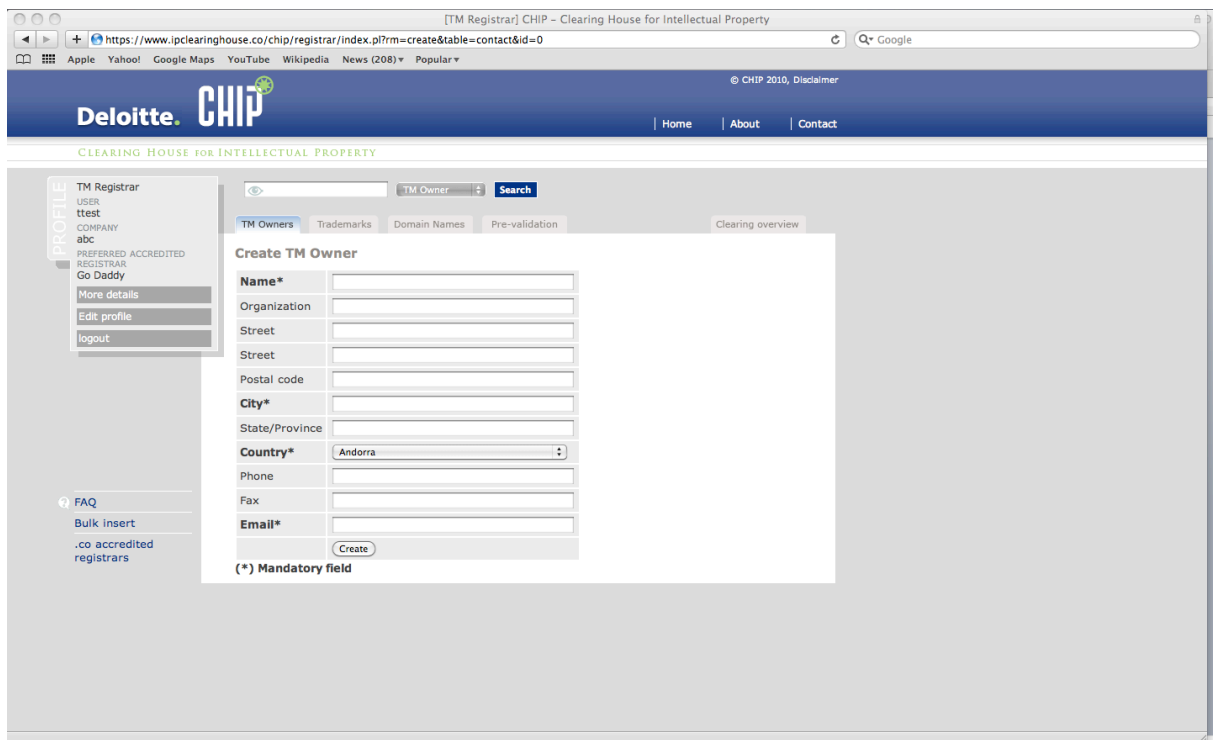
3.5. The TM Owner Record

In the first tab of the Overview Screen (TM Owners), the Registrar can submit, edit and verify contact information relating to:

- (i) the *trademark owner* reported with the trademark office;
- (ii) its *licensee*; and
- (iii) its *assignee* (i.e. the party to whom a trademark has been transferred, but where such change of ownership has not yet been reported with the trademark office).



In order to do so, the Registrar must activate the TM Owner tab by clicking on the tab, and selecting “Add a new TM Owner”. At the same time, the Registrar will see an overview of all TM Owner Records previously submitted, as well as their processing status.



The IP Clearinghouse contains the following fields, to be completed by the Registrar:

Field	Mandatory	Description
Name	yes	This field must contain the name of the physical person submitting the domain name application (or the name of the physical person on whose behalf the application is submitted, if - for instance - the owner of the trademark is a company, an organization, a partnership, etc.)
Organization	no	This field must contain the name of the entity submitting the domain name application when this party is not a physical person;
Street	yes	This field must contain the address information of the applicant;
Street	no	This field must contain the address information of the applicant;
Postal code	yes	This field must contain the postal code of the applicant;
City	yes	This field must contain the city of the applicant;
State/Province	no	This field must contain the state/province of the applicant;
Country	no	This field must contain the country of the applicant, using the ISO 3166 list;
Phone	no	This field must contain the phone number where the physical person referred to above can be reached;
Fax	no	This field must contain the fax number where the physical person referred to above can be reached
Email	yes	This field must contain the email address where the physical person referred to above can be reached. Any communications from the validation agents' side will be done to this email address.

Of course, a particular domain name applicant can have multiple trademarks (for different signs), or one of his trademarks can result in multiple domain names (for instance, the trademark DELOITTE CONSULTING can, according to the .CO Launch &

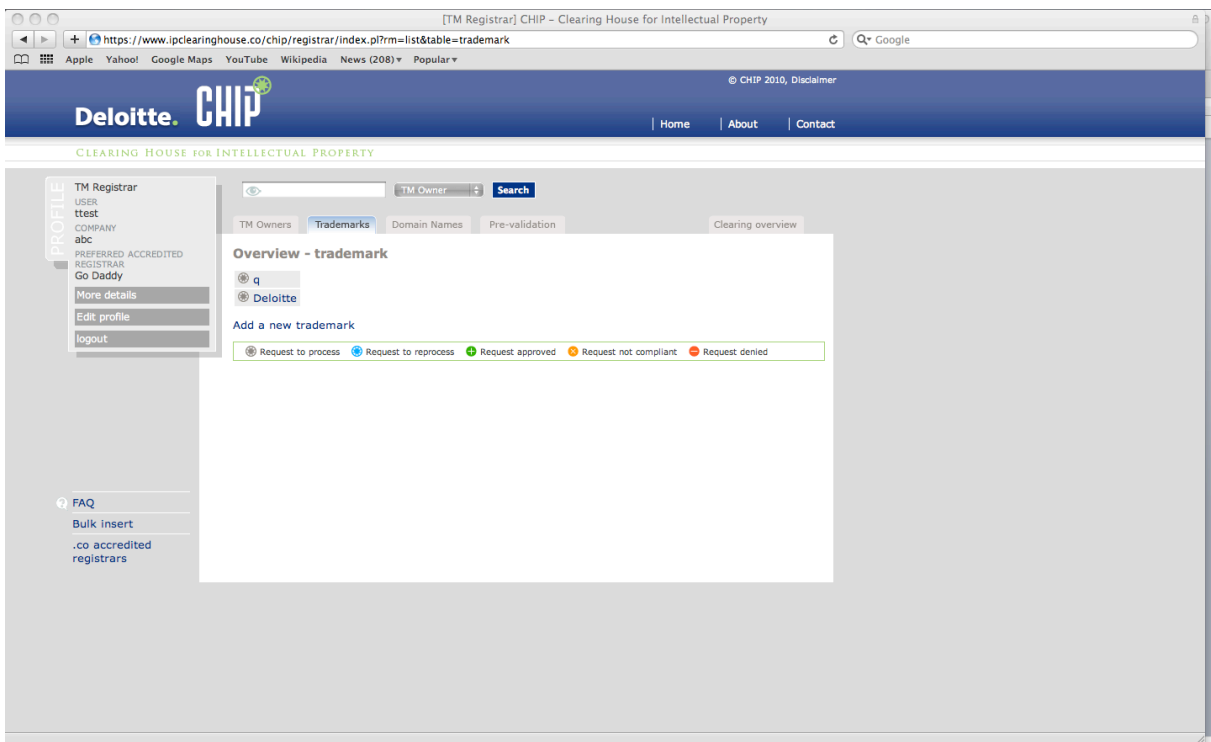
Registration Rules, result in **deloitteconsulting.co** and **deloitte-consulting.co**). In this case, the Registrar should submit the TM Owner Record only once.

As can be seen in the Trademark Record, the Registrar can appoint a TM Owner Record that was previously created, and link this TM Owner Record to multiple trademarks.

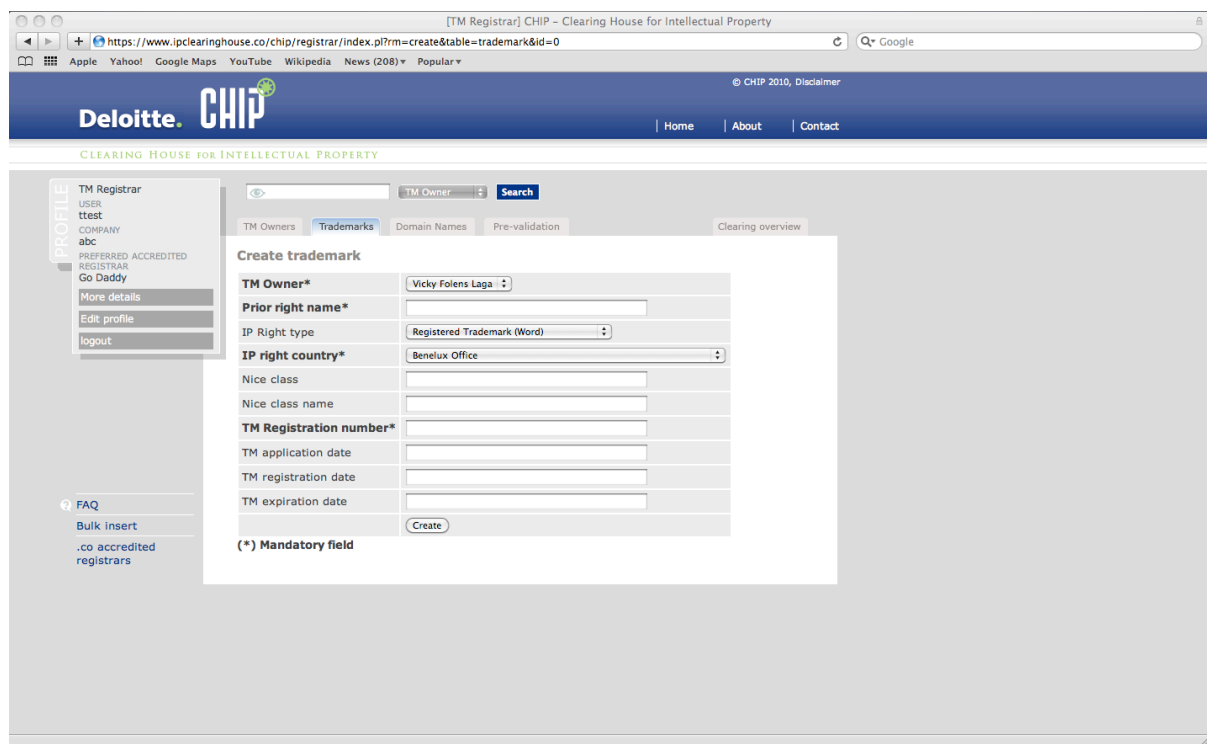
We kept the EPP contact fields, in order to facilitate the integration and export functionalities on the Registrar’s side.

3.6. The Trademark Record

In the second tab, the Registrar can submit, edit and verify contact information relating to the trademark invoked by its customers.



In order to add a new Trademark Record, the user must click the “Trademarks” tab, and click “Add a new trademark”. In the meantime, all Trademark Records previously submitted are displayed, as well as their respective statuses.



When adding a new Trademark Record, the Registrar can / must provide the following information:

Field	Mandatory	Description
TM Owner	yes	The Registrar must select a previously created TM Owner Record from the drop-down menu. By default, the last TM Owner Record that has been created will be selected.
Prior right name	yes	This field must contain the description of the trademark given by the trademark office;
IP Right type	no	The Registrar can make an (optional) selection between: <ul style="list-style-type: none"> (i) Registered Trademark (Word); (ii) Registered Trademark (Design); (iii) Registered Trademark (Combined Mark).
IP Right country	yes	This field must contain the country or region for which the trademark has been registered, cf. the WIPO ST.3 Standard;
Nice class	no	The number of the classes of products and services for which the trademark has been

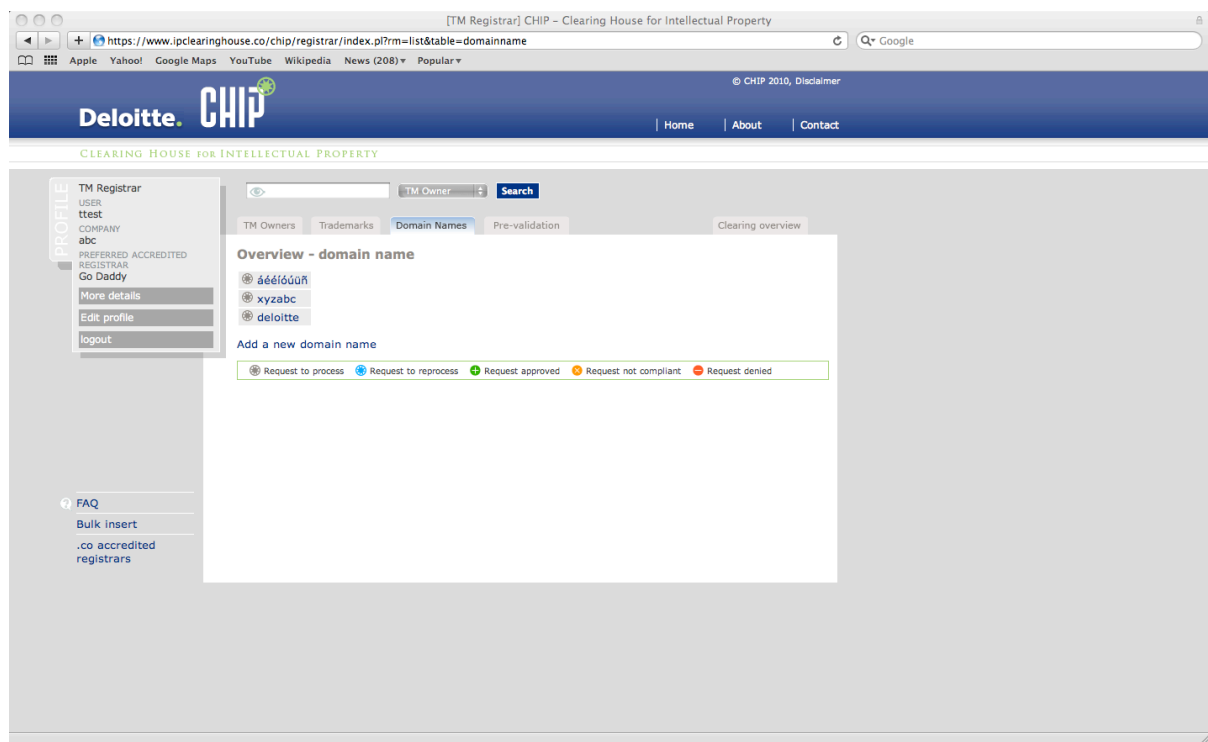
registered.

Nice class name	no	The headings of the classes of products and services for which the trademark has been registered.
TM Registration number	yes	This field must contain the registration number awarded to the registered trademark by the trademark office referred to above or, if there would be no registration number, the application or serial number of such trademark.
TM application date	no	The date on which the application for the registration of the trademark has been received by the trademark office.
TM registration date	no	The date on which the trademark office took the decision to register the trademark (and not the data as of which such registration took effect).
TM expiration date	no	The date on which the current trademark registration will expire.

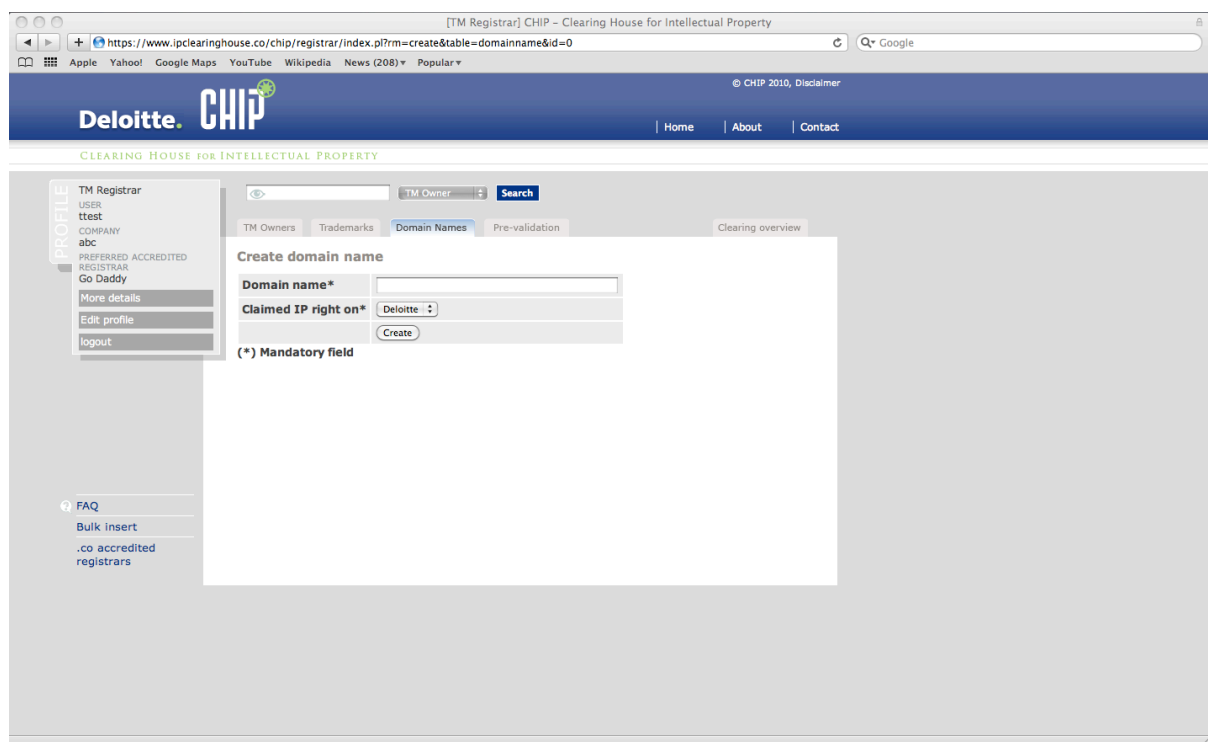
Since a trademark owner can hold multiple trademarks, the Registrar has the possibility to link multiple Trademark Records to one and the same TM Owner record. By default, the last TM Owner record created by the Registrar will be displayed.

3.7. The Domain Name Record

In the third tab, the Registrar can submit, edit and verify contact information relating to the trademark invoked by its customers.



In order to add a new Domain Name Record, the Registrar must select the Domain Names tab, and click on the “Add a new domain name” link. Also here, the Registrar will obtain an overview of all Domain Name Records previously created, and their respective statuses.



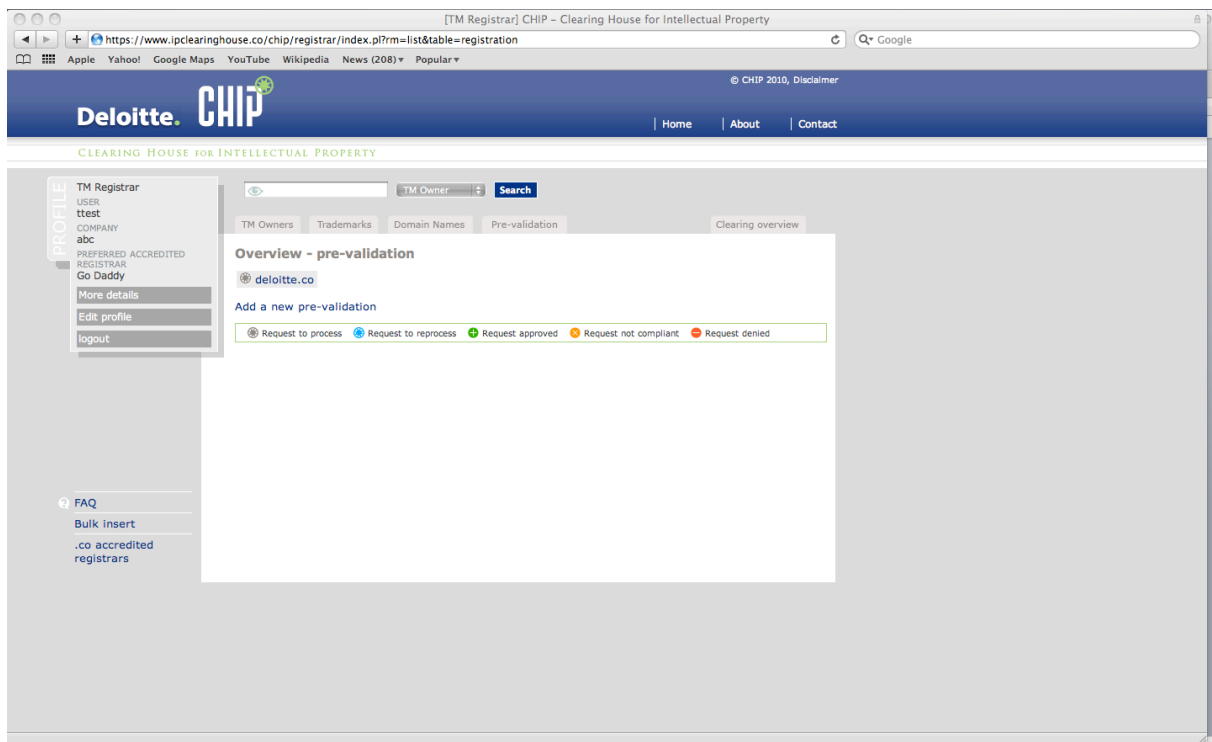
In particular, the Registrar can / must provide the following information:

Field	Mandatory	Description
Domain name	yes	This field must contain the actual domain name applied for, without the .CO suffix
Claimed IP right on	yes	The Registrar must select a previously created Trademark Record from the drop-down menu. By default, the last Trademark Record that has been created will be selected.

Since, according to the .CO Launch & Registration Rules, a particular trademark can result in various domain names, the Registrar can link various domain names to the same Trademark Record, by using the drop-down menu, in which all the Trademark Records will be displayed. By default, the last Trademark Record created by the Registrar will be displayed, in order to make the submission process as efficient as possible for the Registrar.

3.8. The Pre-Validation Record

In the fourth tab, the Registrar will see an overview of all domain names that have been reported to the IP Clearinghouse, as well as their respective statuses

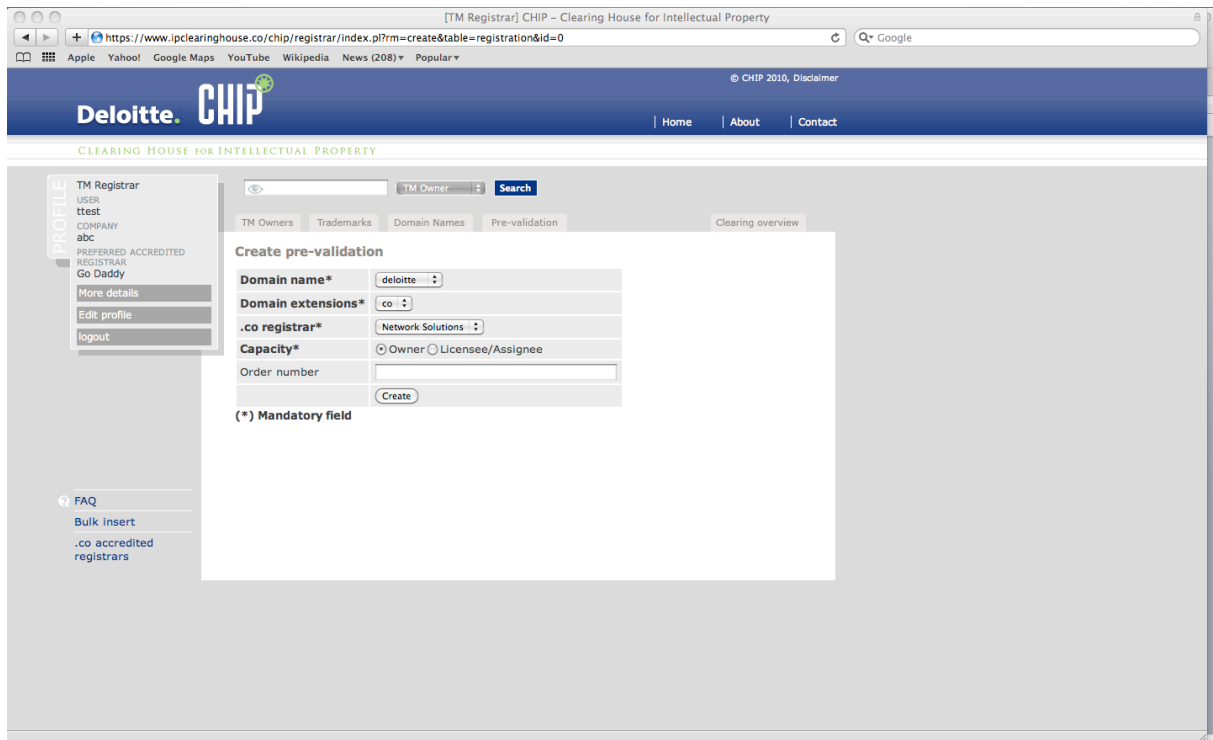


In this tab, the Registrar must submit its actual request to pre-validate a particular domain name application record by confirming the following information:

Field	Mandatory	Description
Domain name	yes	The Registrar must select a previously created Domain Name Record from the drop-down menu. By default, the last Domain Name Record that has been created will be selected.
Domain extensions	yes	this is, by default, .CO;
Capacity	yes	Values are "Owner" if the applicant is the owner of the trademark; "Licensee" if the applicant is a licensee of the trademark; and "Assignee" if it is the assignee;
Order number	no	The registrar can provide his internal reference number in this field, in order to facilitate reconciliation with his own systems;
.CO registrar	yes	The registrar must selected the .CO Accredited Registrar that will submit the domain name application to the .CO registry. Each of these .CO Accredited Registrars is mentioned in a drop-down menu, and the Registrar is required to select one of these .CO Accredited Registrars:

- Go Daddy
- Enom
- Dotster
- InterNetX
- Melbourne IT
- Mi.com.co
- Network Solutions
- OpenSRS
- Register.com

Although it is technically possible to appoint more than one .CO Accredited Registrar, we suggest the Registrar not to do this, as this could lead to a situation where two identical domain name applications submitted by the same domain name applicant through different .CO Accredited Registrars will be invited to participate to an auction for that particular domain name.



The .CO Accredited Registrar appointed by the Registrar will be the Registrar who will obtain the Pre-Registration Verification Code or PVRC as soon as the respective Sunrise phase (Local Sunrise A or Global Sunrise B) opens.

3.9. Bulk Uploads

Registrars can select to submit domain name application records in bulk.

Considering the fact that an XML interface is scheduled to be made available during the third week of March, registrars have the opportunity to submit domain name application records by using a template in XLS format, which will be available through the IP Clearinghouse.

Registrars can complete one or more forms, and submit these to the IP Clearinghouse by clicking on the “Bulk insert” link on the bottom left corner of the Overview Screen. The Registrar will then be required to select the appropriate file, and submit this file to the IP Clearinghouse.

Please make sure that a particular file will only be uploaded once. If the same file will be uploaded – either erroneously or not – the Registrar incurs the risk of being billed twice.

The template contains the following fields, which link in with the fields made available on the web interface of the IP Clearinghouse:

Web interface	XLS template	Mandatory	Description
Name	contact_name	yes	This field must contain the name of the physical person submitting the domain name application (or the name of the physical person on whose behalf the application is submitted, if - for instance - the owner of the trademark is a company, an organization, etc.
Organization	contact_organization	no	This field must contain the name of the entity submitting the domain name application when this party is not a physical

person

Street	contact_street	yes	This field must contain the address information of the applicant
Street	contact_street2	no	This field must contain the address information of the applicant
Postal code	contact_postalcode	yes	This field must contain the postal code of the applicant
City	contact_city	yes	This field must contain the city of the applicant
State/Province	contact_state	no	This field must contain the state/province of the applicant
Country	country_code	no	This field must contain the country of the applicant, using the ISO 3166 list
Phone	contact_phone	no	This field must contain the phone number where the physical person referred to above can be reached
Fax	contact_fax	no	This field must contain the fax number where the physical person referred to above can be reached
Email	contact_email	yes	This field must contain the email address where the physical person referred to above can be reached
Prior right name	trademark_priorright name	yes	This field must contain the description of the trademark given by the trademark office
IP Right type	trademarktype_id	no	This field relates to the type of trademark, e.g. word mark; figurative mark;

IP Right country	trademarkcountry_id	yes	combined mark. This field must contain the country or region for which the trademark has been registered, cf. the WIPO ST.3 Standard
Nice class	trademark_niceclass	no	The number of the classes of products and services for which the trademark has been registered.
Nice class name	trademark_niceclassname	no	The headings of the classes of products and services for which the trademark has been registered.
TM Registration number	trademark_registrationnr	yes	This field must contain the registration number awarded to the registered trademark by the trademark office referred to above or, if there would be no registration number, the application or serial number of such trademark
TM application date	trademark_registrationappliedate	no	The date on which the trademark office has received the application for the registration of the trademark.
TM registration date	trademark_registrationdate	no	The date on which the trademark office took the decision to register the trademark (and not the date as of which such registration took effect).
TM expiration date	trademark_registrationnextdate	no	The date on which the current trademark registration will expire.
Domain name	domainname_name	yes	This field must contain the actual domain name applied for, without the .CO suffix

Domain extensions	N/A	yes	this is, by default, .CO
Capacity	registration_contact	yes	Values are "Owner" if the applicant is the owner of the trademark; "Licensee" if the applicant is a licensee of the trademark; and "Assignee" if it is the assignee.
Order number	registration_ordernumber	no	The Registrar can provide his internal reference number in this field, in order to facilitate reconciliation with his own systems
.CO registrar	registrar_id	yes	The Registrar must selected the .CO Accredited Registrar that will submit the domain name application to the .CO registry - values in cells below - in the XLS form, please only use the following numbers:

- 1 Dotster
- 2 Enom
- 3 Go Daddy
- 4 InterNetX
- 5 Melbourne IT
- 6 Mi.com.co
- 7 Network Solutions
- 8 OpenSRS
- 9 Register.com

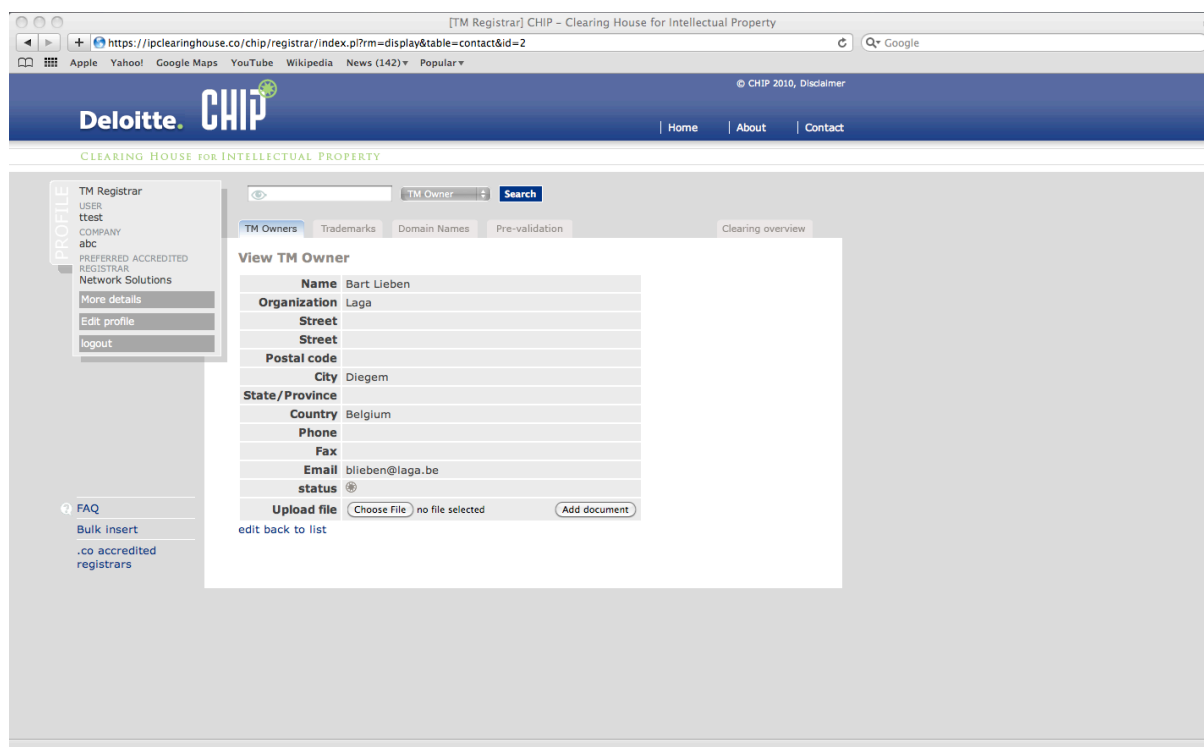
3.10. Submitting Documentary Evidence

When requested by Deloitte or Laga, the user can submit documentary evidence to the IP Clearinghouse by using the IP Clearinghouse itself. This can be done by clicking on one of the relevant tabs:

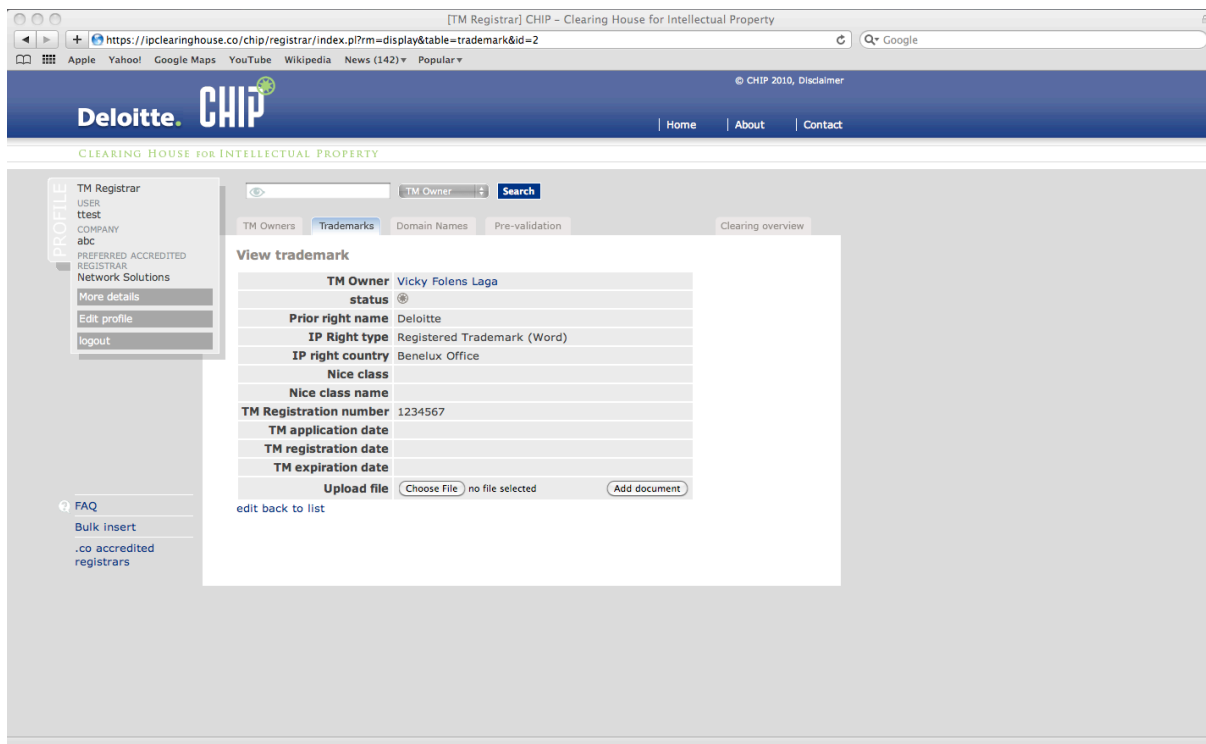
- the “TM Owners” tab for submitting duly completed and signed licensee / assignee declarations; and
- the “Trademarks” tab for trademark registration certificates.

In order to do so, the user needs to select on the applicable TM Owner Record or Trademark Record, and click the “Choose File” button on the bottom of the page, next to the “Upload File” field name. The user can then select the appropriate file from its hard drive or network, and upload such file to the IP Clearinghouse by clicking on the “Add document” button.

For submitting documentary evidence in the tab **TM Owners**:



For submitting documentary evidence in the **Trademarks** tab:



3.11. Mandatory Logout

After each session, the user must log out in order to avoid data loss or unauthorised use of its account. This is done by clicking the logout button on the left hand side of the screen.

3.12. Validation of Completed Domain Name Application Records

Following submission of the domain name application data to the IP Clearinghouse, Deloitte and Laga will commence with the validation of such trademark data. In particular, the following verifications will take place:

- whether or not the reported trademark owner, licensee or transferee is in fact eligible to submit a .CO domain name application; and
- whether or not the reported trademark can be a basis for a .CO Sunrise domain name application, in view of the .CO Launch & Registration Rules.

When Deloitte and Laga have validated the domain name application data, a verification code is issued to the .CO Accredited Registrar (referred to as a Pre-Verification Registration Code) and, if the domain name application data is submitted by a

Reseller/Registrar, also to the Reseller/Registrar. Bulk downloads of verification codes will be made available at the time each particular phase of the .CO Sunrise Process starts (Local Sunrise A and Global Sunrise B).

The .CO Accredited Registrar that has taken advantage of the IP Clearinghouse in accordance with its terms only needs to submit this PVRC verification code to the .CO Registry. The Registrar does not need to (and should not) submit the validated trademark-related information data again with its domain name application; in the case where a verification code has been obtained. In case the Registrar submits both the domain name application data and the verification code together, the .CO registry will not process the domain name application.

4. Retrieving Data from the IP Clearinghouse

4.1. Introduction

The IP Clearinghouse intends to increase transparency for all participants to and interested parties in the .CO Sunrise Process.

Therefore, the IP Clearinghouse makes available information in two ways:

- information destined for Registrars, which relate to domain name application records submitted by their authorised users; and
- information made available for the general public.

4.2. Information for Registrars

Through the IP Clearinghouse web interface, Registrars can track the progress made on each and every domain name application record submitted through the IP Clearinghouse in real time. Various status codes will be given, as explained in Section 3.4 above.

Where necessary, the Registrar will be invited to correct or clarify information submitted to the IP Clearinghouse.

Once a particular .CO Sunrise phase opens, the .CO Accredited Registrar mentioned in all of the domain name application records submitted by the respective Registrars will obtain an overview of all Pre-Verification Registration Codes (PVRCs) created for validation domain name application records. Only those domain name application

records that were successfully validated and determined eligible for a particular Sunrise phase will receive a PVRC.

The .CO Accredited Registrar that has obtained such PVRC is then required to submit such PVRCs to the .CO Registry when completing the actual Sunrise Application via EPP, as defined in the Sunrise Guides distributed by .CO Internet.

Only the PVRCs need to be submitted, together with the actual domain name application, without the trademark-related information. If a .CO Accredited Registrar submits the trademark-related data AND the PVRC in a domain name application, such domain name application will be rejected by the .CO Registry. If a .CO Accredited Registrar submits a domain name application with the pre-verified trademark-related data, but without the PVRC, they incur the risk for being billed twice (once for the pre-validation, and once for the actual validation of the domain name application, as no link between both records will be established by the .CO Registry or the validation agents).

4.3. Public WHOHAS

We will make available a public database containing relevant pre-validated domain name application records.

In order to access this database, the user will be asked to key in a CAPTCHA code before he is able to access a particular record, this in order to prevent bulk downloads of the domain name application records.

Trademark records are made publicly available as well, and by publishing the relevant domain name application data, this will ensure a maximum transparency of the .CO Sunrise process.

The WHOHAS database is made available under www.ipclearinghouse.co.

5. Frequently Asked Questions

1. Is the IP Clearinghouse the same as the Trademark Clearinghouse recommended by the Implementation Recommendation Team?

Yes and no. First of all, the mission of the Implementation Recommendation Team was to find workable solutions in the protection of trademarks in view of new gTLDs. In this instance, the IP Clearinghouse is deployed for .CO, which is a country-code or ccTLD.

Second, the IP Clearinghouse we have deployed contains all functions and functionalities we have defined in the context of previous rights protection mechanisms, which we even discussed with various members of the Internet community prior to the formation of the Implementation Recommendation Team and its members.

First versions of our IP Clearinghouse were in fact deployed in the context of the .ASIA and .TEL Sunrise processes, which took place between 2007 and 2009, and is based on the unparalleled experience of Deloitte, Laga and some of our professionals in managing rights protection mechanisms for extensions like .EU, .MOBI, .NL, and .ME. In the context of these processes, about 450,000 domain name applications have been verified and, insofar and to the extent they were successful, allocated to their corresponding trademark owners.

2. Where can I find the IP Clearinghouse?

The IP Clearinghouse and the WHOHAS are available under www.ipclearinghouse.co.

3. I am a trademark owner and I want to use the IP Clearinghouse. What do I need to do?

As only .CO Accredited Registrars and ICANN Accredited Registrars who have entered into an agreement with Deloitte are entitled to submit domain name application data to the IP Clearinghouse, you need to contact one of these parties.

We restricted the use of the IP Clearinghouse to the above parties, taking into account the fact that the .CO Launch Process is limited to 10 Registrars that can submit domain name applications to the .CO Registry.

4. When will the IP Clearinghouse be operational?

The IP Clearinghouse will be operational as of the beginning of March, 2010 and will be publicly accessible as of the second week of March, 2010. It will close for submitting pre-validations 3 days prior to the end of Sunrise A and 10 days prior to end of Sunrise B. However, it is still accessible for reviewing information up to 10 calendar days after the end of the .CO Sunrise Process.

The IP Clearinghouse will, in principle, be operational 24/7.