CLEARINGHOUSE

Fee Structure Summary

14 February 2014

TABLE OF CONTENTS

1. Introduction 3
   - 1.1. Trademark Clearinghouse Services 3
   - 1.2. Services Clarifications 3
2. Basic Fee Structure 5
   - 2.1. Basic Fee Structure Clarifications 5
3. Advanced Fee Structure 6
   - 3.1. Advanced Fee Structure Clarifications 6
4. General Considerations 8
   - 4.1. How to setup your Prepayment Account 8
   - 4.2. Pick your matching domain name label 8
   - 4.3. The Registration Period 8
   - 4.4. VAT 9
5. Abused DNL Services 10
   - 4.1. Abused DNL Service 10
   - 4.2. Abused DNL Basic Fee Structure 11
   - 4.3. Abused DNL Advanced Fee Structure 12
   - 4.4. Abused DNL Clarifications 13

1. INTRODUCTION

The Trademark Clearinghouse is the central repository for validated trademarks for the purpose of protecting brands in ICANN's new gTLD program. This Pricing document sets forth the fee structure for Trademark Holders and Trademark Agents.

1.1. Trademark Clearinghouse Services

The following table provides an overview of the services offered by the Trademark Clearinghouse, the possible users of those services, and the different available fee structures .

Users	Available Fee Structure	Trademark Registration	Additional Domain Name	Trademark Renewal
Trademark Holders	Basic	X	X	X
	Advanced	X	X	X
Trademark Agents	Basic	NA	NA	NA
	Advanced	X	X	X

1.2. Services Clarifications

What is the difference between a Trademark Holder and a Trademark Agent?

A Trademark Holder is an individual trademark owner who wishes to register a limited number of trademarks in the Trademark Clearinghouse; whereas a Trademark Agent is most likely a company or entity, which represents multiple individual trademark owners, that wants to register trademarks on behalf of the individual trademark owners.

What is the difference between the Basic and Advanced Fee Structure?

The Basic Fee Structure, only available to Trademark Holders, requires the user to pay by credit card. The Advanced Fee Structure, available to Trademark Holders and Trademark Agents, is only available for users with a Prepayment Account and offers discounted pricing based on volume.

What are the different services offered by the Trademark Clearinghouse?

- **Trademark Registration:** Registration of a trademark with the Trademark Clearinghouse includes linking up to ten domain names per registration. Trademark Registrations can be designated for one (1), three (3) or five (5) years and are (re)validated once per year.
- **Trademark Renewal:** Renewal of an existing Trademark Registration in the Trademark Clearinghouse, without changing the Trademark Registration itself, can be changed to reflect the selection of the one, three, or five year option..
- **Additional Domain Names:** Provided as an optional service, if more than ten domain names are available according to the domain name matching rules, the Trademark Holder or Trademark Agent can select additional domain names.

2. BASIC FEE STRUCTURE

	Price (USD)		
	1-Year	3-Year	5-Year
One Trademark Registration	150	435	725

2.1. Basic Fee Structure Clarifications

How many trademarks can be registered per credit card transaction?

For security purposes, payments by credit card are limited to 10 trademark registrations per credit card. Included in this fee structure are multiple domain names per payment transaction.

Are there extra fees for opting in or opting out of Sunrise or Claims services?

There are no extra fees for opting in or opting out of sunrise and/or trademark claims notification services.

3. ADVANCED FEE STRUCTURE

Status Points	Price (USD) 1-Year	3-Year	5-Year
0 to 1,000	145	435	725
1,001 to 15,000	135	405	675
15,001 to 40,000	120	360	600
40,001 to 90,000	105	315	525
Over 90,000	95	285	475

3.1. Advanced Fee Structure Clarifications

How do Status Points work?

Trademark Holders and Agents who register for a Prepayment Account (Advanced Fee structure) instead of using their credit card (see: Basic Fee structure) automatically receive discounts as they earn Status Points. **Status Points** are earned by either registering or renewing trademarks:

- Each 1-year Trademark registration: 1 point.
- Each 3-year Trademark registration: 4 points.
- Each 5-year Trademark registration: 7 points.

Trademarks registered during the Early Bird Registration Period (see below for definition), earn more Status Points:

- **6 additional points for each 3-year registration (10 points instead of 4 points)**
- **11 additional points for each 5-year registration (18 points instead of 7)**

We will use a real-time Status Counter to track the number of Status Points earned. The Status Points determine how much you will pay for a registration at that point in time. The discounts given are incremental, meaning you first pass through the lower levels before attaining the highest discount level.

Example: If you register the first 1,000 trademarks for a single year, they will be charged at 145 USD per registration. The next 14,000 will be charged at 135 USD. The next 25,000 registrations will be charged at 120 USD.

Registering trademarks for multiple years will make you pass through the lower levels faster, thus receiving the higher discount faster.

The Status Counter will automatically reset to zero at the end of each "Registration Period". For additional information on the "Registration Period" please refer to section 4 "Other Considerations".

What is Early Bird registration?

The Clearinghouse wants to offer Trademark Holders and Trademark Agents enough time to submit their trademarks; therefore, the period before the first Sunrise of the first new gTLD will be designated as the Early Bird Registration Period. Trademarks registered during this Early Bird period will not expire on the first anniversary of the registration date. They will, however, expire on the first anniversary of the calendar day prior to the date that the first gTLD starts their Sunrise period. This means that the trademark will be protected for approximately three to five months longer. In addition, recording your trademark for 3 or 5 years will earn you extra Status Points if you've opted for the Advanced Fee Structure.

Are there extra fees for opting in or for opting out of Sunrise or Claims services?

There are no extra fees for opting in or out of Sunrise services or trademark Claims notifications.

4. GENERAL CONSIDERATIONS

4.1. How to setup your Prepayment Account

- Sign up on our website www.trademark-clearinghouse.com
- After completion of the acceptance process, a minimum deposit of either 15,000 USD or 5,000 USD is required to activate the Prepayment Account. These funds are immediately and entirely available for registering trademarks. There is no limit on the number of trademarks that may be registered, as long as the account contains sufficient funds. (Only wire transfers are accepted, and the wiring party will bear any applicable or associated transaction and currency conversion costs..)

4.2. Pick your matching domain name labels

During the trademark's registration, the Trademark Clearinghouse automatically generates a list of matching domain name labels based on ICANN's Domain Name Matching Rules. Up to 10 domain name labels are included in the price of a Trademark Registration. For each additional domain name label, an additional fee will be charged. The additional domain name label charges are as follows:

	Price (USD)		
	1-Year	3-Year	5-Year
Additional domain name label	1	3	5

4.3. The Registration Period

The Status Counter is automatically reset to zero at the end of each "Registration Period", defined as follows:

- For a Trademark Holder or Trademark Agent who did register one or more Trademarks in the Trademark Clearinghouse during the Early Bird Registration Period, the initial Registration Period will begin when they have registered the first Trademark in the Trademark Clearinghouse, and will end on the first anniversary of the date the Early Bird Registration Period closed.
- For a Trademark Holder or Trademark Agent who did not register a Trademark during the Early Bird Registration Period, the initial Registration Period will begin when they have registered the first Trademark in the Trademark Clearinghouse, and ends on the first anniversary of such date.
- Thereafter, in either of the above two cases, each subsequent Registration Period shall consist of a 12 month period beginning on the date of termination of the previous Registration Period and ending on the first anniversary of such date.

4.4. VAT

All prices are listed in USD and do not include any Value Added Tax (VAT). An additional 15% VAT will be added when:

- The Trademark Holder or Trademark Agent's registered country of residence is within the European Union and the Trademark Holder or Trademark Agent has indicated that he is not VAT-liable, i.e. did not provide a valid VAT-number; or
- The Trademark Holder or Trademark Agent's registered country of residence is Luxembourg.

5. ABUSED DNL SERVICES

5.1. Abused DNL Service

Out of the Clearinghouse implementation discussions, a Strawman solution was proposed to balance and address the concerns of affected stakeholders. This covered the inclusion of domain names previously determined to have been abusively registered (hereinafter "Abused DNL") in the Clearinghouse in order to receive Trademark Claims services. ICANN has requested the Clearinghouse to implement the point of the Strawman model.

This will offer the possibility to add UDRP cases or Court cases to a verified Trademark Record. Up to 50 verified (active) UDRP and Court Cases resulting in a maximum of 50 verified (active) Abused DNLs can be linked to a trademark record.

The following table provides an overview of the services offered by the Trademark Clearinghouse from which the Trademark Holders and Trademark Agents who have submitted Abused DNLs can benefit for these labels. The Abused DNL services will only be available to Trademark Records that have been already verified.

	Trademark Claims Notifications	Sunrise Notifications	Sunrise Registration
Abused DNL	X	NA	NA

- Abused DNLs can only be added to verified trademark records regardless of the types of trademark (Registered Trademarks, Court-Validated Marks and Marks protected under statute or treaty).

  All abused labels need to be mentioned in the successful UDRP and/or court case.

- This service will be made available to both Trademark Holders and Trademark Agents.

- Verified Abused DNLs can only benefit from Trademark claims notifications.

5.2. Abused DNL Basic Fee Structure (credit card payments)

UDRP CASE

	Price (USD) UDRP CASE		
	1-Year	3-Year	5-Year
Verification of the case	75$		
Adding an Abused DNL	1$ per label	3$ per label	5$ per label
Reactivation of the case once the trademark record has ex	1$ per label + 25$	3$ per label	5$ per label

COURT CASE

	Price (USD) COURT CASE		
	1-Year	3-Year	5-Year
Verification of the case	200$		
Adding an Abused DNL	1$ per label	3$ per label	5$ per label
Reactivation of the case once the trademark record has expired	1$ per label + 25$	3$ per label	5$ per label

5.3. Abused DNL Advanced Fee Structure (via prepayment)

UDRP CASE

	Price (USD) UDRP CASE		
	1-Year	3-Year	5-Year
Verification of the case	50$		
Adding an Abused DNL	1$ per label	3$ per label	5$ per label
Reactivation of the case once the trademark record has ex	1$ per label + 25$	3$ per label	5$ per label

COURT CASE

	Price (USD) COURT CASE		
	1-Year	3-Year	5-Year
Verification of the case	150$		
Adding an Abused DNL	1$ per label	3$ per label	5$ per label
Reactivation of the case once the trademark record has expired	1$ per label + 25$	3$ per label	5$ per label

5.4. Abused DNL Clarifications

What will be the duration of the registration of the Abused DNLs with the Clearinghouse?

The Registration Period of the Abused DNLs with the Clearinghouse will be linked to the Registration Duration of the verified trademark record to which it is added. If the Abused DNL is added to a Trademark Record already registered for several years with the Clearinghouse, the Registration Duration of the Abused DNL will be the original Registration Duration of the trademark record.

- Example: if a Trademark Record is recorded for one year as of January 2014 and the Abused DNL is added in March 2014 to the Trademark Record, the Abused DNL will be recorded until January 2015. The Trademark Holder or Agent will have to pay for the examination of the case plus 1USD for the Abused DNL.

What does "verification of the case" mean?

Trademark Holders and Trademark Agents will have to pay a fee for the verification of the UDRP or Court case by the verification agents of the Clearinghouse. This verification will happen once per Registration Period. This fee will hence have to be paid only once per Registration Period namely when submitting the UDRP or the Court case.

- Example: if an Abused DNL based on a UDRP case is recorded for five years, the Trademark Agent submitting the case will have to pay once 50 USD for the verification of the UDRP case. After the expiration of the registration period and you wish to renew it a re-activation fee is applicable.

What does "re-activation of the case" mean?

This only applies to Trademark Records submitted for one year which are then renewed. The Clearinghouse will charge an extra fee of 25 USD if the Trademark Agent or the Trademark Holder wants to renew the trademark record after one year with the Abused DNL excluding the 1 USD per label.

Contact

www.trademark–clearinghouse.com

Twitter: @tmchinfo

Linked In & Facebook: Trademark Clearinghouse – TMCH

Note: prices are subject to change