

TRADEMARK FACT CHECK



What Is Trademark Fact Check?

Trademark Fact Check is an analysis tool that gives Registrars the correct trademark information for .xxx sunrise applications. This analysis is done PRIOR TO SUBMISSION to the Registry, giving Registrars the opportunity to correct any inaccuracies.

Why do Registrars need it?

Submitting incorrect trademark data could result in the denial of your Sunrise AT or B registration. Trademark Fact Check can tell you BEFORE YOU INCUR REGISTRY FEES whether the sunrise application you are submitting will fail scrutiny by the validating agent.

How does it work?

Trademark Fact Check has real-time access to trademark databases from around the world and compares the information in those databases to the registration requirements for a .xxx sunrise AT or B registration.

How do I use it?

Once you sign up for an account, you can upload your records to be fact checked using our secure batch process. Typically, within 4 hours, the output file with all of the processed data, along the Trademark Fact Check analysis will be available to you for download.

How Can I Double-Check Your Analysis?

All fact checks include the source trademark record on which the checks are based.

ICANN Registrars and Resellers Welcomed

Our Reseller Program includes volume discounts, quick turnaround and non solicitation guarantee.

Availability

Available now. Sign up for an account today at www.tmfactcheck.com.

What if I have Questions?

Email info@tmfactcheck.com or call +1 201.621.3026 or +1 781.492.1315

A complete list of the checks and the jurisdictions is displayed below

TRADEMARK FACT CHECK

.XXX Analysis Performed

Trademark Eligibility – Is it a registered active trademark?

- Does the registration number exist for the jurisdiction specified?
- Was the registered trademark registered before September 1, 2011?
- Is the registered trademark active?
- Is the trademark on the Supplemental register? (this is prohibited)
- Is there a textual component of the trademark? (only the textual portion can be protected)
- Is any part of the trademark disclaimed? (The entire trademark can not be disclaimed)
- Does the trademark contain ".xxx"? (this is prohibited)
- Does the trademark appear designed to “game” the sunrise period with special characters?

Domain Name Eligibility – Does the domain name match the trademark?

- Is the domain name valid? (no special characters present, valid length, etc.)
- Is the domain name an exact match of the trademark?
 - Special characters may be removed or replaced with hyphens or transcriptions
 - Company designations, such as "Inc." and "GmbH" may be removed
 - Trademark designations, such as TM and SM, may be removed

Owner Eligibility – Does the applicant match the trademark owner?

(For applicants claiming the capacity of "Owner")

- Is the applicant organization listed in the trademark record?
- Is the applicant address listed in the trademark record?
- Is the applicant city listed in the trademark record?
- Is the applicant state listed in the trademark record?
- Is the applicant postcode listed in the trademark record?
- Is the applicant country listed in the trademark record?

Trademark Jurisdictions Supported

Andorra	Community	India #	Panama #	Spain
Argentina #	Croatia	International	Paraguay #	Sweden
Australia	Cyprus	Ireland	Peru #	Switzerland
Austria	Czech Republic	Italy #	Philippines #	Taiwan #
Benelux	Denmark	Japan	Poland	Turkey
Bolivia #	Ecuador	Latvia	Portugal	Ukraine
Bosnia	Estonia	Lithuania	Republic of Korea	United Kingdom
Herzegovina*	Finland	Macau #	Romania	United States
Brazil #	France	Macedonia*	Russian	Uruguay
Bulgaria	Germany	Malta*	Federation	Venezuela #
Canada	Greece*#	Mexico	Serbia	Vietnam #
Chile	Hong Kong	Montenegro #	Singapore #	
China #	Hungary	New Zealand	Slovakia	
Columbia	Iceland #	Norway #	Slovenia	

* = Includes only published trademarks since 2005

= Coming in future releases planned this summer