



## Registry Services Evaluation Policy (RSEP) Request

November 8, 2018

### Registry Operator

DotGift, LLC  
3-110 Governors Square

1361 GT  
Grand Cayman, Grand Cayman KY1-1108

### Request Details

Case Number: 00907612

This service request should be used to submit a Registry Services Evaluation Policy (RSEP) request. An RSEP is required to add, modify or remove Registry Services for a TLD. More information about the process is available at <https://www.icann.org/resources/pages/rsep-2014-02-19-en>

Complete the information requested below. All answers marked with a red asterisk are required. Click the Save button to save your work and click the Submit button to submit to ICANN.

### PROPOSED SERVICE

#### 1. Name of Proposed Service

Uni EP ICANN Registry Request Service

#### 2. Technical description of Proposed Service. If additional information needs to be considered, attach one PDF file

The Proposed Service is proposed for all Uniregistry TLDs that may change from time to time (currently: .country, .audio, .car, .blackFriday, .auto, .cars, .christmas, .click, .diet, .flowers, .game, .gift, .guitars, .help, .hiphop, .hiv, .hosting, .juegos, .link, .lol, .mom, .photo, .pics, .property, .sexy, .tattoo).

Uniregistry Inc. (“Uniregistry”) would like to provide a service called Uni EP (“Uni EP”). This service offers brand owners the opportunity to protect their trademarks registered in the Trademark Clearinghouse (“TMCH”) by making those domain names corresponding to the trademark unavailable for registration (“blocks” or “blocking”), or such variation as allowed by the rules of the TMCH, in some top-level domains (“TLDs”) for which Uniregistry has a contract to operate from ICANN.

An amendment to the Registry Agreement (RA) will be submitted.

To be eligible for the Uni EP service, names to be protected must:

- Conform to ICANN-mandated name formation rules;
- Match an TMCH-compliant SMD file, to be provided by the mark holder via its accredited registrar; and
- Not be on any of the lists of names mandated by ICANN to be blocked in the Uniregistry – ICANN registry agreement.

The rules of allocation of the Uni EP names are:

- Labels that are already on the Uni EP can be subject of subsequent requests by another Trademark holder and can coexist to allow for different class of trademark registrations.
- There is a flat fee for protecting a trademark across all included Uniregistry TLDs;
- If a brand has already registered a domain name in one or more of Uniregistry TLDs, they can still purchase Uni EP, and get their purchased domain names added to Uni EP following the end of such domain name's registration term.
- Labels with 8 or less characters are classified as Regular Length Labels; rest of them are Long Labels.
- Uni EP protection period is either 3, 5 or 10 years at the customer's option. It is also possible to purchase Uni EP for 5 years, then extend for an additional 5 years.
- With Uni EP Plus, the trademark owner can also reserve all confusingly similar variants of their marks in 8 languages – English, Cyrillic, French, Italian, German, Portuguese, Spanish, Chinese. For each label in the SMD submitted via the Web Console, variations are automatically calculated based on confusable characters defined by Unicode Consortium for these 8 languages.
- At the end of the protection period, the domain name in question will be released and it will first be available to the Uni EP registrant for registration at current registration rate for each TLD. If the Uni EP registrant does not register the name then it will be available on a first-come, first-served basis.

If additional information needs to be considered, attach one file

## CONSULTATION

3. Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?

Uniregistry undertook discussions with several gTLD registrars, both those serving the trademark community and those serving the general public, by email, by phone, and in person. The question to them was quite simply whether they thought there was a market for the product, whether there were any likely unintended consequences that had not been foreseen by Uniregistry, and how it might be best implemented. Registrars consulted were CSC, MarkMonitor, Safenames, and our own Uniregistry registrar. The registrars reacted favorably to the program. The Uni EP program as described here is the result of these discussions.

3a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored TLD community?

N/A

3b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and content of the consultation?

Uniregistry undertook discussions with several gTLD registrars, both those serving the trademark community and those serving the general public, by email, by phone, and in person. The question to them was quite simply whether they thought there was a market for the product, whether there were any likely unintended consequences that had not been foreseen by Uniregistry, and how it might be best implemented. Registrars consulted were CSC, MarkMonitor, Safenames, and the Uniregistry registrar. The registrars reacted favorably to the program. The Uni EP program as described here is the result of these discussions. The registrars reacted favorably to the program. The Uni EP program as described here is the result of these discussions.

3c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?

Given similar services were successfully implemented by other Registry providers, we had discussions with our peers, members of the Registry Stakeholder Group. Notably, we consulted with experts who were instrumental in implementing similar services on behalf of other Registries and who guided us in our own implementation, through conversations and in writing.

3d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?

As the services are meant to protect trademark holders, we wanted to ensure that our implementation would be both useful to them and easy to use. To that end we have had several

conversations – both by e-mail and face to face during ICANN 63 – with intellectual property lawyers and corporate registrars who introduced Uni EP to their clients. All of them got positive feedback on our approach.

3e. Who would endorse the introduction of this service? What were the nature and content of these consultations?

Uniregistry is not seeking a formal endorsement of the service. Informally, however, as described above, we believe that the service would be welcomed by brand owners and registrars.

3f. Who would object the introduction of this service? What were (or would be) the nature and content of these consultations?

Uniregistry does not anticipate any objection to the introduction of this service, as it closely resembles similar services from Donuts and MMX that have been readily accepted by the trademark community.

## **TIMELINE**

4. Please describe the timeline for implementation of the proposed new registry service.

Uniregistry plans offer the Uni EP as soon as ICANN has approved this RSEP request.

## **BUSINESS DESCRIPTION**

5. Describe how the Proposed Service will be offered.

The Uni EP will be offered as a chance for owners of trademarks in the TMCH to quickly and easily make their trademarks unavailable for registration to any entity other than themselves.

For those trademark holders registering domain names as a defensive measure only, the Uni EP offers an easy, definitive, and cost-effective method for achieving their goals by offering at-a-stroke protection for TLDs included in the program. The Uni EP is quite similar to the Donuts' DPML, which has done very well, and should be immediately understood and accepted by the trademark community.

For trademarks subscribing to the Uni EP Plus bundle, confusingly similar variations of each label in the SMD are automatically calculated by the Uniregistry system. The list of these variations for each label is displayed in the Web Console. If Uni EP Plus product is selected for a TM Label, then all confusingly similar variants are automatically reserved and blocked.

As part of Uni EP Plus, a trademark owner can reserve confusingly similar names of their mark. This is true for each label in the trademark's SMD that contains confusable Unicode characters. Uniregistry will automatically compute a list of such names based on confusable characters published by the Unicode Consortium  
<http://www.unicode.org/Public/security/latest/confusables.txt>

After an SMD has been validated and all labels have been extracted from it, every character of each label will be checked against the list of confusable characters and the system will generate all the possible similar variants that can be created using the characters supported by Uniregistry IDN tables <https://uniregistry.link/uniregistry-idn-policies>

The program is offered to registrars as a product that they can sell to their customers; registrars will be offered the product at a wholesale rate and they may charge their customers as their business model dictates.

Uni EP and Uni EP Plus will be offered to all ICANN-accredited registrars who have signed an RRA with an Uniregistry-controlled entity, as well as our Uni EP specific Agreement. As identical brands can coexist in the database to accommodate trademarks registered in various classes, no advance notice is necessary, but we will inform all registrars who have signed an Uniregistry RRA and who will get the opportunity to join the program.

#### 6. Describe quality assurance plan or testing of Proposed Service.

Uniregistry's proprietary registry platform has been fully tested and passed all quality assurance (QA) stages, including the functionality needed to facilitate blocking of names. The SMD checks validation tool has also been tested and certified by QA.

#### 7. Please list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.

There are no relevant RFCs or white papers on the proposed service at this time.

### **CONTRACTUAL PROVISIONS**

#### 8. List the relevant contractual provisions impacted by the Proposed Service.

Exhibit A – Approved Services will be impacted. No other provision will be impacted.

9. What effect, if any, will the Proposed Service have on the reporting of data to ICANN.

Uniregistry does not believe that this service will require any additional reporting of data.

10. What effect, if any, will the Proposed Service have on the Whois?

As these names will not be delegated there should be no impact to Whois.

If additional information needs to be considered, attach one PDF file.

11. What effect, if any, will the proposed service have on the price of a domain name registration?

None.

If additional information needs to be considered, attach one file.

## **CONTRACT AMENDMENTS**

12. Please describe or provide the necessary contractual amendments for the proposed service

Text of the Amendment is attached.

## **BENEFITS OF PROPOSED SERVICE**

13. Describe the benefits of the Proposed Service.

In the current expansion of the gTLD space, where brand owners may feel pressured into defensively registering their names across multiple new gTLDs, the Uni EP service would provide a flexible, affordable and simple way for brand owners to block their names from

registration for up to 10 years. This would aim to give comfort to brand owners and help reduce the number of disputes and complaints arising from IP rights.

## COMPETITION

14. Do you believe your proposed new Registry Service would have any positive or negative effects on competition? If so, please explain.

Allowing Uniregistry to provide this service will allow it to fairly compete with substantially similar programs already in place in other new gTLD registries.

15. How would you define the markets in which your proposed Registry Service would compete?

As the affected gTLDs are authoritative and unique, strictly speaking there is no competition. More broadly construed, however, the market in which we are competing with other registries offering similar services is that part of the registrar market that services brand holders.

16. What companies/entities provide services or products that are similar in substance or effect to your proposed Registry Service?

Donuts, Inc. and MMX, both of which are gTLD registry operators, offer largely identical products.

17. In view of your status as a registry operator, would the introduction of your proposed Registry Service potentially impair the ability of other companies/entities that provide similar products or services to compete?

Because only the registry can authoritatively block a name, only the registry is able and qualified to offer the service. By the same reasoning this service cannot impair the ability of other registries to introduce a similar service.

18. Do you propose to work with a vendor or contractor to provide the proposed Registry Service? If so, what is the name of the vendor/contractor, and describe the nature of the services the vendor/contractor would provide.

The development and provisioning of the service will be done by Uniregistry without the use of outside vendors or contractors.

19. Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed Registry Service? If so, please describe the communications.

Yes. As described above, we have had discussions with registrars who are eager to provide their brand customers with the ability to block their names via Uni EP.

20. Do you have any documents that address the possible effects on competition of your proposed Registry Service? If so, please submit them with your application. (ICANN will keep the documents confidential).

We are not aware of any such documents.

If additional information needs to be considered, attach one PDF file.

Amendment to RA - Uni EP.docx

## **SECURITY AND STABILITY**

21. Does the proposed service alter the storage and input of Registry Data?

No.

22. Please explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems.

Uni EP registrations are simply blocked names so there is no impact to throughput, response times, consistency or coherence of responses to Internet servers or end systems.

23. Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?

No technical concerns have been raised about the proposed service.

## **OTHER ISSUES**

24. Are there any Intellectual Property considerations raised by the Proposed Service?

The proposed service is targeted to the intellectual property community, via their registrars, as a service for sale. Other than that, we do not believe there are intellectual property considerations.

If additional information needs to be considered, attach one PDF file.

25. Does the proposed service contain intellectual property exclusive to your gTLD registry?

No.

26. List Disclaimers provided to potential customers regarding the Proposed Service.

We have provided no disclaimers to potential customers regarding the proposed service.

If additional information needs to be considered, attach one PDF file.

27. Please provide any other relevant information to include with the request.

Please don't hesitate to contact us if you need further information.

Click the Save button to save your work and click the Submit button to submit to ICANN.

**Affected TLDs**

<b>Current Registry Operator</b>	<b>Top Level Domain</b>	<b>Registry Agreement Date</b>
DotGift, LLC	gift	2013-10-17