How to add variations

Trademark Clearinghouse

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1. Introduction

This document will provide TMCH Trademark Agents and Holders with a guide on how to add variations (extra labels) next to their standard labels via the web interface of the TMCH. Please note that these extra labels can only be used when the Ongoing Notifications service is activated. As a consequence, when this service is activated and when users have added variations, users will be notified when this variation is used for the registration of a domain name in a new gTLD.

Please note: Holders paying with credit card can only add variations when submitting a mark record or when renewing it. Holders using prepayment and agents can add variations at any time.

	Submitting new mark	Renewal existing mark	Any time
Holders paying with credit card	X	X	
Prepaid holders	X	X	X
Agents	X	X	X

Table 1: Moments when you are able to add variations

For the cost of variations, please refer to the <u>fee structure</u>. This cost will be added to the mark order or the renew order. For holders using prepayment and agents that are adding variations to existing marks, the fee will be payed immediately out of their prepayment account when they accept the confirmation message (as shown in *4.4.2. Adding variations to an existing mark*).

In this guide we will use the mark '*testmark'* as an example.

2. Allowed variations

If you want to add variations to your marks, some rules apply towards these variations before they are allowed to be added. These rules can be consulted by clicking on 'Which variations are allowed' when you go to the application page (the mark page), and to the bottom of this application page:

Upload Attachments (PDF or JPEG)

ASSIGNEE DECLARATION   Choose File   No file chosen

LICENSEE DECLARATION   Choose File   No file chosen

OTHER   Choose File   No file chosen

Label ❓

UNICODE LABEL (U-LABEL)*

SUNRISE SERVICES ☑

DECLARATION OF PROOF OF USE
INCLUDING ONE SINGLE SAMPLE*   Choose File   No file chosen
Download 'Declaration of Proof of use' template here

PROOF OF USE - OTHER   Choose File   No file chosen

TM CLAIMS SERVICES ☑

Variations

Variations are labels that are non-exact matches with your mark. They will only be used for Ongoing Notifications.

Which variations are allowed ?

Add more variations before ordering

☐ [Trademark Holder/Trademark agent] hereby certifies that the information submitted to the Clearinghouse is, to the best of [Trademark Holder/Trademark agent] knowledge, complete and accurate, that the trademarks set forth in this submission are currently in use in the manner set forth in the accompanying specimen, in connection with the class of goods or services specified when this submission was made to the Clearinghouse; that this information is not being presented for any improper purpose; and that if, at any time, the information contained in this submission is no longer accurate, the [Trademark Holder/Trademark agent] will notify the Clearinghouse within a reasonable time of that information which is no longer accurate, and to the extent necessary, provide that additional information necessary for the submission to be accurate. Furthermore, if any Clearinghouse-verified mark subsequently becomes abandoned by the Trademark Holder, the [Trademark Holder/Trademark agent] will notify the Clearinghouse within a reasonable time that the mark has been abandoned, or has been the subject of successful opposition, invalidation, cancellation, or rectification proceedings.

SUBMIT

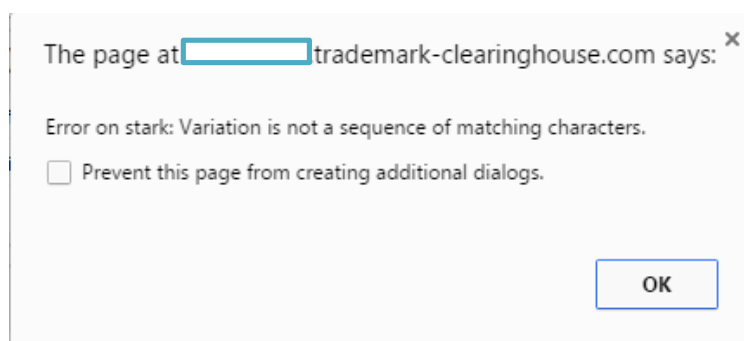The rules considering the allowed variations are the following:

- Rule: *'Containing'*: This means that you can add text in front of or behind the mark you (want to) have submitted.
  - Example: *test*testmark, testmark*test*
- Rule: *'Part of'*: This rule applies to a series of consecutive characters taken from one of the labels associated with the mark. You are allowed to submit variations for which the length is at least half of the length of the standard label. The minimum length for a variation is 3 characters.
  - Example: testma, mark
    - stark: this is not allowed because the characters are not consecutive as in the standard label.
    - tes: this is not allowed because this variation is too short.
- Rule: *'Similar to'*: This rule applies to similar marks, which means that characters of your standard label can be replaced by similar characters (e.g. 'o' by '0', 'e' by 'é'…). You are allowed to replace maximum ¼ of the total length (rounded up) of the standard label. When you use the wizard interface, you are able to see which characters are similar and you are able to choose the replacement you wish. Please note that you can replace a spacing by a hyphen, but a hyphen not by a spacing.
  - Example: téstmark

Note: variations should be added in lowercase.

Please note that the rules mentioned above cannot be mixed. This means that a variation should be conform to one and only one rule, otherwise an error message will be returned. 'téstma', for example, is not allowed as a variation since this is not conform to only one rule.

When the added variation does not conform to one of the types mentioned above, an error meassage will be displayed:

- e.g. for 'stark', 'tes' and 'téstma'

The page at ☐ trademark-clearinghouse.com says: ✕

Error on tes: Minimum number of partial matching characters is 4

☐ Prevent this page from creating additional dialogs.

OK

The page at ☐ trademark-clearinghouse.com says: ✕

Error on téstma: Partial variation with pre/post fix text is not allowed

☐ Prevent this page from creating additional dialogs.

OK

3. Adding variations for Holders paying with Credit Card

3.1. Adding variations when submitting new marks.

Holders paying with credit card are able to add variations when submitting new marks or when renewing existing applications.

When submitting a mark, you will be able to see a box 'Variations' at the bottom of your submission page.

3.1.1. Adding variations using the bulk interface

If you wish to add variations via the 'bulk interface', click 'Add more variations before ordering'. The following box will be displayed. This interface is called 'bulk interface' as variations can be added 'in bulk'.

Here you will also see the line 'Use wizard interface'. With the wizard interface, you will be able to add variations individually and you will be able to have a clearer overview on which variations can be added. If you click on this line, the wizard interface as shown in *3.1.2 Adding variations using the wizard interface* will replace the bulk interface. If you wish to return to the bulk interface after you've clicked on the 'Use wizard interface', click on 'Use bulk interface'.

Next, add the variations you would like to see included in your application.

Please note: While adding variations, please do not forget to take into account the general rules mentioned in *2. Allowed variations.*

When you are ready to add variations, click: 'Add these variations to the list to be ordered'.

After clicking this button, your variations box will look like the following:

3.1.2. Adding variations using the wizard interface

When you have clicked on 'Use wizard interface', the interface below will be shown.

When you use this interface you can:

- add words in front of or behind the standard label
- use a part of your standard label as variation by clicking on the arrow and selecting the *void* cell at the bottom of the list.
- convert characters to similar characters by using the arrows and selecting a similar character.

Please note: While adding variations, please do not forget to take into account the general rules mentioned in *2. Allowed variations*. Below the example is given for *téstmark*.

Variations

Variations are labels that are non-exact matches with your mark. They will only be used for Ongoing Notifications.

Add variations

Which variations are allowed ?

[ ] | t ▼ | é ▼ | s ▼ | t ▼ | m ▼ | a ▼ | r ▼ | k ▼ | [ ]

téstmark   Add this variation to the list to be ordered

Close

Use bulk interface

When you are ready to add the variation, click: 'Add this variation to the list to be ordered'.

After clicking this button, your variations box will look like the following:

Variations

Variations are labels that are non-exact matches with your mark. They will only be used for Ongoing Notifications.

variation # 32 téstmark ⬇

Which variations are allowed ?

Add more variations before ordering

3.2. Managing your variations

When you have submitted your mark and when the mark becomes valid in the TMCH, the variations related to the mark will look like the following:

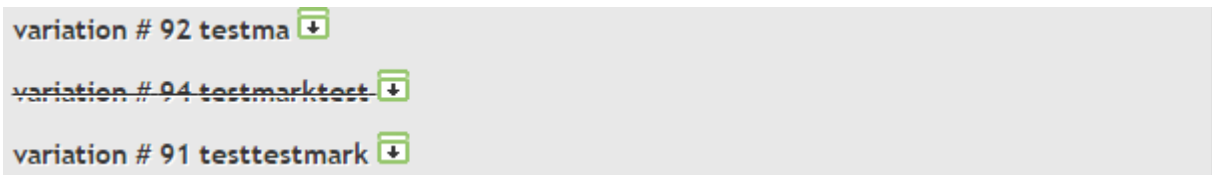Clicking on the arrow in the green box will display the status of the variation you have added. Below, the example is given for 'testmarktest'.

3.2.1. Deleting variations

If you wish to delete your variation please follow the steps listed below:

- Go to the variations section on your mark page.
- Click on the green arrow next to the variation you wish to delete.
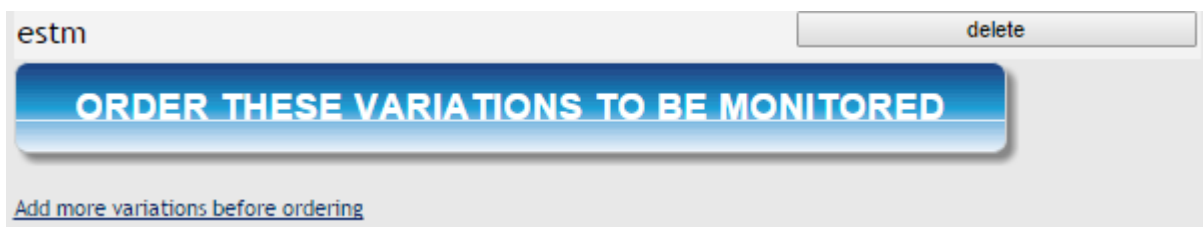- After you have clicked on 'Delete variation' the variation will be marked as follows:

If you then click the arrow in the green box next to the variation or access your mark page again, it will be deleted from your variations.

3.2.2. Adding variations to an existing mark

Holders paying with credit card can only add variations when they submit a new mark or when they renew an existing mark. If you wish to add variations to a mark that is already submitted, please follow the steps listed below.

- Go to your mark for which you would like to add variations. There, go to the bottom of the page. In the 'Variations'-box, click on 'Add more variations before ordering'.
- Enter the variation you would like to see added and click on 'Add these variations to the list to be ordered' (for bulk interface) or 'Add this variation to the list to be ordered' (for wizard interface). The following box will appear (e.g. variation *estm*).

- If you would like to add more variations click on 'Add more variations before ordering', if not, click on 'Order these variations to be monitored'.

After you have clicked on this button the following box will appear at the top of the mark page:

MARKS	SERVICES	CASES

Variations have been added. DO NOT FORGET TO RENEW TO ACTIVATE THE VARIATIONS !

This box pops up because you will only be able to add these variations when you renew your mark. Accordingly, when you go to the variations section at the bottom of your mark page, and you click on the arrow in the green box next to the variation you have added, you will see that the variation you have added will only become active when you renew your mark ('Will be activated with next renewal').

variation # 19 estm ⊡

ASCII LABEL (A-LABEL)*	estm
UNICODE LABEL (U-LABEL)*	estm
TYPE*	part of
ACTIVE	Will be activated with next renewal

Delete variation

4. Adding variations for Holders with Prepayment and Agents

Holders with prepayment and agents are able to add variations at any time.

4.1. Adding variations when submitting new marks.

When submitting a mark, you will be able to see a box 'Variations' at the bottom of your submission page.

Label #166992 testmark ⬇

Services

TESTMARK	Sunrise flag ❓ Claims flag on
SMD FILE	Not available
ONGOING NOTIFICATION	Active

Variations

Variations are labels that are non-exact matches with your mark. They will only be used for Ongoing Notifications.

Which variations are allowed ?

Add more variations before ordering

UDRP/Court cases and abused label

Name	Ref Number/Court Case No.	Status	ULabel
Add UDRP	Add Court case		

4.1.1. Adding variations using the bulk interface

If you wish to add variations via the 'bulk interface', click 'Add more variations before ordering'. The following box will be displayed. This interface is called 'bulk interface' as variations can be added 'in bulk'.

Here you will also see the line 'Use wizard interface'. With the wizard interface, you will be able to add variations individually and you will be able to have a clearer overview on which variations can be added. If you click on this line the wizard interface as shown in *4.1.2 Adding variations using the wizard interface* will replace the bulk interface. If you wish to return to the bulk interface after you've clicked on the 'Use wizard interface', click on 'Use bulk interface'.

Please note: While adding variations, please do not forget to take into account the general rules mentioned in 2. Allowed variations.

When you are ready to add variations, click: 'Add these variations to the list to be ordered'.

After clicking this button, your variations box will look like the following:

Variations

Variations are labels that are non-exact matches with your mark. They will only be used for Ongoing Notifications.

Which variations are allowed ?

testmarktest	delete
testtestmark	delete
testma	delete
mark	delete
téstmark	delete

Add more variations before ordering

4.1.2. Adding variations using the wizard interface

When you have clicked on 'Use wizard interface', the interface below will be shown.

Variations

Variations are labels that are non-exact matches with your mark. They will only be used for Ongoing Notifications.

Add variations

Which variations are allowed ?

`[ ]  t ▼  e ▼  s ▼  t ▼  m ▼  a ▼  r ▼  k ▼  [ ]`

testmark Add this variation to the list to be ordered

Close

Use bulk interface

When you use this interface you can:

- add words in front of or behind the standard label
- use a part of your standard label as variation by clicking on the arrow and selecting the *void* cell at the bottom of the list.
- convert characters to similar characters by using the arrows and selecting the similar character.

Please note: While adding variations, please do not forget to take into account the general rules mentioned in 2. Allowed variations. Below the example is given for *téstmark*.

When you are ready to add the variation, click: 'Add this variation to the list to be ordered'.

After clicking this button, your variations box will look like the following:

4.2. Managing your variations

When you have submitted your mark, the variations related to the mark will look like the following:

Clicking on the arrow in the green box will display the status of the variation you have added. Below, the example is given for 'testmarktest'.

4.2.1. Deleting variations

If you wish to delete your variation please follow the steps listed below:

- Go to the variations section on your mark page.
- Click on the green arrow next to the variation you wish to delete.
- After you have clicked on 'Delete variation' the variation will be marked as follows:

If you then click the arrow in the green box next to the variation or access your mark page again, it will be deleted from your variations.

4.2.2. Adding variations to an existing mark

Holders with prepayment and agents can add variations to an existing mark at any time. If you wish to add variations to a mark that is already submitted, please follow the steps listed below.

- Go to your mark for which you would like to add variations.
- Go to the bottom of the mark-page.
- In the 'Variations'-box, click on 'Add more variations before ordering'.
- Enter the variation you would like to see added and click on 'Add these variations to the list to be ordered' (for bulk interface) or 'Add this variation to the list to be ordered' (for wizard interface). The following box will appear (e.g. variation *estm*).

- If you would like to add more variations click on 'Add more variations before ordering', if not, click on 'Order these variations to be monitored'.

After you have clicked on this button the following box will appear at the top of the mark page:

Click on OK if you wish to add the variation(s) you have put in in the previous steps. After you have clicked on OK, the following display will appear at the top of your screen.

Your variation(s) have now been added. When you now click on the details of the variation(s) you just added (by clicking on the arrow in the green bow next to the variation), you will see that the variation has become 'Active'.