How to revalidate/invalidate your POU documentation

Trademark Clearinghouse
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1. Introduction

Trademark holders that want to opt in for the Sunrise service are required to provide a Proof Of Use (POU) of their submitted trademark. As described in the TMCH guidelines the submission for verification of Proof of Use consists of two elements: (1) a signed declaration of use and (2) a single sample of Proof of Use. As per the ICANN requirements, an update on the POU documentation is required once every five years. For this reason, the TMCH requires the holder (or the agent acting on its behalf) to reconfirm the validity of the submitted POU documentation.

This POU revalidation process is facilitated via the TMCH web interface. In case you as a Trademark Holder/Agent have trademark records for which the POU will expire within 120 days, a POU revalidation page will become available. On this page you will be able to select the trademark records for which the POU documents are:

- Either still valid and can be “revalidated”.
- Either no longer valid and need to be “invalidated”.

If no action is taken 60 days after the POU expiry date, the POU status will automatically change to ‘EXPIRED’ and the associated SMD file will be revoked. Therefore, it is not possible to make use of our Sunrise services for that specific trademark record until the POU is revalidated.

This manual will explain you how to revalidate/invalidate the related POU documentation.

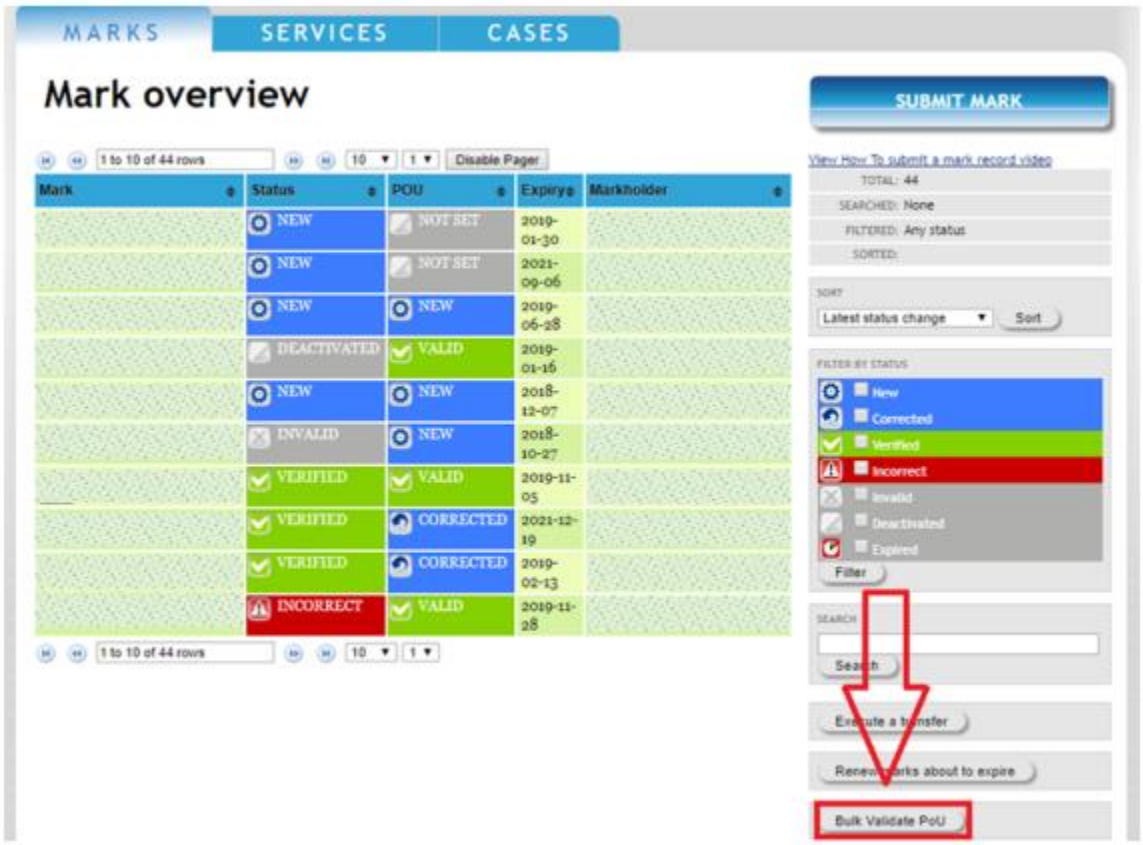
2. Access to 'bulk POU revalidation' page

The POU revalidation process is facilitated via the TMCH web interface.

When logged in to the TMCH web portal, you will have two options to access the 'bulk POU revalidation' page:

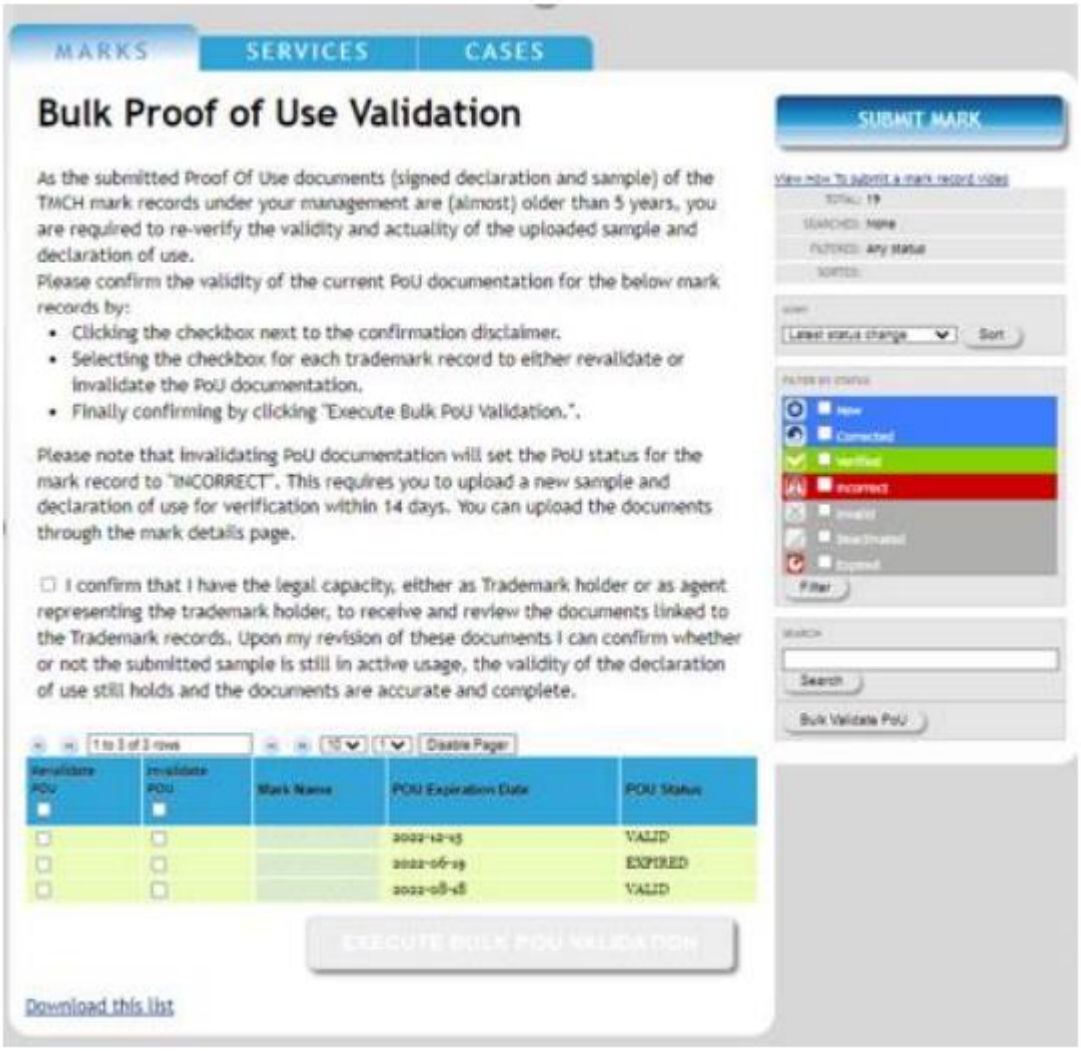
- By clicking on the banner:

- By clicking on the 'Bulk Validate POU' button on the right pane of the 'Mark overview' page:



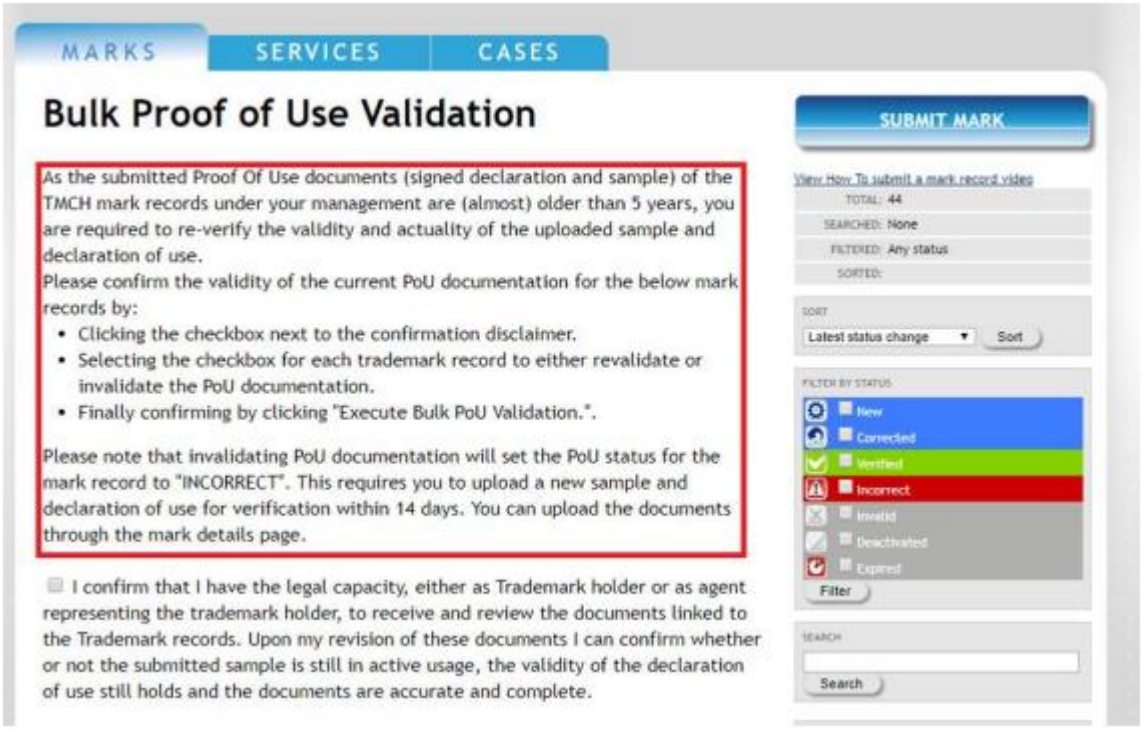
Both the banner and 'Bulk Validate POU' button will only be visible if there are POU documents that will expire within 120 days or less.

Once you have clicked on either the banner or the 'Bulk Validate POU' button you will be redirected to the 'bulk POU revalidation' page as displayed below:



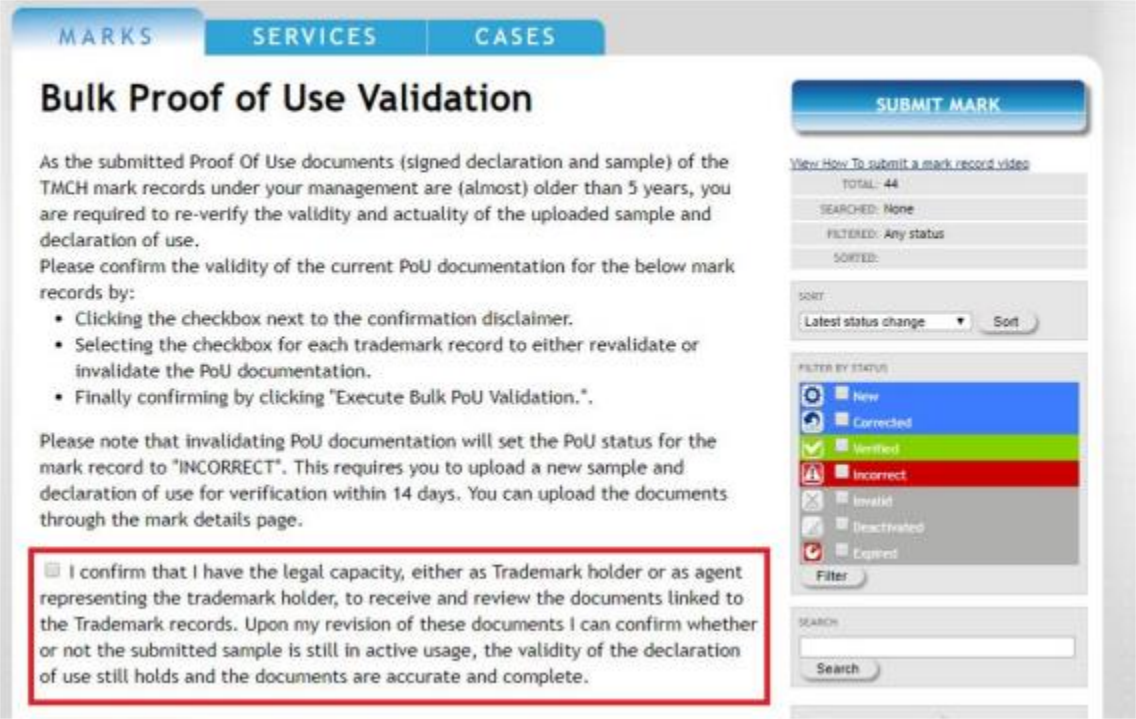
On this page you can find:

- A short explanatory text covering the POU revalidation principle/conditions:



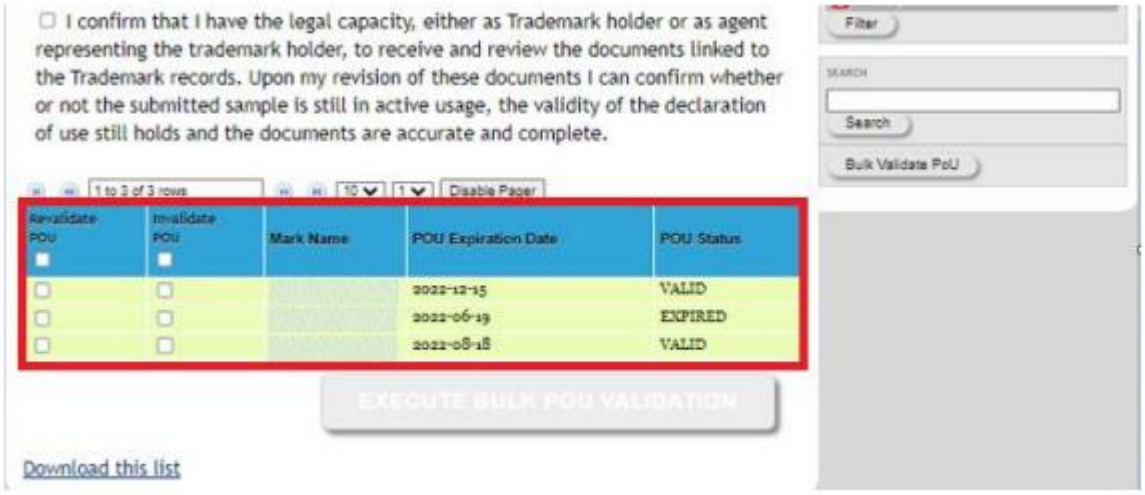
- The POU revalidation Terms & Conditions:

Note that to execute the revalidation process, you will need to accept these Terms & Conditions.



- A list of all trademark records for which the POU documentation needs to be revalidated.

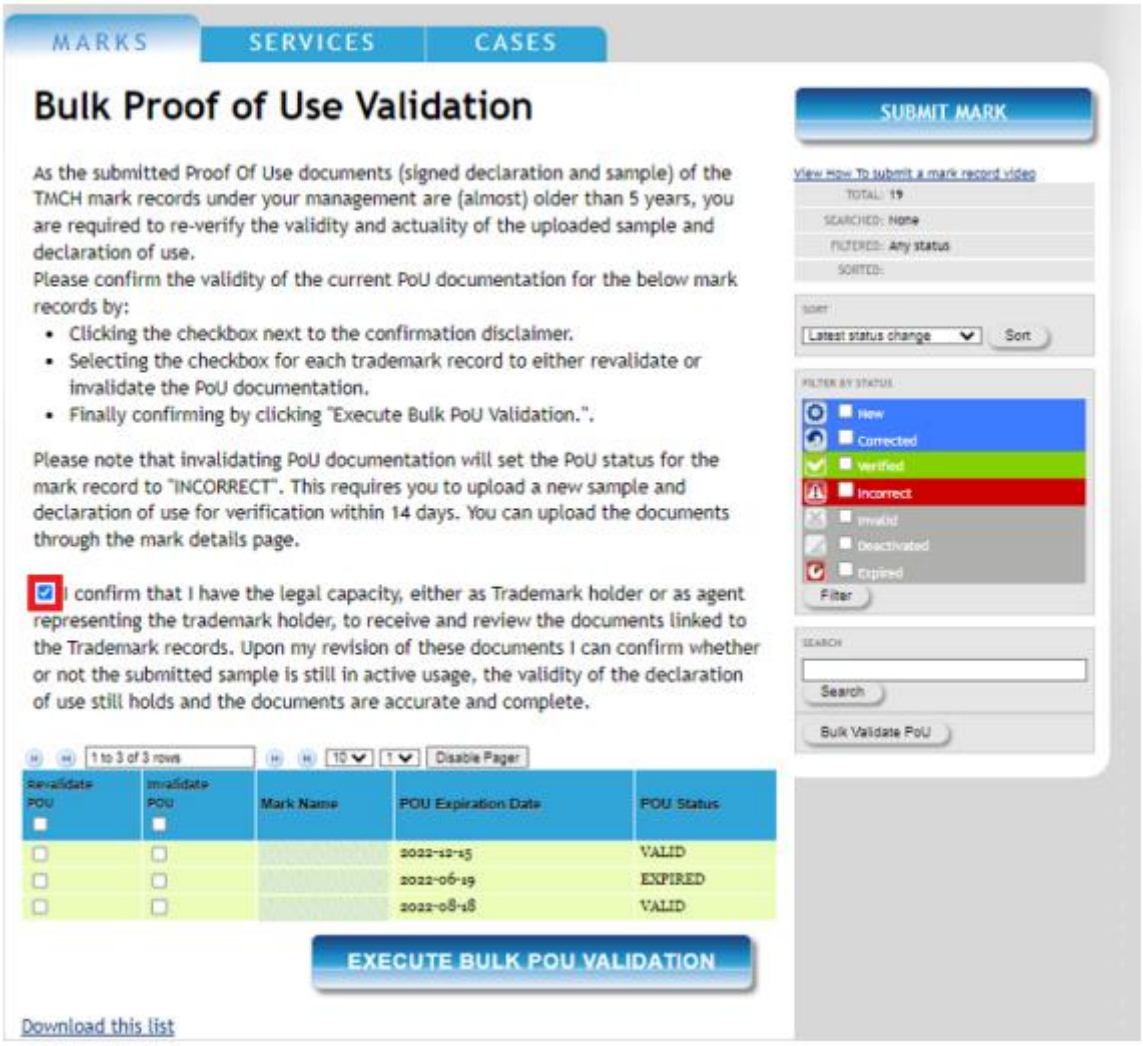
This table lists all your trademark records with a 'VALID' or 'EXPIRED' POU for which the POU documentation is about to expire or has expired.



3. Revalidate your POU documentation via the bulk POU revalidation page

To revalidate the POU documentation and confirm its current validity for the displayed trademark records listed in the table above, you will need to:

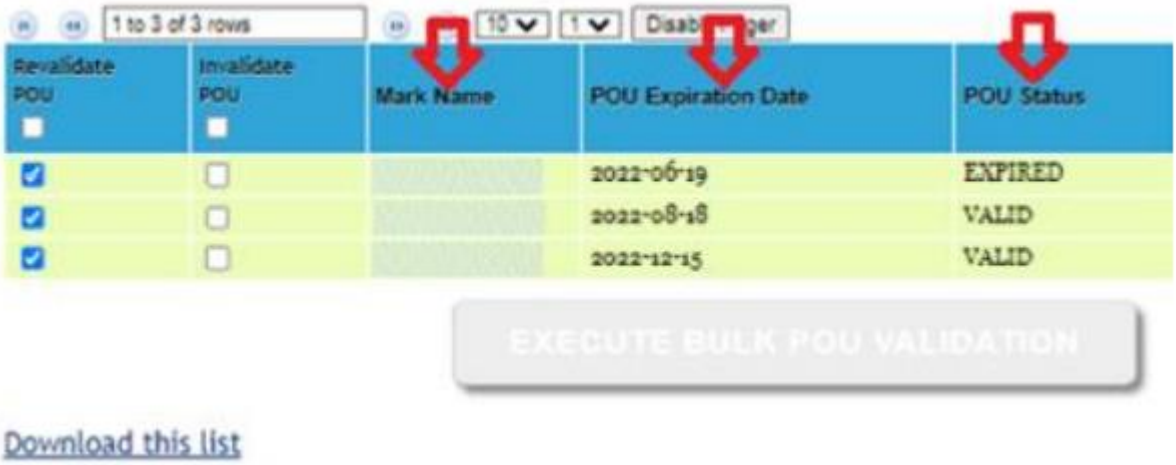
- Accept the T&Cs.[1]



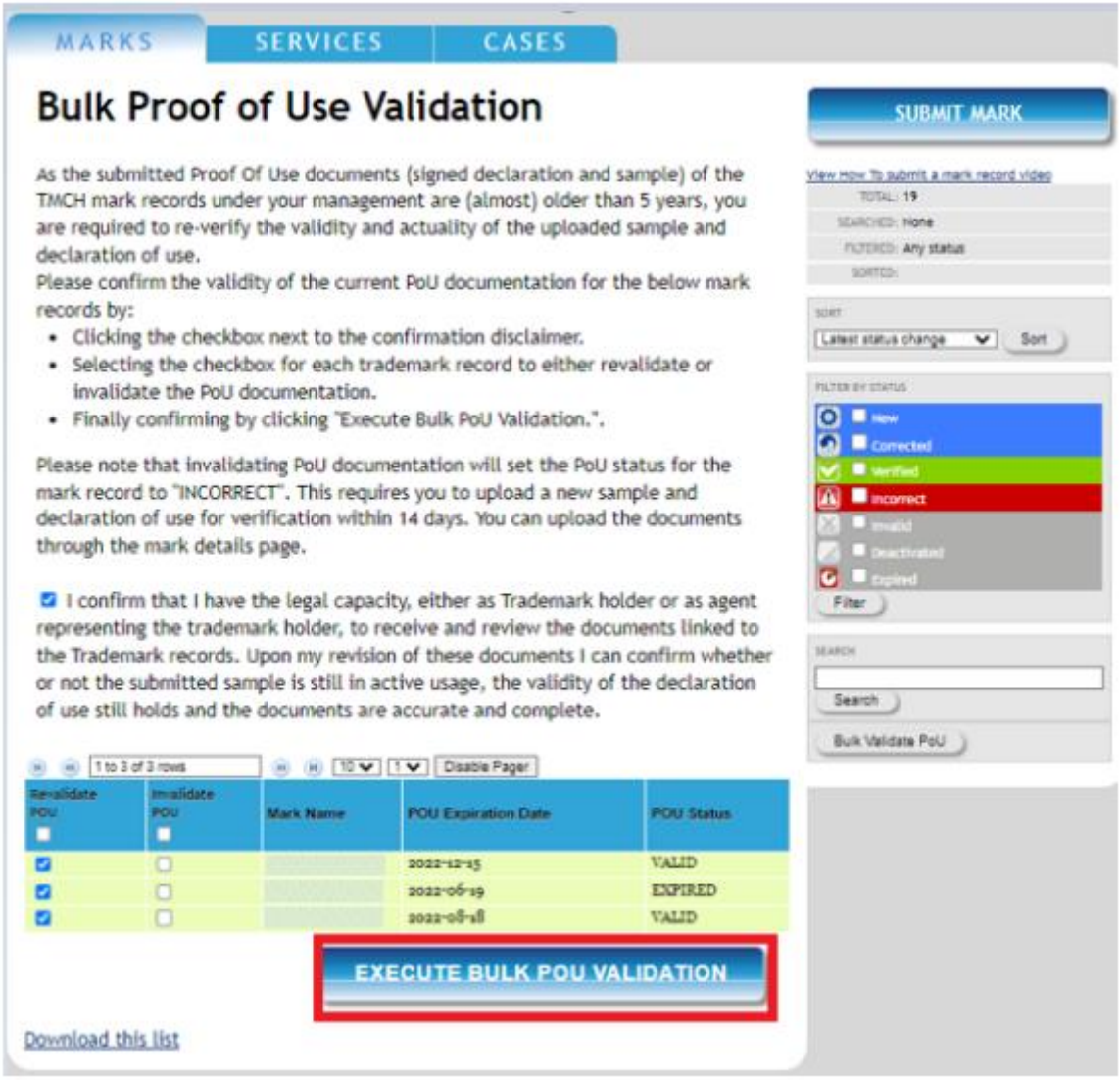
[1] In case you do not accept the T&C, the 'execute bulk POU validation' button will not be clickable and the POU revalidation process cannot be finalized.

- Select the checkbox(es) for each trademark record to revalidate the POU documentation.
  Please note that if no checkbox is available in the revalidation column, it means that the POU documentation does not meet TMCH requirements and needs to be updated accordingly. In this case you will only be able to select the “invalidate POU” checkbox. Should you deem any POU documentation missing, please reach out to support. To invalidate the POU documentation, please refer to section 4.0 for more details.

  By selecting the checkbox on top of the column, you will be able to select all the trademark records at once.
  Furthermore, it is also possible to sort on mark name, POU expiration date and POU status by clicking the column headers:



- Confirm by clicking the button "Execute Bulk POU Validation".



Once confirmed, you will be redirected to the 'Mark overview' page and these trademark records will then no longer appear on the 'bulk POU revalidation' page. For trademark records with:

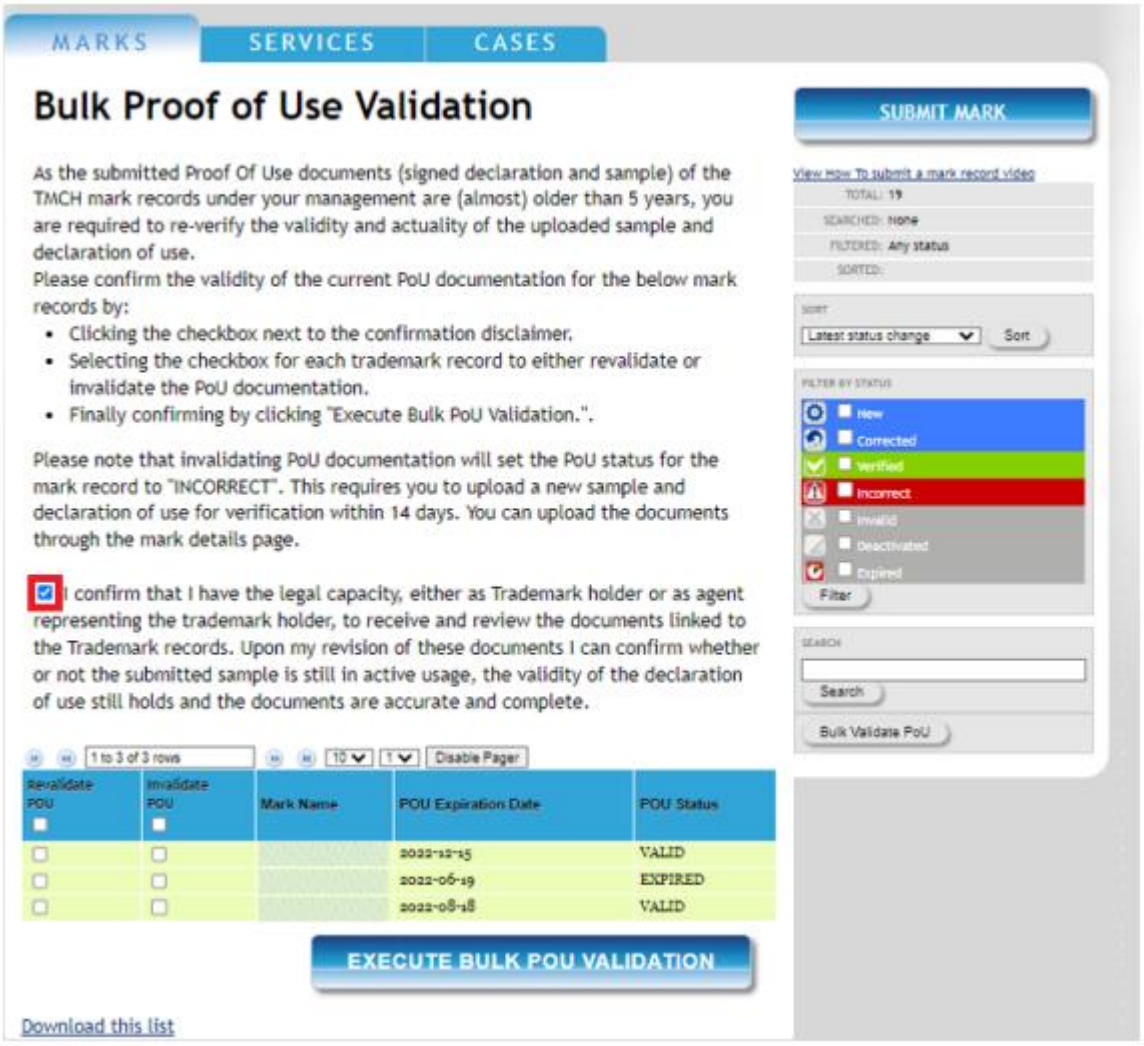
- a 'VALID' POU status before the revalidation, the POU documentation will be valid for an additional 5 years.
- an 'EXPIRED' POU status before the revalidation, the POU status is now changed to 'VALID' and a new SMD file will be generated. The POU documentation is valid for a new cycle of 5 years.

4. Invalidate your POU documentation via the bulk POU revalidation page

To invalidate the POU documentation and confirm its current invalidity for the displayed trademark records listed in the table above, you will need follow the below process.

Note that invalidating POU documentation will set the POU status for the mark record to 'INCORRECT'. This requires you to upload a new sample and declaration of use for verification within 14 days after which the status of the mark will also be impacted.

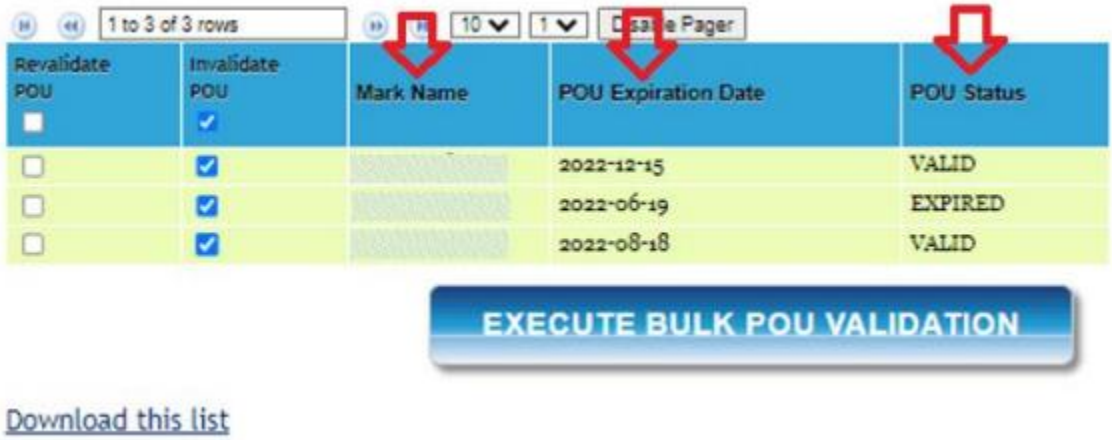
- Accept the T&C.[2]



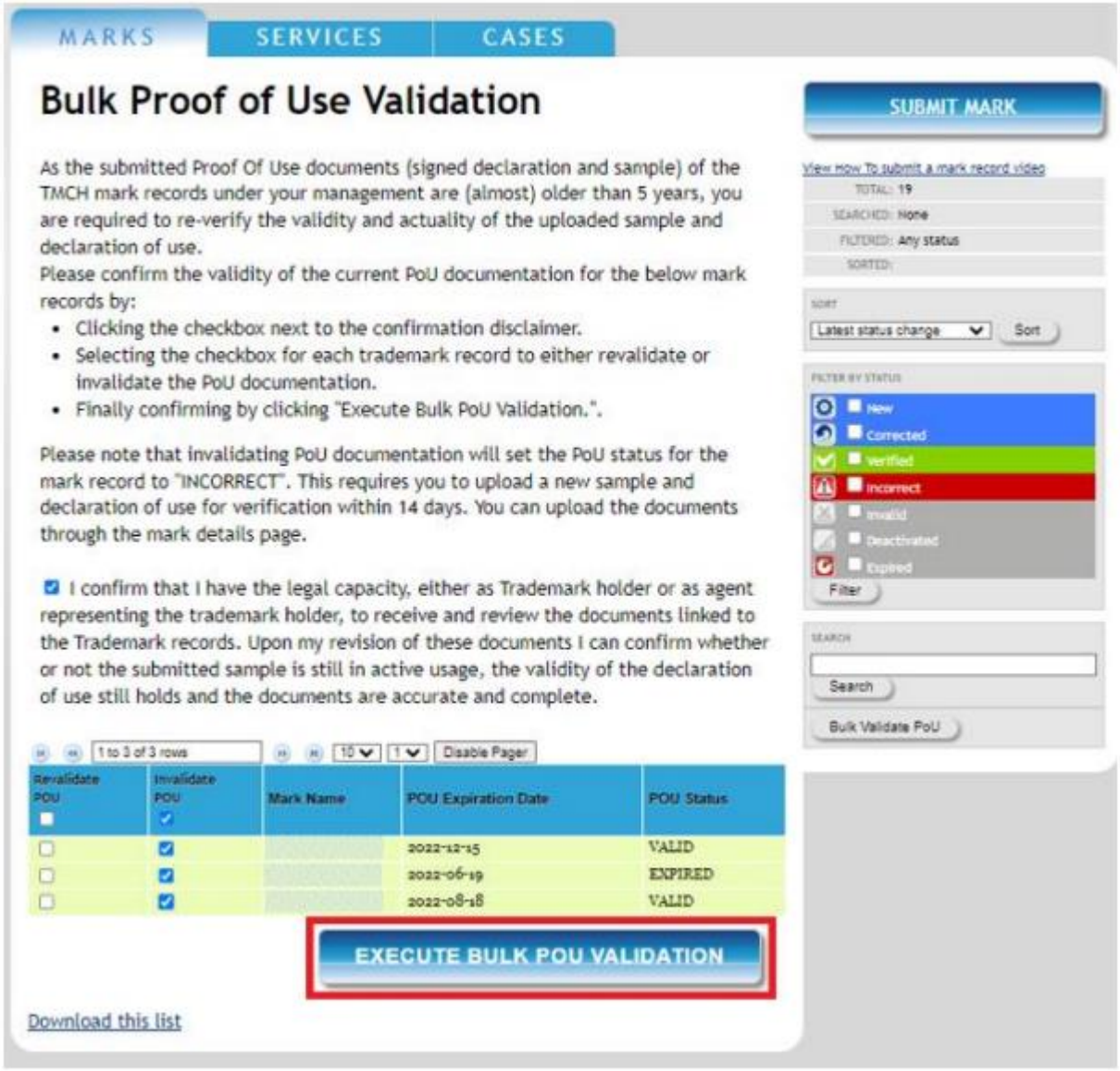
[2] In case you do not accept the T&C, the 'execute bulk POU validation' button will not be clickable and the POU process cannot be finalized.

- Select the checkbox(es) for each trademark record to invalidate the POU documentation.

By selecting the checkbox on top of the column, you will be able to select all the trademark records at once.
Furthermore, it is also possible to sort on mark name, POU expiration date and POU status by clicking the column headers:



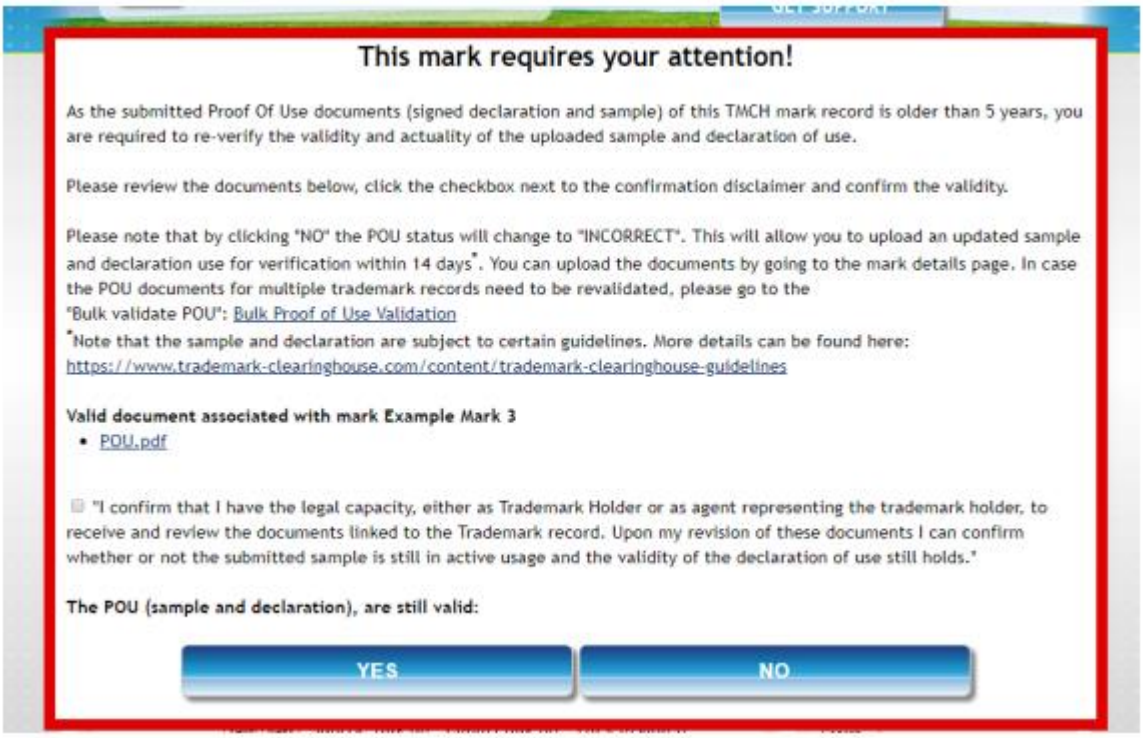
- Confirm by clicking the button "Execute Bulk POU Validation".



Once confirmed, you will be redirected to the 'Mark overview' page and the POU status of all the selected trademark records will be set to 'INCORRECT'. You will have a period of 14 days to upload a new sample and a declaration of use of POU.
Those documents can be uploaded via the 'Mark details' page. For more information on how to update your proof of use, we kindly refer to our manual via the following link: https://tmch.beta.entorno.com/wp-content/uploads/2024/05/how_to_submit_and_change_a_proof_of_use_1.pdf

5. Action required: your POU documentation is already expired

In case your POU documentation is already expired (automatically when it is in the Trademark Clearinghouse for 5 years), a pop-up message will be displayed on the trademark details page for the specific mark record requiring you to revalidate/invalidate the POU documentation associated with that specific trademark record. This pop-up message cannot be closed and will be visible for 60 days as of the POU expiry date. Hereafter the POU status will automatically change to 'EXPIRED', the pop-up message will be removed and the associated SMD file will be revoked.



The POU documentation linked to your trademark record will be listed on that message. You can easily download the files by clicking on each document name.

Once reviewed you can either revalidate or invalidate your POU documentation by:

1. Ticking the checkbox next to the disclaimer to acknowledge and confirm you have read and agree to the language specified in the disclaimer,
2. Select “yes” to revalidate or “no” to invalidate your POU. Without ticking the checkbox, you will not be able to revalidate/invalidate the POU.

By clicking on “yes”, you will revalidate the documents associated to your trademark record. If the POU documentation has been validated, the POU status of the selected trademark record will remain unchanged as “VALID”.

By clicking on “no”, you will invalidate the POU documents associated to your trademark record. If the POU documentation has been invalidated, please note that the POU status of the selected trademark record will be set to ‘INCORRECT’. You will have a period of 14 days to upload a new sample and a declaration of use of POU.

In both cases, once clicked, you will be redirected to the trademark details page.