



## Registry Services Evaluation Policy (RSEP) Request

June 13, 2018

### Registry Operator

Donuts (Parent)

,

### Request Details

Case Number: 00882698

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

Domains Protected Marks List

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

Donuts Inc., on behalf of its subsidiary registry operators (collectively, "Donuts"), is seeking a minor modification to its Domains Protected Marks List service ("DPML"). DPML is an Approved Service included in Exhibit A of 239 of our Registry Agreements.

The non-material modification sought hereunder applies to one variation of the DPML service purchased by a small subset of customers, in which overrides of a block by another party with the same trademark is not permitted without the consent of the DPML holder. Override requests for domains blocked under this variation of DPML, will not be automatically allowed;

rather each override request is reviewed manually and, upon obtaining consent of the DPML holder, approved.

This proposed modification to DPML does not involve a technical change to the way in which DPML blocking is performed. DPML continues to function in the same technical manner it has since its launch in 2013.

While Donuts is of the opinion that this modification to an Approved Service does not rise to the level requiring an RSEP, we are hereby submitting this modification for ICANN review at its request.

This request applies to the following TLDs:

academy  
accountants  
actor  
agency  
airforce  
apartments  
army  
associates  
attorney  
auction  
band  
bargains  
bike  
bingo  
boutique  
builders  
business  
cab  
cafe  
camera  
camp  
capital  
cards  
care  
careers  
cash  
casino  
catering  
center  
charity  
chat  
cheap  
church  
city

claims  
cleaning  
clinic  
clothing  
coach  
codes  
coffee  
community  
company  
computer  
condos  
construction  
consulting  
contractors  
cool  
coupons  
credit  
creditcard  
cruises  
dance  
dating  
deals  
degree  
delivery  
democrat  
dental  
dentist  
diamonds  
digital  
direct  
directory  
discount  
doctor  
dog  
domains  
education  
email  
energy  
engineer  
engineering  
enterprises  
equipment  
estate  
events  
exchange  
expert

exposed  
express  
fail  
family  
farm  
finance  
financial  
fish  
fitness  
flights  
florist  
football  
forsale  
foundation  
fund  
furniture  
futbol  
fyi  
gallery  
games  
gifts  
gives  
glass  
gmbh  
gold  
golf  
graphics  
gratis  
gripe  
group  
guide  
guru  
haus  
healthcare  
hockey  
holdings  
holiday  
hospital  
house  
immo  
immobilien  
industries  
institute  
insure  
international  
investments

irish  
jetzt  
jewelry  
kaufen  
kitchen  
land  
lawyer  
lease  
legal  
life  
lighting  
limited  
limo  
live  
loans  
ltd  
maison  
management  
market  
marketing  
mba  
media  
memorial  
moda  
money  
mortgage  
movie  
navy  
network  
news  
ninja  
partners  
parts  
photography  
photos  
pictures  
pizza  
place  
plumbing  
plus  
productions  
properties  
pub  
recipes  
rehab  
reise

reisen  
rentals  
repair  
report  
republican  
restaurant  
reviews  
rip  
rocks  
run  
sale  
salon  
sarl  
school  
schule  
services  
shoes  
shopping  
show  
singles  
soccer  
social  
software  
solar  
solutions  
studio  
style  
supplies  
supply  
support  
surgery  
systems  
tax  
taxi  
team  
technology  
tennis  
theater  
tienda  
tips  
tires  
today  
tools  
tours  
town  
toys

training  
university  
vacations  
ventures  
vet  
viajes  
video  
villas  
vin  
vision  
voyage  
watch  
wine  
works  
world  
wtf  
zone  
企业 (enterprises) xn--vhquv  
商店 (shop/store) xn--czrs0t  
娱乐 (entertainment) xn--fjq720a  
游戏 (games) xn--unup4y

## 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?

DPML is a service that has been well received by the community since its initial launch. Donuts has consulted with members of the intellectual property community and registrars offering this type of DPML product.

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?

Many registrars that offer DPML for the Donuts TLDs are supportive of this modification. Donuts also consulted with the intellectual property community regarding DPML and this modification.

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

N/A

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

Donuts consulted with the intellectual property community regarding DPML.

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

DPML is a service used by a multitude of customers, some of which have shown interest in this modified offering.

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

This modification was developed based on input from mark holders. Donuts sees no legitimate reason why anyone would object to this modification.

## **TIMELINE**

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

DPML is an Approved Service.

## **BUSINESS DESCRIPTION**

5. Describe how the Proposed Service will be offered.



DPML will continue to be offered in the same manner it is currently.

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

N/A

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

N/A

## **CONTRACTUAL PROVISIONS**

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

Registry Agreement - Exhibit A, Section 4.

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

None.

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

None.

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

None.

## **CONTRACT AMENDMENTS**

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

The updated language for Exhibit A is as follows:

#### 4.1 Domains Protected Marks List (DPML)

The DPML is a service that allows trademark rights holders to block certain labels from registration across multiple TLDs operated by the Registry Operator. The blocked names must comply with the provisions described in Specification 5, Section 3.3 of the Registry Agreement. Domain Names blocked by the DPML service will be either an exact match of a label or will contain an exact match of such labels, or may include domain names that are a misspelling or contain a misspelling of a label. Blocked labels do not prevent other trademark rights holders or DPML holders from unblocking the label and registering the domain name. In some instances, approval from the applicable DPML holder may be required for a third party with the same trademark to register the blocked name.

### **BENEFITS OF PROPOSED SERVICE**

13. Describe the benefits of the Proposed Service.

This modification benefits mark holders who prefer to have the ability to consent to overrides of their DPML blocks. It is an additional protective option for DPML holders, one which they requested.

### **COMPETITION**

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

None.

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

DPML will continue to be offered to the same market in which DPML currently competes.

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

Many registries offer similar blocking services.

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?

No.

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.

No.

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, we have communicated this modification to registrars offering the product, and members of the intellectual property community who may be interested in a blocking service.

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).

No.

## **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.

N/A

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

No.

## OTHER ISSUES

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

No.

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

Donuts has filed a patent application related to DPML and has trademarked the term as well.

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

N/A

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

N/A

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

### Affected TLDs

Current Registry Operator	Top Level Domain	Registry Agreement Date
Donuts (Parent)	academy	2013-11-07
Donuts (Parent)	accountants	2014-03-20
Donuts (Parent)	agency	2013-11-14
Donuts (Parent)	apartments	2014-12-11

Donuts (Parent)	associates	2014-03-06
Donuts (Parent)	bargains	2013-11-14
Donuts (Parent)	bike	2013-08-27
Donuts (Parent)	bingo	2014-12-04
Donuts (Parent)	boutique	2013-11-14
Donuts (Parent)	builders	2013-11-07
Donuts (Parent)	business	2013-11-07
Donuts (Parent)	cab	2013-10-24
Donuts (Parent)	cafe	2015-02-11
Donuts (Parent)	camera	2013-08-27
Donuts (Parent)	camp	2013-11-07
Donuts (Parent)	capital	2014-03-06
Donuts (Parent)	cards	2013-12-05
Donuts (Parent)	care	2014-03-06
Donuts (Parent)	careers	2013-10-02
Donuts (Parent)	cash	2014-03-06
Donuts (Parent)	casino	2014-12-18
Donuts (Parent)	catering	2013-12-05
Donuts (Parent)	center	2013-11-07
Donuts (Parent)	chat	2014-12-04
Donuts (Parent)	cheap	2013-11-14
Donuts (Parent)	church	2014-02-06
Donuts (Parent)	city	2014-05-29
Donuts (Parent)	claims	2014-03-20
Donuts (Parent)	cleaning	2013-12-05
Donuts (Parent)	clinic	2014-03-20
Donuts (Parent)	clothing	2013-08-27
Donuts (Parent)	coach	2014-10-09
Donuts (Parent)	codes	2013-10-31

Donuts (Parent)	coffee	2013-10-17
Donuts (Parent)	community	2013-12-05
Donuts (Parent)	company	2013-11-07
Donuts (Parent)	computer	2013-10-24
Donuts (Parent)	condos	2013-12-05
Donuts (Parent)	construction	2013-09-16
Donuts (Parent)	contractors	2013-09-10
Donuts (Parent)	cool	2013-11-14
Donuts (Parent)	coupons	2015-03-26
Donuts (Parent)	credit	2014-03-20
Donuts (Parent)	creditcard	2014-03-20
Donuts (Parent)	cruises	2013-12-05
Donuts (Parent)	dating	2013-12-05
Donuts (Parent)	deals	2014-05-22
Donuts (Parent)	delivery	2014-09-11
Donuts (Parent)	dental	2014-03-20
Donuts (Parent)	diamonds	2013-09-22
Donuts (Parent)	digital	2014-03-06
Donuts (Parent)	direct	2014-04-10
Donuts (Parent)	directory	2013-09-20
Donuts (Parent)	discount	2014-03-06
Donuts (Parent)	doctor	2016-06-02
Donuts (Parent)	dog	2014-12-04
Donuts (Parent)	domains	2013-10-17
Donuts (Parent)	education	2013-11-07
Donuts (Parent)	email	2013-10-31
Donuts (Parent)	energy	2014-09-11
Donuts (Parent)	engineering	2014-03-06
Donuts (Parent)	enterprises	2013-09-20

Donuts (Parent)	equipment	2013-08-27
Donuts (Parent)	estate	2013-08-27
Donuts (Parent)	events	2013-12-05
Donuts (Parent)	exchange	2014-03-06
Donuts (Parent)	expert	2013-11-21
Donuts (Parent)	exposed	2013-12-05
Donuts (Parent)	express	2015-02-11
Donuts (Parent)	fail	2014-03-06
Donuts (Parent)	farm	2013-11-07
Donuts (Parent)	finance	2014-03-20
Donuts (Parent)	financial	2014-03-06
Donuts (Parent)	fish	2013-12-12
Donuts (Parent)	fitness	2014-03-06
Donuts (Parent)	flights	2013-12-05
Donuts (Parent)	florist	2013-11-07
Donuts (Parent)	football	2014-12-18
Donuts (Parent)	foundation	2013-12-05
Donuts (Parent)	fund	2014-03-20
Donuts (Parent)	furniture	2014-03-20
Donuts (Parent)	fyi	2015-04-02
Donuts (Parent)	gallery	2013-09-13
Donuts (Parent)	gifts	2014-07-03
Donuts (Parent)	glass	2013-11-07
Donuts (Parent)	gmbh	2016-01-29
Donuts (Parent)	gold	2015-01-22
Donuts (Parent)	golf	2014-12-18
Donuts (Parent)	graphics	2013-09-13
Donuts (Parent)	gratis	2014-03-20
Donuts (Parent)	gripe	2014-03-06

Donuts (Parent)	group	2014-08-15
Donuts (Parent)	guide	2013-09-13
Donuts (Parent)	guru	2013-08-27
Donuts (Parent)	healthcare	2014-06-12
Donuts (Parent)	hockey	2015-03-19
Donuts (Parent)	holdings	2013-08-27
Donuts (Parent)	holiday	2013-11-07
Donuts (Parent)	hospital	2016-10-20
Donuts (Parent)	house	2013-11-07
Donuts (Parent)	immo	2014-07-10
Donuts (Parent)	industries	2013-12-05
Donuts (Parent)	institute	2013-11-07
Donuts (Parent)	insure	2014-03-20
Donuts (Parent)	international	2013-11-07
Donuts (Parent)	investments	2014-03-20
Donuts (Parent)	irish	2014-08-07
Donuts (Parent)	jetzt	2014-01-09
Donuts (Parent)	jewelry	2015-03-05
Donuts (Parent)	kitchen	2013-09-20
Donuts (Parent)	land	2013-09-10
Donuts (Parent)	lease	2014-03-06
Donuts (Parent)	legal	2014-10-16
Donuts (Parent)	life	2014-02-06
Donuts (Parent)	lighting	2013-08-27
Donuts (Parent)	limited	2014-03-06
Donuts (Parent)	limo	2013-10-17
Donuts (Parent)	loans	2014-03-20
Donuts (Parent)	ltd	2014-09-25
Donuts (Parent)	maison	2013-12-05



Donuts (Parent)	management	2013-11-07
Donuts (Parent)	marketing	2013-11-07
Donuts (Parent)	mba	2015-04-02
Donuts (Parent)	media	2014-03-06
Donuts (Parent)	memorial	2014-10-16
Donuts (Parent)	money	2014-10-16
Donuts (Parent)	movie	2015-02-05
Donuts (Parent)	network	2013-11-14
Donuts (Parent)	partners	2013-12-05
Donuts (Parent)	parts	2013-12-05
Donuts (Parent)	photography	2013-09-20
Donuts (Parent)	photos	2013-10-17
Donuts (Parent)	pictures	2014-03-06
Donuts (Parent)	pizza	2014-06-26
Donuts (Parent)	place	2014-04-24
Donuts (Parent)	plumbing	2013-09-10
Donuts (Parent)	plus	2015-02-05
Donuts (Parent)	productions	2013-12-05
Donuts (Parent)	properties	2013-12-05
Donuts (Parent)	recipes	2013-10-17
Binky Moon, LLC	reise	2014-03-13
Donuts (Parent)	reisen	2014-03-06
Donuts (Parent)	rentals	2013-12-05
Donuts (Parent)	repair	2013-11-07
Donuts (Parent)	report	2013-12-05
Donuts (Parent)	restaurant	2014-07-03
Donuts (Parent)	run	2015-03-19
Donuts (Parent)	salon	2014-12-11
Donuts (Parent)	sarl	2014-07-03

Donuts (Parent)	school	2014-12-18
Donuts (Parent)	schule	2014-03-06
Donuts (Parent)	services	2014-02-27
Donuts (Parent)	shoes	2013-10-02
Donuts (Parent)	shopping	2016-03-31
Donuts (Parent)	show	2015-03-05
Donuts (Parent)	singles	2013-08-27
Donuts (Parent)	soccer	2015-03-26
Donuts (Parent)	solar	2013-11-07
Donuts (Parent)	solutions	2013-11-07
Donuts (Parent)	style	2014-12-04
Donuts (Parent)	supplies	2013-12-19
Donuts (Parent)	supply	2013-12-19
Donuts (Parent)	support	2013-10-24
Donuts (Parent)	surgery	2014-03-20
Donuts (Parent)	systems	2013-11-07
Donuts (Parent)	tax	2014-03-20
Donuts (Parent)	taxi	2015-03-19
Donuts (Parent)	team	2015-03-05
Donuts (Parent)	technology	2013-09-13
Donuts (Parent)	tennis	2014-12-04
Donuts (Parent)	theater	2015-03-19
Donuts (Parent)	tienda	2013-11-14
Donuts (Parent)	tips	2013-09-20
Donuts (Parent)	tires	2014-11-07
Donuts (Parent)	today	2013-09-20
Donuts (Parent)	tools	2013-11-21
Donuts (Parent)	tours	2015-01-22
Donuts (Parent)	town	2014-03-06

Donuts (Parent)	toys	2014-03-06
Donuts (Parent)	training	2013-11-07
Donuts (Parent)	university	2014-03-06
Donuts (Parent)	vacations	2013-12-05
Donuts (Parent)	ventures	2013-08-27
Donuts (Parent)	viajes	2013-10-17
Donuts (Parent)	villas	2013-12-05
Donuts (Parent)	vin	2015-06-18
Donuts (Parent)	vision	2013-12-05
Donuts (Parent)	voyage	2013-08-27
Donuts (Parent)	watch	2013-11-14
Donuts (Parent)	wine	2015-06-18
Donuts (Parent)	works	2013-11-14
Donuts (Parent)	world	2014-06-12
Donuts (Parent)	wtf	2014-03-06
Donuts (Parent)	xn--czrs0t	2013-12-19
Donuts (Parent)	xn--fjq720a	2014-05-22
Donuts (Parent)	xn--unup4y	2013-07-14
Donuts (Parent)	xn--vhquv	2013-08-27
Donuts (Parent)	zone	2013-11-14