

# TMCH - Required Documents

Protecting Trademarks with new generic top level domain names

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If you choose to participate in the Sunrise Phases the following three documents are required from the Trademark Holder.

## 1) Declaration

We will require a declaration, signed and dated by the Trademark Holder, which states that the trademark is currently in use.

**If you are the Trademark Holder please use this document only**

<http://www.trademark-clearinghouse.com/sites/default/files/files/downloads/TMCH-proofofuse-signed%20declaration%201.0.pdf>

**If you are the Trademark Agent please use this document as well as the document above.**

<http://trademark-clearinghouse.com/sites/default/files/files/downloads/Proof%20of%20use-signed%20declaration%20TM%20Agent.pdf>

## 2) Sample of proof of use

The sample **Proof of Use** must be an item that proves that the Trademark Holder has communicated with consumers to distinguish products or services from another Trademark Holder.

The sample submitted must contain the complete name of the registered trademark as recorded in the trademark records.

**Acceptable samples for Proof of Use include:**

- Labels, tags, or containers from a product
- Advertising and marketing materials, including brochures, pamphlets, catalogues, product manuals, displays or signage, press releases, screen shots, or social media marketing materials. If the Proof of Use is a website, the text of the mark must appear on the website and not just be a part of the URL.

**The following CANNOT be accepted as Proof of Use:**

- The use of a trademark as a domain name
- Email messages
- Licenses to use a trademark or applications for business licenses that include the trademark as part of the business name
- Business cards

## 3) Trademark Certificate

The TMCH Requires that a copy of the Trademark Certificate be submitted with the application.

These required documents can either be emailed to [preregistrations@iomart.com](mailto:preregistrations@iomart.com) or faxed to +44. 141 931 6785, we will get in contact with you directly if we do not receive these.

## These Further Documents May Be Required:

### **Business Registration Certificate**

The TMCH requires a copy of the Trademark Holder's Business Registration Certificate, only, if the trademark holder's address does not match the address listed on the trademark certificate (the new address must be listed on the Business Registration document).

### **Assignee or Licensee Declaration**

An Assignee Declaration is only required if the trademark record is being submitted by the Assignee, but the change of assignment (ownership) has not been recorded on the Trademark Certificate. The Assignee Declaration should be signed by the Assignor AND the Assignee.

A Licensee Declaration is only required if the trademark record is being submitted by the Licensee, but the Licensing agreement has not been recorded on the trademark certificate. If the trademark record is being submitted by the Licensee, the Licensee Declaration should be signed by the Licensor AND the Licensee.

**Please download a copy of the Assignee or Licensee Declaration below – (if required)**

<http://trademark-clearinghouse.com/sites/default/files/files/downloads/License%20Declaration-Registered%20Trademark.pdf>

## Additional Documents

The Clearinghouse may request the Trademark Holder to submit additional documentary evidence if it determines that information is missing or is incorrect.

All of these documents can either be emailed to [preregistrations@iomart.com](mailto:preregistrations@iomart.com) or faxed to +44 (0) 141 931 6785.

Please do not hesitate to contact us either via email to [preregistrations@iomart.com](mailto:preregistrations@iomart.com) or phone +44 (0)370 755 5066 if you have any questions.