"Pilot" Guidelines for Issuance of Verified Mark Certificates
Version 0.986 (draft February 05, 2021)

1. INTRODUCTION

1.1. OVERVIEW

This document describes an integrated set of technologies, protocols, and identity and mark proofing requirements that are necessary for the issuance and management of Verified Mark Certificates - certificates that are trusted by Consuming Entities. Upon adoption, they are mandatory for Certification Authorities who issue or plan to issue Verified Mark Certificates.

VMCs assert a cryptographically verifiable and auditable binding between an identity, a logo, and a domain. The key pair of an end entity VMC is unused, and there are no requirements around the generation, storage, and protection of such key pairs. In particular, CAs MAY generate such key pairs on behalf of their customers, and VMCs need not be revoked if the unused key pair is compromised.

VMCs present Consuming Entities and Relying Parties with information about and marks asserted by the Mark Asserting Entity, some of which is gathered from legal documents and government registries (including trademark registries). When Mark Verifying Authorities verify marks presented by a Mark Asserting Entity for inclusion in a VMC, or when Mark Verifying Authorities present VMCs and the information or marks they contain to Consuming Entities, or when Consuming Entities present VMCs and the information or marks they contain to Relying Parties, they are not providing legal advice to any party.

In adopting these Verified Mark Certificate Guidelines, the Authindicators / BIMI Group is not providing legal advice to any party. All parties (Mark Asserting Entities, Mark Verifying Authorities, Consuming Entities and Relying Parties) are advised to consult their own legal counsel on all matters.

Mark Verifying Authorities have no legal obligation to issue VMCs to any Mark Asserting Entity. Consuming Entities have no legal obligation to use or display VMCs or the information or marks they contain to any Relying Party, and may choose in their sole discretion not to use or display VMCs (or groups or categories of VMCs) or the information or marks they contain to Relying Parties or to any subset of Relying Parties they may choose.

1.2. DOCUMENT NAME AND IDENTIFICATION

These guidelines shall be known as the Verified Mark Certificate Guidelines (or "VMC Guidelines"). These VMC Guidelines shall take effect upon public adoption by one or more Certification Authorities (CAs) that offer Verified Mark Certificates to Subscribers and by one or more Consuming Entities that recognize and utilize the Verified Mark Certificates.

1.2.1. Revisions to these VMC Guidelines

Version	Adopted	Effective
0.97	12-19-2019	12-19-2019
0.984	06-24-2019	06-24-2019
0.985	05-26-2020	05-26-2020

0.986	02-05-2021	02-05-2021

1.2.2 Verified Mark Certificate OIDs

Certificates adhering to these VMC Guidelines SHALL be identified by the presence of the VMC policy OIDs in the Certificate Policies Extension as described in section 4.9.

1.2.3 Purpose

The purpose of the Version 0.986 Guidelines is to prototype Verified Mark Certificates and is consequently referred to as the "Pilot" VMC Guidelines. A subsequent version of the VMC Guidelines that will be referred to as the "General Availability" VMC Guidelines shall be published and replace the "Pilot" Guidelines. It will indicate that the Guidelines are meant to be broadly available.

Once the "General Availability" Guidelines take effect, Certification Authorities shall cease issuing VMC with the "Pilot" Guidelines. VMCs issued in accordance with these "Pilot" VMC Guidelines will continue to be treated as valid through their expiration date after the "General Availability" release.

1.3 DEFINITIONS AND ACRONYMS

The definitions and acronyms contained in the CA/Browser Forum ("Forum") Baseline Requirements and EV Guidelines shall apply to these VMC Guidelines. In the event of any conflict between the specific applicable requirements of the VMCG and the BRs or EVGL, the requirements of the VMCG shall apply.

Additional Definitions

Applicant: A person, entity, or organization applying for a Verified Mark Certificate, but which has not yet been issued a Verified Mark Certificate, or a person, entity, or organization that currently has a Verified Mark Certificate or Certificates and that is applying for renewal of such Verified Mark Certificate or Certificates or for an additional Verified Mark Certificate or Certificates.

Applicant Representative: The person who represents the Applicant when beginning the VMC application process with a CA. The Applicant Representative appears before the Notary for the Notarization procedure described in Appendix F.

Baseline Requirements: Version 1.6.1 of the CA/Browser Forum Baseline Requirements for the Issuance and Management of Publicly-Trusted Certificates.

CA: The Certification Authority that issues a Verified Mark Certificate.

Combined Mark: A trademark consisting of a graphic design, stylized logo, or image, with words and/or letters having a particular stylized appearance. For greater certainty, a "Combined Mark" includes trademarks made up of both word and design elements. See Appendix A for mapping of the names used by different trademarks offices to the definition of Combined Mark.

Consuming Entity ("CE"): An entity that incorporates and uses the Mark Representation and related data contained in a Verified Mark Certificate in its products and services in accordance with the VMC Terms.

CRL: Certificate Revocation List as defined in RFC5280. A CRL is a list identifying which certificates are revoked meaning invalid, published periodically by CAs.

Design Mark: A trademark consisting of a graphic design, stylized logo, or image, without words and/or letters. For greater certainty, a "Design Mark" includes trademarks made up solely of design elements. See Appendix A for mapping of the names used by different trademarks offices to the definition of Design Mark.

Mark Representation: A digital representation of a Combined Mark, Design Mark, or Word Mark such as a digital or computer file, containing structured binary or textual data which can be interpreted to recreate (render) a visual representation of the mark so that it can be seen. The Mark Representation will be used as the Logotype Extension under Section 4.6.

EV Guidelines: Version 1.6.8 of the CA/Browser Forum Guidelines for the Issuance and Management of Extended Validation Certificates.

Global Legal Entity Identifier Foundation (GLEIF): The organization established by the Financial Stability Board to support the implementation and use of the Legal Entity Identifier (LEI). See www.gleif.org.

Global Legal Entity Identifier Index: The GLEIF public index of LEI records for those legal entities identifiable with an LEI.

Legal Entity Identifier ("LEI"): LEI is specified in the ISO 17442 and names legal entities in the Global Legal Entity Identifier Index.

Mark: A Combined Mark, Design Mark, or Word Mark.

Mark Asserting Entity ("MAE"): An Applicant for/Subscriber of a Verified Mark Certificate.

Mark Verifying Authority ("MVA"): The authority who issues a Verified Mark Certificate. Also referred to as a Certification Authority or CA.Notary: A notary (or legal equivalent in the applicable jurisdiction), Latin Notary, lawyer, or solicitor in the jurisdiction where the Applicant Representative will be verified.

Notarize: The process by which the Notary verifies the identity of the Applicant Representative by means of a government-issued photo ID, observes the Applicant Representative sign a Verification Document prepared by the CA, and signs and affixes the Notary's notarization seal or other equivalent method to the Verification Document to indicate the Notarization process has been completed by the Notary.

OCSP: Online Certificate Status Protocol as defined in RFC6960. OCSP defines a service that a CA may be queried to determine if a certificate is revoked meaning invalid.

Registered Mark: A Mark that has been registered as a trademark with a Trademark Office, and in particular, as the Mark appears in the official database of the applicable Trademark Office.

Relying Party: Any natural or legal person that relies on a VMC or the information or Marks contained in a VMC or displayed to the person by a Consuming Entity.

SVG Guidelines: The draft-svg-tiny-ps-abrotman-01 version of the SVG Tiny Portable/Secure (SVG Tiny PS) Guidelines document located at this URL: https://bimigroup.org/resources/RFC_SVG_PS.txt as well as a RNC validator located at this URL: http://bimigroup.org/resources/SVG_PS-latest.rnc.txt Both are published by the Authindicators Working Group.

Subscriber: A person, entity, or organization that has applied for and has been issued a Verified Mark Certificate.

Third Party Validator: A person or organization who performs the face-to-face validation of the Applicant Representative under Section 6.1.1. The Third Party Validator may be any of the parties allowed under EV Guidelines Section 11.2.2(4)(A).

Trademark Office: An intellectual property office recognized by the World Intellectual Property Organization for registration of trademarks (see: https://www.wipo.int/directory/en/urls.jsp), and that is listed in Appendix B.

Verification Document: A document used to verify the identity and relevant information of the Applicant Representative that is Notarized by a Notary. The Verification Document should:

   (1) List the Applicant Representative's name, title, Applicant organization name, and the address where the Notarization procedure is occurring,
   (2) Contain language that the Applicant Representative confirms the information listed in (1) is correct and a place for the Applicant Representative to sign the document, and
   (3) Contain appropriate text for the Notary to sign and affix a seal (as appropriate in the jurisdiction) to indicate the Verification Document was Notarized by the Notary.

Verified Mark Certificate: A certificate that contains subject information and extensions specified in these VMC Guidelines and that has been verified and issued by a CA in accordance with these VMC Guidelines.

VMCG: These VMC Guidelines

VMC Terms: The terms of use that apply to a VMC Certificate and to the Mark Representation and related data contained in a Verified Mark Certificate, as set out in Appendix C to these VMC Guidelines.

Word Mark: A trademark consisting exclusively of text expressed without regard to the font, style, size or color that has been registered as a trademark with a Trademark Office. See Appendix A for mapping of the names used by different trademarks offices to the definition of Word Mark.

2. GENERAL REQUIREMENTS

Verified Mark Certificates may be issued with respect to Registered Marks that are in good standing with a Trademark Office and which are owned by or licensed to the Applicant. CAs may issue Verified Mark Certificates provided that the CA satisfies (1) the requirements in these VMC Guidelines and (2) all requirements of the Baseline Requirements and EV Guidelines.

All Subscribers/Mark Asserting Entities, Consuming Entities, and Relying Parties are bound by the VMC Terms attached as Appendix C according to their terms. CAs who issue Verified Mark Certificates shall include the VMC Terms in their applicable Certification Practice Statement.

3. VERIFICATION OF SUBSCRIBER AND MARK

3.1 Subject Identity Verification
Before issuing a Verified Mark Certificate to an Applicant, a CA shall successfully complete verification of the Applicant's identity and domain(s) to be included in the Verified Mark Certificate according to the verification requirements of Section 11 of the EV Guidelines sufficient to issue an EV certificate.

3.2 Registered Mark Verification
VMCs may be issued for Combined Marks, Design Marks, and Word Marks. In addition to the identity and domain verification required by Section 3.1, CAs issuing Verified Mark Certificates shall perform verification of the submitted Registered Mark as follows:

3.2.1 Verification of Mark with Trademark Office
The Subscriber will provide the CA with (a) the Registered Mark's trademark registration number and name of the Trademark Office that granted the trademark registration, and (b) the Mark Representation in SVG format that the Applicant wishes to include in the Verified Mark Certificate. Registered Marks must be in good standing, and MUST be verified through consultation with the official database of the applicable Trademark Office, to be eligible for inclusion within a Verified Mark Certificate. In addition, only Registered Marks are eligible for inclusion within the logotype (as defined in RFC3709). For clarity and without limitation, unregistered marks are not eligible as a logotype.

In the alternative, the CA may verify the Registered Mark through the WIPO Global Brand Database at https://www3.wipo.int/branddb/en/

The CA SHALL confirm that the Mark Representation submitted by the Subject organization matches the Registered Mark as it appears in the official database of the applicable Trademark Office or the WIPO Global Brand Database. In determining whether the Mark Representation matches the Registered Mark, the CA shall maintain a record of its decisions and reasons therefor. The CA may, but is not required to, follow the guidelines in Appendix D for comparison of the Registered Trademark with the Mark Representation.

The CA SHALL also retain a screenshot or other record of the Mark Representation provided by the Applicant and all information about the Registered Mark obtained from the applicable Trademark Office as well as all other supporting data that the CA relies upon in issuing the Verified Mark Certificate.

3.2.2 Verification of Registered Mark Ownership or License
The CA shall confirm that the owner of the Registered Mark identified in the official database of the applicable Trademark Office or the WIPO Global Brand Database is the same Subject organization verified by the EV vetting process under Section 3.1 (or to a Parent, Subsidiary, or Affiliate of the organization as confirmed in accordance with the EV Guidelines and Baseline Requirements), or if the owner of the Registered Mark is not the same organization, that the Subject organization has obtained the right to use the Registered Mark through a mutually agreed-upon license from the entity who is the owner of record of the Registered Mark (or a Parent, Subsidiary, or Affiliate of the owner). If the owner of a Registered Mark is not the

Applicant, the Applicant may only use the Registered Mark if the CA obtains an authorization letter from the owner of record of the Registered Mark.

In determining whether the Applicant is the owner or a licensee of the Registered Mark corresponding to the Mark Representation, the CA shall maintain a record of its decisions and reasons therefor in the CA's records required in section 3.2.1.

3.2.3 Color Restrictions

Mark Representations in Verified Mark Certificates for Combined Marks and Design Marks shall only be in colors as permitted for the Registered Mark by the applicable Trademark Office. The CA shall examine the Registered Mark to determine what rights, if any, the Subject organization has to use of the Registered Mark in the colors of the Mark Representation submitted by the Subscriber.

In determining whether the colors in the Mark Representation submitted by the Subscriber match the colors permitted by the Registered Mark registration, the CA shall maintain a record of its decision and reasons therefor in the CA's records required in section 3.2.1.

3.2.4 Certificate Transparency Logging

Before issuance of a Verified Mark Certificate, the CA shall log the Verified Mark Certificate pre-certificate (including all the data included in the Subject field of the certificate plus the Mark Representation) to one or more public CT logs.

4. VERIFIED MARK CERTIFICATE PROFILE

Verified Mark Certificates shall comply with the Verified Mark Certificate profile requirements set out in this section. Except as may otherwise be expressly specified, Verified Mark Certificates must comply with the requirements of the EV Guidelines Sections 9.2 (Subject Identity) and 9.3 (Certificate Policy Identification). Notwithstanding anything to the contrary, Section 9.2.8 of the EV Guidelines shall not apply to override any of the requirements contained in these VMC Guidelines.

4.1 Certificate Version

Certificates MUST be of type x509v3 [RFC5280].

4.2 Certificate Serial Number

CAs MUST follow Baseline Requirements for generation of certificate serial number, i.e. the number MUST be at least 64 bit length, non-zero and generated with a CSPRNG.

4.3 Key Algorithms Sizes

The following key algorithms and associated key sizes are permitted. Other algorithms and sizes are explicitly prohibited.

Digest Algorithm	SHA-256, SHA-384, SHA-512
Key Algorithm	RSA or ECC

RSA modulus size (bits)	2048, 3072 or 4096
ECC curve parameters	NIST P-256, P-384, P-521

4.4 Maximum Validity Period for Verified Mark Certificates

The maximum validity period MUST NOT exceed 185 days. If an Applicant is a licensee of a Registered Mark or Word Mark rather than the Registrant, the expiration date of the certificate SHALL have an expiration date that is no later than the final expiration date of the license held by the Applicant to use the Registered Mark or Word Mark, which SHALL be confirmed by the CA during the verification process.

4.5 Subject

The following Subject fields may be included in a VMC.

4.5.1 Subject Alternative Name

subjectAltName [RFC5280]: It MUST contain at least one entry. Each entry is a dnsName containing a Fully-Qualified Domain Name describing the verified domain this Verified Mark Certificate is applicable to. This is REQUIRED, and SHOULD be marked non-critical [RFC5280].

4.5.2 Subject Distinguished Name

All string values are of DirectoryString type [RFC5280] and may be internationalized which has security considerations. The CA should consider steps to analyze internationalization for the potential of user confusion or fraud.

4.5.2.1 Subject Description

4.5.2.1.1 Subject Common Name

Subject: commonName (CN, OID: 2.5.4.3):   This field is deprecated. The contents can either be the same as the Subject Organization Name defined in section 4.5.2.1.2, or the Word Mark field defined in section 4.5.2.4.4. This Subject Common Name is OPTIONAL.

4.5.2.1.2 Subject Organization Name

Subject: organizationName (O, OID: 2.5.4.10): The string value represents the full legal organization name as described in EV Guidelines 11.2. Unlike in the EV Guidelines, a DBA or Word Mark is not allowed in this field - only the legal entity name. The Organization Name is REQUIRED.

4.5.2.1.3 Subject Organizational Unit Name

Subject: organizationalUnitName (OU, OID: 2.5.4.11): The Organizational Unit Name field specifies an organizational unit. It identifies an organizational unit with which the certificate is affiliated. The designated organizational unit is understood to be part of an organization designated by an organizationName field. The value for Organizational Unit Name is a string chosen by the organization of which it is part (e.g., OU = "Technology Division"). See ISO/IEC 9594-6:2014 (E) Rec. ITU-T X.520 (10/2012).

4.5.2.2 Subject Physical Address of Place of Business

This follows the EV Guidelines section 9.2.7 except as noted. This MUST contain a confirmed address of the Subject's place of business where the Country field is always REQUIRED, and all other fields are required unless prohibited by applicable law or not applicable in the jurisdiction.

Number and Street	subject:streetAddress (OID: 2.5.4.9)
City or Town	subject:localityName (OID: 2.5.4.7)
State or Province	subject:stateOrProvinceName (OID: 2.5.4.8)
Country	subject:countryName (OID: 2.5.4.6)
Postal Code	subject:postalCode (OID: 2.5.4.17)

4.5.2.3 Subject Registration

4.5.2.3.1 Business Category
Subject: businessCategory (OID: 2.5.4.15): This contains a SEQUENCE with one or two entries. The first entry and character string "EntityType" describes the categorization of the entity following EV Guidelines section 9.2.4, and is REQUIRED. The value is one of "Private Organization", "Government Entity", "Business Entity" or "Non-Commercial Entity" corresponding to the requirements in section 9.2.4. A second string SHOULD list the classification and classes for the goods and services for which the Registered Mark was granted by the Trademark Office when available and is OPTIONAL.

4.5.2.3.2 Jurisdiction of Incorporation or Registration Fields
This corresponds to the "Subject Jurisdiction of Incorporation or Registration Field" section in EV Guidelines section 9.2.5. The Country field is REQUIRED but otherwise follows section 9.2.5. (*Note*: the Country field here follows ISO 3166-1 ALPHA-2 per section 9.2.5.)

(*Note*: Some organizations are incorporated at the Country level only, and have no data associated with the State or Province field. Examples include Federal corporations in Canada and federally-chartered banks in the US. Most organizations have no data associated with the Locality field.)

Locality	Subject: jurisdictionLocalityName (jL, OID: 1.3.6.1.4.1.311.60.2.1.1)
State or Province	Subject: jurisdictionStateOrProvinceName (jS, OID: 1.3.6.1.4.1.311.60.2.1.2)
Country	Subject: jurisdictionCountryName (jC, OID: 1.3.6.1.4.1.311.60.2.1.3)

4.5.2.3.3 Subject Registration Number Field

Subject: serialNumber (jS, OID: 2.5.4.5): This string value corresponds to the business registration identifier given by the Registration Agency and follows the EV Guidelines requirements for the same field (subject:serialNumber). This is REQUIRED. (Entities without registration information cannot obtain a Verified Mark Certificate)

4.5.2.3.4 Legal Entity Identifier
Subject: legalEntityIdentifier (old OID: 1.3.6.1.4.1.311.60.2.1.7, new OID: 1.3.6.1.4.1.53087.1.5): This contains a 20-character alphanumeric LEI string from a valid registration and is OPTIONAL. The validation process is as follows:
1) This information SHALL be validated by matching the organization name and registration number found in the Global LEI Index against the Subject Organization Name Field (see EV Guidelines Section 9.2.1) and Subject Registration Number Field (see EV Guidelines Section 9.2.5) within the context of the subject's jurisdiction as specified in EV Guidelines Section 9.2.4.
2) The address information from EV validation SHALL be compared to the Headquarters Address information in the LEI record in order to detect potential matching errors or errors in the registration information. If the addresses do not match, the CA will attempt to validate the address found in the LEI record as a confirmed office location for the Subscriber, if possible.
3) The CA SHALL verify that the ValidationSources field of the associated LEI record contains the designation FULLY_CORROBORATED before including an LEI in a VMC.

4.5.2.4 Trademark Registration

4.5.2.4.1 Trademark Country or Region Name
Subject: trademarkCountryOrRegionName (old OID: 1.3.6.1.4.1.311.60.2.1.5, new OID: 1.3.6.1.4.1.53087.1.3): This string value identifies the country or region of the Trademark Office that registered the Registered Mark as an WIPO ST.3 two letter country and intergovernmental/regional agency code (see list at http://www.wipo.int/export/sites/www/standards/en/pdf/03-03-01.pdf). See Appendix B for a list of countries and regions currently authorized for Verified Mark Certificates and string value format. This field is REQUIRED.

4.5.2.4.2 Trademark Office Name
Subject: trademarkOfficeName (old OID: 1.3.6.1.4.1.311.60.2.1.4, new OID: 1.3.6.1.4.1.53087.1.2): This string value identifies the Trademark Office by inserting the URL listed in the "Web site" column in the WIPO directory of country and regional intellectual property agencies at https://www.wipo.int/directory/en/urls.jsp for the Trademark Office that registered the Registered Mark included in the Verified Mark Certificate. See Appendix B for a list of Trademark Offices currently authorized for Verified Mark Certificates and string value format. This field is REQUIRED if the applicable country/region has more than one national/regional intellectual property agency where trademarks can be registered. This field is not REQUIRED if the applicable country/region has only one national/regional intellectual property agency in the WIPO directory of country and regional intellectual property agencies at https://www.wipo.int/directory/en/urls.jsp where trademarks can be registered; in that case, the issuing CA will consult the Trademark Office listed on Appendix B for the applicable country/region.

4.5.2.4.3 Trademark Registration Number
Subject: trademarkRegistration (old OID: 1.3.6.1.4.1.311.60.2.1.6, new OID: 1.3.6.1.4.1.53087.1.4): This string value contains the registration number given by the Trademark Office to identify the Registered Mark. This field is REQUIRED.

4.5.2.4.4 Word Mark
Subject: wordMark (new OID: 1.3.6.1.4.1.53087.1.6) This plain text value may contain a Word Mark or the word(s) included in a Combined Mark. This field is OPTIONAL.

4.6 Logotype Extension
logotype extension (OID: 1.3.6.1.5.5.7.1.12) [RFC3709]:   The extension MUST:
- contain subjectLogo with a LogotypeData element [RFC3709] containing the Mark Representation asserted by the Subject of the Verified Mark Certificate and verified by the CA.
- embed the image element in "data:" URL as defined in RFC6170 section 4.

The Mark Representation MUST:
- embedded secured SVG image [RFC6170]
- use the SVG Tiny PS profile to secure the SVG
- be compressed
- follow other requirements set forth in [RFC6170 section 5.2]

The Mark Representation MUST NOT contain <script> tags. Additionally the Authindicators Working Group has published a SVG Tiny PS Guidelines document as well as a RNC tool to help validate the SVG. The VMC SVG is also required to follow those specifications. The logotype extension is REQUIRED, and SHOULD be marked non-critical. The CA SHALL verify that the Applicant provided Mark Representation meets this secure profile.

4.7 Usage Information Extension

4.7.1 Extended Key Usage
extKeyUsage: id-kp-BrandIndicatorforMessageIdentification (OID: 1.3.6.1.5.5.7.3.31). The Extended Key Usage extension [RFC5280] MUST contain id-kp-BrandIndicatorforMessageIdentification (OID: 1.3.6.1.5.5.7.3.31) as specified in Section 7 of the IETF Internet-Draft at https://tools.ietf.org/html/draft-chuang-bimi-certificate-00. This indicates the application of the Verified Mark Certificate Profile. This is REQUIRED, and the extension SHOULD be marked non-critical.

4.8 Revocation Information Extensions
The Verified Mark Certificate profile mandates the use of CRL to communicate revocations. CRL are mandated over OCSP as CRL lookup may be offline that can keep Verified Mark Certificate usage private.

4.8.1 CRL Distribution Points
crlDistributionPoints.   This contains the HTTP(S) URL location of the CA CRL service, which provides certificate revocation information. This is REQUIRED and the extension MUST NOT be marked critical.

4.8.2 Authority Information Access.
authorityAccessInformation: This contains the HTTP URL location of the issuing CA OCSP responder service to provide online revocation information, and may contain the issuing CA certificate as described in Baseline Requirements Section 7.1.2.3.   This is OPTIONAL and MUST NOT be marked critical.

4.9 Certificate Policies Identification
This follows EV Guidelines Section 9.3 and 9.7 except where explicitly stated.

4.9.1 Certificate Policies Extensions

certificatePolicies: Each Verified Mark Certificate issued by the CA to a Subscriber SHALL be identified by the presence of the following Verified Mark Certificate OIDs in the certificate's certificatePolicies extension that:

    (i)   indicate which CA policy statement relates to that Certificate,

    (ii)   assert the CA's adherence to and compliance with these VMC Guidelines and assert the requirement of adherence to and compliance with the VMC Terms as a condition of issuance of the Verified Mark Certificate.

The first certificate policies extension contains an identifier that names the CA's Certification Practice Statement (CPS) applicable to the Verified Mark Certificate, together with a URL for the web page where the Certification Practice Statement can be publicly reviewed. The CA CPS identifier is the Policy Identifier of the certificate policies extension. The CA CPS URL is appended as a CPS pointer qualifier.

The second certificate policies extension contains a Verified Mark Certificate General Policy Identifier (1.3.6.1.4.1.53087.1.1) which indicates adherence to and compliance with these VMC Guidelines and the VMC Terms. This identifier is assigned to the Policy Identifier of the certificate policies extension.

These extensions are REQUIRED, and SHOULD NOT be marked critical.

4.9.2. CA Certificates
CAs shall only issue Verified Mark Certificates from a dedicated sub-CA that contains the EKU specified in section 4.7.1 for Verified Mark Certificates.

4.10 Certificate Transparency Extension
extension OID: 1.3.6.1.4.1.11129.2.4.2: Verified Mark Certificates pre-certificates MUST be logged to at least one of well-known Certificate Transparency (CT) logs [RFC6962] which then provide Signed Certificate Timestamps (SCT). The SCT must be added to the Certificate Transparency extension as a SignedCertificateTimestampList encoded as an octet string [RFC6962 section 3.3]. The Authindicators Working Group maintains a list of acceptable CT logs, and the current list is attached as Appendix F. This is REQUIRED, and SHOULD NOT be marked critical.

5. FUTURE USE CASES [Reserved]

6. OTHER REQUIREMENTS

6.1 Additional Vetting Requirements and Disallowed Methods

6.1.1 Face-to-Face Validation of Applicant Representative The CA must conduct
face-to-face validation of the Applicant Representative for the Subscriber following the validation steps described in Appendix F. The CA must verify that the validator is a legally-qualified Notary (or legal equivalent in the Applicant Representative's jurisdiction), Latin Notary, lawyer, or solicitor (collectively, "Notary") in the jurisdiction where the Applicant Representative is verified.

During the VMC Pilot Program, CAs will perform the additional F2F validation steps described in Appendix F, Part 2.

6.1.2 Exceptions to Face-to-Face Validation of 6.1.1

Face-to-face validation is not required more than once for any Subscriber Organization (or Parent, Subsidiary, or Affiliate) so long as the CA has maintained continuous contact with one or more Subscriber representatives and maintains a system for authorization by the Subscriber of new Subscriber representatives (or representatives of a Parent, Subsidiary, or Affiliate). "Continuous contact" means the CA has one or more direct contacts with a Subscriber representative during the validity period of any VMC issued to the Subscriber or within 90 days of the expiration of the last of the Subscriber's VMC to expire.

6.1.3 Verified Professional Letter Not Permitted
The verification requirements of EV Guidelines section 11.2.1 for the verification of the Applicant and the Applicant Representative may not be met through the use of a Verified Professional Letter as otherwise described in 11.2.2 (6). This prohibits the allowances otherwise permitted in the EV Guidelines in sections 11.2.2 (1-3, and 5).

APPENDIX A – **Mapping of Combined, Design, and Word Mark Terminology to Terminology of Authorized Trademark Offices**

Country/ Region	Combined Mark	Design Mark	Word Mark
United States (US)[1]	Marks comprising words plus a design are coded as **Mark Drawing Code 3 - Design Plus Words, Letters, and/or Numbers** Marks comprising stylized letters and/or numerals with no design feature are coded as **Mark Drawing Code 5**	Special Form Drawings. Marks comprising only a design are coded as **Mark Drawing Code 2 - Design Only**	Standard Character Drawings - Marks comprising words, letters, numbers, or any combination thereof without claim to any particular font style, size, or color are coded as **Mark Drawing Code 4 -Standard Character Mark**. [Prior to November 2, 2003, typed drawings (*see* TMEP §807.03(i)) these were coded as **Mark Drawing Code 1**]
Canada (CA)[2]	**Composite Mark**	**Design Mark**	**Standard Character Trademark**
European Union (EM)[3]	Type: **Figurative mark containing word elements** - A figurative mark consisting of a combination of verbal and figurative elements	Type: **Figurative mark** - It is a trade mark where non-standard characters, stylisation or layout, or a graphic feature or a colour are used, including marks that consist exclusively of figurative elements	Type: **Word mark** - A word mark consists exclusively of words or letters, numerals, other standard typographic characters or a combination thereof that can be typed
United Kingdom (GB)[4]	**Logo Mark**[5] (Image)	**Logo Mark** (Image)	**Word Mark**[6]

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[1] https://tmep.uspto.gov/RDMS/TMEP/current#/current/TMEP-800d1e2068.html
http://www.lo101.com/mdc.html

[2] https://trademark.witmart.com/canada/registration

[3] https://euipo.europa.eu/ohimportal/en/trade-mark-definition

[4] https://www.trademarkdirect.co.uk/blog/word-marks-logo-marks

[5] See https://trademarks.ipo.gov.uk/ipo-tmcase/page/Results/1/UK00002192618 for Burger King combined mark registration in the UK. The search drop down field on the site uses the term "design". The registration does not appear to call out the words in the combined mark, so MVAs must extract the words to insert in the VMC Sec. 4.5.2.4.4 Word Mark field.

[6] See https://trademarks.ipo.gov.uk/ipo-tmcase/page/Results/1/UK00001351798 for word mark registration for Burger King. The search drop down field on the site uses the term "word". The registration does not appear to call out the words in the combined mark, so MVAs must extract the words to insert in the VMC Sec. 4.5.2.4.4 Word Mark field. Note that UK trademark registration for word marks allows "series" of the same word mark to be listed in a single registration (where words are arranged in different configurations – linear, stacked – but always read the same way to a consumer).

Germany (DE)[7]	Combined word and figurative mark (Wort-Bildmarke) - Combined word/figurative marks consist of a combination of word elements and graphical elements, or of words in lettering styles.	Figurative Mark (Bildmarke) - are pictures, graphical elements or images (without words or word elements).	Word Mark (Wortmarke) - are trade marks that consist of words, letters, numbers or other characters that are part of the standard set of characters used by the Deutsches Patent und Markenamt (DPMA).
Japan (JP)[8]	Combined meaning Combination of letters and figures trademark / Combined trademark (文字と図の組み合わせ商標 / 結合商標) or Stylized characters (図案化された文字商標)	FIgurative / Graphic Trademark (図商標 / 図形商標)	Word Trademark (文字商標)
Australia (AU)	**Figurative Mark[9]**	**Figurative Mark[10]**	**Word Mark[11]**

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[7] English definition from glossary in:
https://www.dpma.de/docs/dpma/veroeffentlichungen/broschueren/200129_bromarken_engl_nichtbarr.arm.pdf
English/German mapping is by looking at the "550 Markenform" (German version) of :
https://register.dpma.de/register/htdocs/prod/en/hilfe/recherchefelder/marken/index.html and using the language translator tool to map to English. See also section "What is the difference between a word mark and a combined word/figurative mark or figurative mark?" in https://www.dpma.de/english/trade_marks/faq/index.html
[8] See page 81 of
https://www.globalipdb.inpit.go.jp/jpowp/wp-content/uploads/2018/11/170c54c04df539b80e52f33800a1e643.pdf and page 110 of https://www.jetro.go.jp/ext_images/world/asia/sg/ip/pdf/search_ip_communique2016.pdf
[9] See
https://search.ipaustralia.gov.au/trademarks/search/view/381026?s=9f1d9c31-769b-4472-a055-e8c636007f26
Note that registration shows "AMERICAN STANDARD IDEAL STANDARD" for "Words" field.
[10] See
https://search.ipaustralia.gov.au/trademarks/search/view/373483?s=9f1d9c31-769b-4472-a055-e8c636007f26 for Delta triangle figurative mark registration. Note that registration shows "A" for "Words" field (unclear – a placeholder?).
[11] See
https://search.ipaustralia.gov.au/trademarks/search/view/723899?s=6f75163b-7cac-44f6-9784-7cf7496ceec0.
Note that registration shows "BURGER KING" for "Words" field

APPENDIX B – Authorized Trademark Offices for VMCs

Trademark Offices Authorized for Verified Mark Certificates	String Value for Trademark Country or Region Name Under Sec. 4.5.2.4.1	String Value for Trademark Office Name Under Sec. 4.5.2.4.2
United States - United States Patent and Trademark Office	US	https://www.uspto.gov/
Canada - Canadian Intellectual Property Office	CA	http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr00002.html
European Union - European Union Intellectual Property Office	EM	https://euipo.europa.eu/ohimportal/en
United Kingdom - UK Intellectual Property Office	GB	https://www.gov.uk/search-for-trademark
Germany - Deutsches Patent- und Markenamt	DE	https://www.dpma.de/
Japan Trademark Office	JP	https://www.jpo.go.jp/
Australia - IP Australia	AU	https://www.ipaustralia.gov.au/

APPENDIX C

VMC Terms of Use ("VMC Terms")

All Mark Asserting Entities (MAEs) are required, as a condition of being issued a Verified Mark Certificate, to agree to these VMC Terms. Any and all use, display, or reliance on any Verified Mark Certificate (and any Mark Representation and any other data or information therein) by Consuming Entities, Relying Parties, and any other person, is subject to and conditional upon acceptance of these VMC Terms. The OID 1.3.6.1.4.1.53087.1.1 in the Verified Mark Certificate incorporates by reference these VMC Terms. If any person does not agree to these VMC Terms, such person may not obtain, use, publish, or rely upon any Verified Mark Certificate or on any Mark Representation or any other data or information in a Verified Mark Certificate.

1. Definitions. In addition to the other definitions included in the Baseline Requirements, EV Guidelines, and VMC Guidelines, the following capitalized words will have the meanings set out below.
    1.1. Mark Asserting Entity (MAE): An Applicant for/Subscriber of a Verified Mark Certificate.
    1.2. VMC Marks: the Mark Representation and Word Mark, if any, contained in a MAE's Verified Mark Certificate application.

2. Limited Right to Reproduce and Display. The MAE hereby grants, subject to the terms, conditions and restrictions in the VMC Guidelines and these VMC Terms:
    2.1. to the Issuing CA, a limited, non-exclusive, worldwide license to issue a Verified Mark Certificate that contains the VMC Marks and to log said certificate in a limited number of Certificate Transparency Logs as required by the VMC Guidelines; and
    2.2. to Consuming Entities, a limited, non-exclusive, worldwide license to use the VMC Marks in conjunction with internal logo recognition systems, and to host, store, reproduce, display, process, and modify as permitted by section 3.1 the VMC Marks only in direct visual association with communications, correspondence, or services authored or provided by the MAE from or through one of the same domains included within the Verified Mark Certificate's Subject Alternative Name field; and
    2.3. to certificate transparency log operators if different from the Issuing CA, a limited, non-exclusive, worldwide license to retain a copy of and to reproduce the Verified Mark Certificate to support a durable public record of those issued certificates, and for the purpose of permitting members of the public to audit the verification of Verified Mark Certificates.
    No other license is granted to any other party, or for any other use.

3. License Restrictions and Conditions. Any Consuming Entity that incorporates or intends to incorporate the VMC Marks obtained through an issued and published Verified Mark Certificate into its products and services, agrees that its license to do so is subject to and conditional on the following:
    3.1. Quality Control, Same Treatment. The Consuming Entity may not distort at display time any Mark Representation obtained from a published Verified Mark Certificate, change its colors or background, modify its transparency, or alter it in any way other than to adjust its size or scale, or to crop it in a manner consistent with cropping performed on other Mark Representations displayed in the same context. If a Consuming Entity displays a Word Mark obtained from a published Verified Mark Certificate, it must do so in a neutral manner applied consistently to all Word Marks from all Verified Mark Certificates that are shown in the same visual context. The Consuming Entity may display a Mark included in a Verified Mark Certificate without also displaying a Word

Mark included in the same Verified Mark Certificate, but the Consuming Entity may not display a Word Mark included in a Verified Mark Certificate without also displaying the Mark included in the same Verified Mark Certificate.

3.2. <u>No Partnership or Relationships implied</u>. Subject to an express agreement to the contrary between the Consuming Entity and the MAE, neither the VMC Marks nor any other content of the Verified Mark Certificate may be used or displayed in any way that reasonably implies any relationship between the Consuming Entity and the MAE, beyond the bare licensor-licensee relationship created by these VMC Terms.

3.3. <u>CRL or OCSP Checks</u>. Consuming Entities must check the Certificate Revocation Lists maintained by the CA or perform an on-line revocation status check using OCSP to determine whether a Verified Mark Certificate has been revoked no less frequently than every 7 days.

3.4. <u>Lawful Use</u>. Consuming Entities may only use the Mark Representation in a Verified Mark Certificate in accordance with applicable law.

4. <u>Sufficient Ownership or License.</u> The MAE warrants that the VMC Marks published via a Verified Mark Certificate represent a Registered Mark (and Word Mark, if any) that the MAE owns or for which the MAE has obtained sufficient license to be able to grant the limited license in these VMC Terms, and that it will immediately revoke the Verified Mark Certificate if it no longer owns or has a sufficient license to the applicable Registered Mark (or Word Mark, if any). The MAE will defend and will be liable for any intellectual property or other claims against any Consuming Entity, Relying Party or CA that arise from the content of the MAE's application for a Verified Mark Certificate.

5. <u>No obligation to display.</u> The MAE acknowledges that Consuming Entities are under no obligation to display the VMC Marks in connection with content the MAE publishes that is associated with the domains the MAE owns or controls as a Domain Registrant, even if a communication or message is confirmed to be from the MAE and a suitable VMC Mark can be obtained and safely displayed from the applicable Verified Mark Certificate. Instead, Consuming Entities may choose to display the VMC Marks in accordance with these VMC Terms, or not display them, at their option.

6. <u>Termination.</u> Immediately upon revocation or expiration of the Verified Mark Certificate, the MAE will cease publishing or using the Verified Mark Certificate, and the license granted to Consuming Entities in Section 2.2 above shall terminate. The license to a Consuming Entity in Section 2.2 above also terminates automatically and immediately upon breach of any provision of these VMC Terms by the Consuming Entity. Consuming Entities must immediately cease any and all use of the VMC Marks upon termination of the applicable license.

7. <u>Updates to VMC Guidelines and VMC Terms.</u> The VMC Guidelines and VMC Terms may be updated from time to time. All parties agree that the version of the VMC Guidelines and VMC Terms in effect at the time of issuance of a Verified Mark Certificate shall apply through the date of expiration or revocation of the Verified Mark Certificate (and, for those provisions that by their nature extend beyond the date of expiration or revocation, until the provisions no longer would apply by their terms). It is the responsibility of each entity who obtains, uses, publishes or relies upon a Verified Mark Certificate to review and familiarize itself from time to time with any updated versions of the VMC Guidelines and VMC Terms.

APPENDIX D

Optional Rules for Matching Mark Representation Submitted by Subscriber with Registered Mark Verified by CA

These are optional rules approved by the Authindicators which CAs may use when matching the Mark Representation submitted by the Subscriber with the Registered Mark verified by the CA.

Trademarks registered in the United States

[This Appendix is still being drafted.]

APPENDIX E

CT Logs Approved by Authindicators Working Group

logurl	name	google
https://mammoth.ct.comodo.com/ct/v1/	comodo-mammoth	0
https://sabre.ct.comodo.com/ct/v1/	comodo-sabre	0
https://ct1.digicert-ct.com/log/ct/v1/	digicert	0
https://ct2.digicert-ct.com/log/ct/v1/	digicert-ct2	0
https://gorgon.ct.digicert.com	gorgon	0
https://ct.cloudflare.com/logs/nimbus2019/ct/v1/	nimbus2019	0
https://ct.cloudflare.com/logs/nimbus2020/ct/v1/	nimbus2020	0
https://ct.cloudflare.com/logs/nimbus2021/ct/v1/	nimbus2021	0

APPENDIX F – Additional Pilot Program F2F Verification Requirements

Section 1 – <u>Notarization of Document Signed by Applicant Representative</u>

The Applicant Representative who performs the Notarization procedure for the Subscriber must be either the Contract Signer or the Certificate Approver for the Subscriber as defined in the EV Guidelines. If this is not possible, the CA must subject the Applicant Representative to the same verification procedures under EV Guidelines Sec. 11.8 as are performed for the Contract Signer and Certificate Requester in addition to the F2F validation requirements listed below.

1. <u>Receive F2F information from the Applicant Representative</u>. The CA will ask the Applicant Representative to submit the following information: name, title, organization (Applicant) name, email address, and telephone number for use in the Notarization process and the web-based F2F process described in Sections 2 and 3 below. During the Pilot Program, the CA must conduct both processes.

2. <u>Conduct Notarization Process</u>. The CA will arrange for a Notary to meet with the Applicant Representative inside an office location for the Subscriber that has been confirmed by the CA using the processes of the EV Guidelines if possible. If the Applicant Representative is unable to meet the Notary in a confirmed office location of the Subscriber (e.g., because the nominated Applicant Representative works remotely and there is no Subscriber office location nearby), the Applicant Representative may meet with the notary in a different location.

   The CA will provide the notary in advance with a Verification Document for the Applicant Representative to sign before the Notary and be Notarized. The notary should be instructed to confirm the Applicant Representative face conforms to the photo on the Applicant Representative's photo ID, and that the name of the Applicant Representative listed on the photo ID conforms to the Applicant Representative name on the Verification Document. The Notary must observe the Applicant Representative as he or she signs the Verification Document, then Notarize the Verification Document, The Notary should record any required detailed of the Notarization process in the Notary's notary journal (or equivalent) as normally required in the jurisdiction for a Notarization.

   The Notary must then either: (1) Send a photo or pdf copy of the Notarized Verification Document to the CA and give the original document to the Applicant Representative for his or her files, or (2) send the original signed Verification Document to the CA. The Notary should not retain a copy of the Verification Document or the Applicant Representative's photo ID in the Notary's own files unless required to do so by applicable law or regulation in the jurisdiction, in which case the Notary should treat the document and photo ID as PII to be archived and disposed of in a secure manner and in accordance with any applicable law or regulation.

3. <u>Conduct web-based F2F session with Applicant Representative</u>. The CA or its third party agent will also perform a web-based recorded or photographed session with the Applicant Representative. This form of validation must include the following basic steps:

   (a) The CA or agent initiates a live, recorded video conference with Applicant Representative. The recording can either be saved by the CA, or appropriate screen shots of the conference can be saved by the CA instead.

(b) The Applicant Representative recites on the video conference his or her basic information, including name, address, organization, title, telephone number, ID type (passport national ID, driver's license, etc.), and ID number that will be used during the validation session.

(c) The CA or agent asks the Applicant Representative to present his or her ID document to the camera, close enough to provide a clear picture of the front, back, and any other pages as may be necessary to read and examine the document and capture it on the video and/or screen shots. The CA or agent is not expected to determine whether or not the ID document is genuine, only to record what was presented. CA agent may reject the ID document in its discretion if appropriate (e.g., expired, name mis-match, photo mis-match).

(d) The CA or agent asks the Applicant Representative to hold ID in front of his or her face, to turn the document around in that position, and to wave his or her other hand in the space between the ID and the Applicant Representative's face. The CA must make reasonable accommodations if necessary in case the Applicant Representative has a relevant physical disability. The CA or agent may ask additional questions at his or her discretion.

(e) The video conference is completed. The CA or agent then approves or fails the ID verification request based on the procedure and securely archives the recording.

The CA may use a competent third party service provider trusted by the CA to perform this recorded or photographed web-based session with Applicant Representative so long as the CA obtains and retains the recorded session and/or screen shots in the validation file.

Other provisions.

If the CA is unable to perform any of these F2F validation steps, the CA will notify the AuthIndicators group but will not issue the VMC until the CA and AuthIndicators either agree to waive the step or agree on additional or alternate F2F validation steps as a substitute.

Section 2 – PII and Privacy Requirements

VMC Applicant Representative PII & Privacy Processes

The issuance of a VMC requires the issuing CA to validate the following information:
- The applying organization's ownership of their business domain
- The applying organization's ownership of the logo to be used
- The Applicant Representative's connection to the organization
- The Applicant Representative's identity

Due to the novel nature of validating the identity of the Applicant Representative in-person, which is performed through a meeting with a notary or equivalent, additional information that is not typically collected for certificate issuance is required. As such, measures to protect Applicant Representative personally identifiable information must be exercised.

Initial Applicant Representative Guidance
1. **Before** an applicant begins the VMC application process, each CA should:

- Set expectations and prepare the Applicant Representative by providing a shortlist of items needed for the VMC application and a brief explanation of the Notarization process and required personal documents and information:
  - Description of the Notarization process that will be followed and PII details to be collected, including types of government-issued ID that will be accepted.

    (Not related to PII:)
  - The requirements that the Subscriber have a registered trademark, and which trademark jurisdictions are authorized.
  - The requirement of DMARC at enforcement on the organizational domain.
  - Specifications for the SVG Tiny PS logo that must be submitted by the Subscriber.
- Provide links to the CA's official privacy policies

2. **During** the application process, each CA must ensure:
   - Applicant Representative PII is collected via **secure portal or safe file share site**. This will also include typical account set-up. PII such as name, title, phone, and email address for Applicant Representatives information.

CA PII Retention Transparency Guidance
- Where PII is collected, the CA must include links to or information about the following:
  - Summary of the collection, use, storage, and destruction of information as it applies to the application and process; point to relevant standards
    - Explanation and reasoning for collection of required information by the CA (and, if applicable, by the notary)
      - Context as to the relative normalcy of this (e.g. for standard notarization process, SSL certs or home loans etc.)
      - Include CA's official privacy policies

3. **Guidance on PII sent to Notary**
   - For the in-person meeting the Applicant Representative should provide only the below fields to the CA. The collection of additional, personally identifiable information is not required or recommended.
     - Name
     - Title
     - Organization
     - Email address
     - Meeting location, date, time
     - Cell phone number *(for the purposes of coordinating the meeting between the Applicant Representative and notary)*

4. **Guidance on Applicant Representative PII Treatment by Notary**
   - The Notary must maintain limited Applicant Representative PII, as noted in the required fields of Item 3, including data entries in a Notary Journal that the Notary must retain by law or practice (or similar record that a Latin Notary, lawyer, or solicitor must retain).
   - The CA should provide the Applicant Representative with information about the in-person meeting and document(s) that will be presented for signature(s).
     - The CA should provide the Applicant Representative the lifecycle details of the signed documents or PII retained by the Notary.