

## LIMITED REGISTRATION PERIOD III DISPUTE RESOLUTION POLICY IN .MOSCOW

This Policy sets forth the terms and conditions of extrajudicial dispute resolution related to second-level .MOSCOW domain names registered during the Limited Registration Period III.

Terms and definitions used in this Policy:

**Complaint** is an application executed and submitted to Registry Operator pursuant to this Policy, which states that there are no grounds for a performed registration of a second-level .MOSCOW domain name during Limited Registration Period III in the name of the current Registrant, or that there are no grounds for rejection of registration of a second-level .MOSCOW domain name during the Limited Registration Period III.

**Complainant** is a person or entity that is entitled for domain name registration in the .MOSCOW TLD pursuant to the .MOSCOW Limited Registration Period III Policy and that submits a Complaint to Registry Operator.

Other terms used herein are defined in the List of Definitions used in the Policies, as published on the official website of the Foundation for Assistance for Internet Technologies and Infrastructure Development at the section "Documents" at: <http://en.faitid.org/projects/moscow/documents>

### 1. General Provisions

1.1. Terms and conditions of second-level domain name registration in the .MOSCOW TLD during the Limited Registration Period III are set forth in the .MOSCOW Limited Registration Period III Policy ("LRP III Policy").

1.2. This Policy shall be used for extrajudicial resolution of disputes on second-level .MOSCOW domain names, arising out of the following complaints submitted by Complainant:

1.2.1. Complaints **against domain name registration during the Limited Registration Period III**. Such complaints are possible if Complainant has evidence of lack of grounds for domain name registration during Limited Registration Period III in the name of current Registrant pursuant to the LRP III Policy.

1.2.2. Complaints **against rejection of domain name registration during the Limited Registration Period III**. Such complaints are possible if Complainant has evidence of lack of grounds for rejection of domain name registration during Limited Registration Period III in the name of Complainant pursuant to the LRP III Policy.

1.3. Registry Operator shall review and resolve any complaints related to domain name registration during the Limited Registration Period III or rejection of domain name registration during the Limited Registration Period III under this Policy.

1.4. Any complaints and comments to them, as well as any responses to complaints and comments to such responses shall be made in writing in Russian.  
Any attachments to complaint or response may be in any other language, but must have a Russian translation.

Such Russian translation must be notarized if such attachments are in English and contain more than one hundred (100) words in total, or if such attachments are not in English.

All correspondence and communication related to complaints and responses thereto shall be in Russian.

Complaints and comments/attachments thereto, as well as responses to complaints and comments/attachments thereto submitted to Registry Operator will not be returned to Complainant regardless of the review results and may be stored by Registry Operator pursuant to the procedure and the time frames set by Registry Operator.

1.5. Complaint shall be signed by a person with primary signature authority on behalf of Complainant or by other person legally authorized to do that (please specify the job title and attach documents confirming authority), and shall be certified by the stamp of the legal entity.

Complaint shall contain signatory's (signatories') printed last name with initials and the signature date of Complaint.

1.6. Complaint may be submitted to Registry Operator in writing to the following address: 3 Khoroshyovskaya, 2 s. 1, Moscow, 123308, Russian Federation

1.7. All complaints will be reviewed based solely on written materials, without any oral communication / hearings.

## **2. Terms and Conditions of Execution and Submission of Complaints**

2.1. Complaint against domain name registration in the name of current Registrant under Limited Registration Period III ("**Complaint Against Registration**").

2.1.1. Complaint Against Registration shall be executed in writing and contain the following information:

- Full name of Complainant (person of legal entity).
- Official address of Complainant (person of legal entity), including the official name of the country.
- Email address(es) of Complainant for getting information related to complaint review and for further communication with Complainant.
- Domain name that is the subject of complaint.
- Reason why Complainant considers such domain name registration during Limited Registration Period III illegitimate and comments with well-founded explanation of Complainant's position. In particular:
  - At the time of registration request submission, the domain name was not included in the List of Second-Level Domain Names in the .MOCKBA TLD to Be Reserved for the Needs of the Moscow Government and Russian Federation (Exhibit 1 to the .MOCKBA Reservation Policy published on the Registry Operator's website at <http://en.faitid.org>).
  - Registrant who registered the domain name during the Limited Registration Period III is not included in the List of Users Who Are Entitled to a Limited Domain Name Registration Within the Limited Registration Period III (Exhibit 1 to the LRP III Policy).

If domain name is registered in violation of the LRP III Policy, Complainant shall include in its comments a reference to the applicable clauses of the LRP III Policy.

- Request to perform inspection of the performed registration within the Limited Registration Period III.
- List of actions performed by Complainant to dispute the performed registration within the Limited Registration Period III before submitting complaint, or indication that such actions were not performed.
- Warranty and acknowledgment by Complainant that information in complaint is complete and accurate, and that complaint is submitted not to harm or damage TLD Administrator, Registrar, Registry Operator, or any third party, and that Complainant (and not Registry Operator, Registrar, or third parties) shall be solely responsible for any bans set by Registry Operator on any actions with the registered domain name due to complaint review, for any consequences of such bans, for any other restrictions, damages and so on, which domain name registrant suffered due to complaint review in the case such complaint is not satisfied.

Additional documents, information, materials may be attached to complaint to evidence that Limited Registration Period III was performed in violation of the LRP III Policy; such documents, information, materials shall comply with clauses 1.4 and 1.5 hereof.

2.1.2. Complainant may submit its Complaint Against Registration to Registry Operator within thirty (30) calendar days after domain name registration. Registry Operator will not review any complaints submitted at a later date.

## 2.2. Complaint Against Rejection of registration within Limited Registration Period III ("**Complaint Against Rejection**").

2.2.1. Complaint Against Rejection shall be executed in writing and shall contain the following information:

- Full legal name of Complainant.
- Official address of Complainant (person of legal entity), including the official name of the country.
- Email address(es) of Complainant for getting information related to complaint review and for further communication with Complainant.
- Domain name that is the subject of rejection.
- Name of Registrar that rejected the registration within the Limited Registration Period III and the link to such Registrar's website, or indication that rejection was received from Registry Operator.
- Reason why Complainant considers such rejection of the registration within the Limited Registration Period III illegitimate and comments with well-founded explanation of Complainant's position with references to the LRP III Policy.
- Request for a registration within the Limited Registration Period in the name of Complainant in the case Registry Operator finds rejection of the registration within the Limited Registration Period III to be illegitimate after its review, provided that such domain name is available when Registry Operator resolves such complaint.
- List of actions performed by Complainant to dispute the rejection of registration within the Limited Registration Period before submitting complaint, or indication that such actions were

not performed.

- If Complainant is an individual: Complainant's consent for processing of personal data from complaint by Registry Operator or any third party engaged by Registry Operator, for disclosure of such data through mass media or telecommunications networks, or for providing access to such data for the general public by any other means.
- Warranty and acknowledgment by Complainant that information in complaint is complete and accurate, and that complaint is submitted not to harm or damage TLD Administrator, Registrar, Registry Operator, or any third party. and that Complainant (and not Registry Operator, Registrar, or third parties) shall be solely responsible for any bans set by Registry Operator on any actions with the registered domain name due to complaint review, for any consequences of such bans, for any other restrictions, damages and so on, which domain name registrant suffered due to complaint review in the case such complaint is not satisfied.

Copies of the following documents and materials must be attached to complaint:

- Registration Agreement between Complainant and Registrar with respect to .MOCKBA/.MOSCOW domain names, or a link to such agreement on Registrar's website.
- Text of rejection of the registration within the Limited Registration Period III received by Complainant (with indication of the form and date of such rejection), containing reasons for such rejection.
- Documents, materials, and information provided by Complainant to Registrar when submitting its request for domain name registration within the Limited Registration Period III.

Additional documents, information, materials may be attached to complaint to evidence that the registration within the Limited Registration Period III was rejected in violation of the LRP III Policy; such documents, information, materials shall comply with clauses 1.4 and 1.5 hereof.

2.2.3. Complainant may submit its Complaint Against Rejection to Registry Operator within five (5) calendar days after rejection of domain name registration. Registry Operator will not review any complaints submitted at a later date.

### **3. Complaint Review Procedure**

3.1. After receiving complaint, Registry Operator shall within three (3) business days provide an electronic notice:

3.1.1. If complaint is accepted for review — to the email addresses of Complainant and Registrar listed by Complainant in complaint (for Complainants Against Rejection), or to the email addresses of Complainant, Registrar, and Registrant (for Complaints Against Registration).

3.1.2. If complaint review is rejected — to the email address of Complainant. If complaint does not contain Complainant's email address, the notice will not be provided.

3.2. Registry Operator will not review complaints in the following cases:

3.2.1. Complaint does not comply with the requirements of this LRP III Policy or is submitted in violation of this LRP III Policy.

3.2.2. Information contained in complaint is incorrect, incomplete, or invalid (e.g., wrong domain name), and/or required documents and materials are not attached to complaint.

3.2.3. Complaint is identical to another complaint submitted by such Complainant earlier.

3.2.4. Complaint contains information unrelated to .MOSCOW (e.g., complaint is for a domain name registered in any TLD other than .MOSCOW), etc.

3.3. In the case of acceptance of Complaint Against Registration, Registry Operator may block the domain name in question (e.g., may, at its own discretion, ban any actions with such domain name and/or suspend domain name delegation) for the time of complaint review.

Registry Operator shall not be responsible to Registrant, Registrar, and third parties for damages arisen out of delegation suspension pursuant to this LRP III Policy.

3.4. Registry Operator shall review (independently or by engaging a third party) complaint within thirty (30) calendar days.

3.5. If Registry Operator accepts complaint for review, domain name Registrant may submit to Registry Operator a well-grounded explanation of legitimacy of the registration within the Limited Registration Period III in its name within three (3) calendar days after receiving a notice from Registry Operator pursuant to clause 3.1.1. hereof. Additional documents evidencing legitimacy of the registration with the Limited Registration Period III may be attached by Registrant.

3.6. Complainant may cancel its complaint at any time before Registry Operator provides a notice stating that complaint is resolved. In this case Registry Operator will cease review of the complaint.

3.7. Registry Operator may cease review of the complaint after learning that a lawsuit was filed regarding the domain name in question.

3.8. Registry Operator will give an email notice about the result of complaint review or on ceasing of complaint review to Complainant, Registrar, and Registrant (in the case of complaint against registration).

#### **4. Final Provisions**

4.1. Provisions of this Policy shall be effective during the Limited Registration Period III and within thirty-one (31) calendar days upon its expiry.

4.2. Registry Operator shall store information on complaints and attachments thereto, as well as on the results of complaint reviews, for three (3) years, and may provide it in accordance with the laws of the Russian Federation.

4.3. This Policy, as well as any exhibits hereto, may be modified, amended, updated, approved in a new version, or canceled at any moment at the Registry Operator's sole discretion. Registry Operator is also entitled to approve and put into effect a new exhibit to this Policy at any moment. Registry Operator shall notify Registrars of any changes, supplements, updates, or new versions of this Policy or exhibits hereto by publishing new versions of documents on its website at: <http://en.faitid.org/>