

## LIMITED REGISTRATION PERIOD II DISPUTE RESOLUTION POLICY

This Policy sets forth the terms and conditions of second-level domain name dispute resolution in .MOSCOW TLD registered during the Limited Registration Period II.

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 the Limited Registration Period II in the name of current Registrant, or that there are no grounds for rejection of registration of a second-level .MOSCOW domain name during the Limited Registration Period II.

**Complainant** is a person or entity 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 .MOSCOW TLD during the Limited Registration Period II are set forth in the Policy for Registration of Second-Level Domain Names in the .MOSCOW TLD During the Limited Registration Period II ("*Limited Registration Period II 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 II**. Such complaints are possible if Complainant has evidence of lack of grounds for domain name registration during the Limited Registration Period II in the name of current Registrant pursuant to the Limited Registration Period II Policy.

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

1.3. Registry Operator shall review and resolve any complaints related to domain name registration or rejection of domain name registration during the Limited Registration Period II pursuant to 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 Complainant. Complaint from an entity shall be signed by its sole executive body (a person with primary signature authority) or 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 date of signing of complaint.

1.6. Complaint may be submitted to Registry Operator via one of the following means of communication:

- Via email at: [abuse.contact@faitid.org](mailto:abuse.contact@faitid.org)
- Via postal service at: 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 during the Limited Registration Period II in the name of current Registrant ("**Complaint Against Registration**").

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

- Full name of Complainant (person or legal entity).
- Official address of Complainant (person or 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 the Limited Registration Period II illegitimate and comments with well-founded explanation of Complainant's position. In particular:
  - if Registrant has registered a domain name as the **exclusive owner of a company name of a legal entity**:
    - domain name does not match the Latin designation of the full or abbreviated trade name obtained as a result of transliteration or transcription of the trade name entered in the legal entities' state register;
    - domain name does not include, apart from the name of a legal entity, an indication to the Latin designation of the legal entity's form of incorporation in full or in abbreviated legal form.

- company name is registered not in Moscow;
- if Registrant has registered a domain name as the **exclusive owner of an appellation of origin**:
  - domain name does not reproduce in full the Latin designation of appellation of origin specified in the certificate of exclusive right to an appellation of origin obtained as a result of transliteration or transcription; and
  - appellation of origin has been registered not in Moscow or Moscow Region;
  - when registering a domain name Registrant was not the exclusive owner of an appellation of origin.
  - validity term of the certificate of exclusive right to an appellation of origin will expire earlier than one year from the date of submission of the domain registration application.
- if Registrant has registered a domain name as the **exclusive owner of a name of a non-profit organization**:
  - domain name does not match the Latin designation of full or abbreviated name of a non-profit organization obtained as a result of transliteration or transcription of a non-profit organization entered in the legal entities' state register;
  - domain name does not include, apart from the name of a non-profit organization, an indication to the Latin designation of its form of incorporation in full or in abbreviated form and / or kind of activity.
  - non-profit organization has been registered not in Moscow;
- if Registrant has registered a domain name as the **founder of a mass media outlet**:
  - domain name does not match the full name of the mass media in Russian (Cyrillic characters) as specified in the certificate of state registration of such mass media outlet;
  - Registrant's candidacy is not approved by the decision of the founders of the mass media outlet and (or) or with the Latin equivalent of the verbal designation of the mass media outlet obtained as a result of transliteration/transcription, if the verbal part in the certificate of state registration of such mass media outlet fully or partially consists of the letters of alphabet other than Latin;
  - media outlet is not intended for distribution in Moscow (if there is no permission to distribute foreign media outlet in Russia);
  - there is no broadcasting license issued by the federal executive authority or validity term of the broadcasting license will expire for at least one year from the date of submission of the domain registration application.
  - when registering a domain name Registrant was not the founder of mass media outlet.

- Means of individualization the domain name registration was based on had been registered after or on the date of signing of the Registry Agreement between Registry Operator and ICANN, or after September 15, 2012.

If domain name is registered in violation of the Limited Registration Period II Policy, Complainant shall include in its comments a reference to the applicable clauses of the Limited Registration Period II Policy.

- Request to perform inspection of the performed domain name limited registration.
- List of actions performed by Complainant to dispute the performed domain name limited registration 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 Registrant, 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 Registrant will suffer due to complaint review in the case such complaint is not satisfied.

Additional documents, information, materials may be attached to complaint to evidence that domain name registration during the Limited Registration Period II was performed in violation of the Limited Registration Period II 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 domain name registration during the Limited Registration Period II ("**Complaint Against Rejection**").

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

- Full name of Complainant (person or legal entity).
- Official address of Complainant (person or 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 domain name registration during the Limited Registration Period II and link to such Registrar's website, or indication that rejection was

received from Registry Operator.

- Reason why Complainant considers such rejection of domain name registration during the Limited Registration Period II illegitimate and comments with well-founded explanation of Complainant's position with references to the Limited Registration Period II Policy.
- Request for a limited domain name registration in the name of Complainant in the case Registry Operator finds rejection of domain name registration during the Limited Registration Period II 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 Sunrise domain name registration 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 Registrant, 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.
- Text of rejection of domain name registration during the Limited Registration Period II 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 limited domain name registration.

Additional documents, information, materials may be attached to complaint to evidence that domain name registration during the Limited Registration Period II was rejected in violation of the Limited Registration Period II 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 Sunrise 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) calendar 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 Policy or is submitted in violation of this 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 (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 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 domain name registration during the Limited Registration Period II 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 domain name registration during the Limited Registration Period II 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 complaint reviewing.

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

3.8. Registry Operator will give an email notice on 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 II and within twenty-eight (28) calendar days after its conclusion.

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. Registry Operator may amend this Policy at any time, including changing, supplementing, approving new versions hereof, or canceling it. Registry Operator shall notify Registrars of any changes,

supplements, updates, or new versions of this Policy at least thirty (30) calendar days prior to the effective date of such changes, supplements, updates, or new versions by publishing information about such changes, supplements, updates, or new versions on its website at: <http://en.faitid.org/>