



МИНИСТР
СВЯЗИ И МАССОВЫХ КОММУНИКАЦИЙ РОССИЙСКОЙ ФЕДЕРАЦИИ

MINISTER
OF TELECOM AND MASS COMMUNICATIONS OF THE RUSSIAN FEDERATION

Тверская ул., 7, Москва, 125375
Факс: +7(495) 771-8002

7, Tverskaya str., Moscow, 125375, Russian Federation
Fax: +7(495)771-8002

№ НН-П/16-228

« 15 » 01. 2015

Dr. Stephen Crocker
Chair, ICANN Board of Directors

cc: Mr. Fadi Chehade
CEO, President of ICANN

cc: Mr. Thomas Schneider
Chair, Governmental Advisory Committee

Reference: The delegation of the Cyrillic top-level domain ".ОПГ" in favor to Public Interest Registry without proper consultations.

Dear Dr. Crocker,

This letter seeks to point your attention to the decision concerning the delegation for Cyrillic script ".ОПГ" gTLD at the expense of Russian companies Regtime Ltd. ("Regtime") and Legato Ltd. ("Legato") in favor to the American company Public Interest Registry ("PIR").

Factual Background:

- PIR, a non-profit corporation registered in the United States of America, has functioned as the registry operator for the ".ORG" gTLD since 2003.
- Regtime and Legato are companies registered in the Russian Federation, has functioned as an ICANN-accredited registrar since 2007.
- The ОПГ trademark registration was issued by the Russian Federation that covers Internet products and services such as domain names.
- Regtime was the original owner of the word trademark ОПГ, registered in the Russian Federation on December 22nd, 2008 for International services. On

- December 13th, 2010, Regtime transferred the OPI trademark to Legato.
- On June 13th, 2012 PIR submitted the application to ICANN for the ".OPI" gTLD. PIR stated its mission of the IDN gTLD to offer the services to Eastern European language community (including Russia).
 - By this point of time Russian companies Regtime and Legato have been operating the said Cyrillic string ".OPI" for almost a decade proving the service to thousands of individual and corporate customers.
 - On March 1st, 2013, ICANN revealed its string similarity evaluation results. The ".OPI" string was not included in ICANN's list of strings that may lead to public confusion.
 - On March 22nd, 2013 the process of a Legal Rights Objection based on trademark rights was initiated by Regtime.
 - On April 5th, 2013 ICANN announced that PIR's application for ".OPI" gTLD has passed the initial evaluation.
 - On August 23rd, 2013 Regtime's ".OPI" and ".KOM" cases had been rejected by the Sole Panel Expert invited by ICANN to represent "WIPO Mediation and Arbitration center".

Our concern is about the decision process within ICANN in regards to New gTLD Application Process that might limit itself to very specific instances of Legal Rights including in the assessment of trademark right infringement. This narrow configuration creates the risk that the process would miss such significant factors, which relate to demographic and geographic distribution of actual and potential domain users, cultural and semantic values for actual and potential domain users.

As you know, the Cyrillic script is the main script in the Russian Federation and also widely used by neighbor Russian-speaking nations. Also Russian Internet users form the majority of Cyrillic script and content users.

In the early days of the national consumption of Internet services it was critically important to find more user-friendly way for Internet for Russian language community enabling the support of Cyrillic symbols without transcribing non-Latin language into English for domain names.

We fully respect the efforts done by ICANN to support multilingualism and welcome your efforts to enable the support of internationalized domain names. However, at the point of time when Regtime and Legato applied Cyrillic IDN string, providing the service to thousands of individual and corporate customers, ICANN due to technical limitations could not provide the possibility to perform Cyrillic symbols in domain names. Multilingual website addresses were enabled by ICANN a few years afterwards.

From our point of view overall efforts towards the development of Cyrillic Internet ecosystem should not be in any case underestimated.

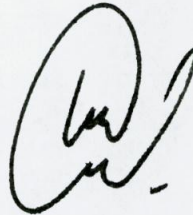
We would like to express our concern about the decision of ICANN to transfer rights of Cyrillic gTLD “.OPF” from Russian companies in favor to the American company ignoring the factor of significance of Cyrillic semantic value of domain names for national internet users as well as the efforts performed by Regtime and Legato in this direction.

We believe that any sensitive decision concerning IDN top-level domains should include broader consultations with the community ensuring proper representation of the majority of particular IDN Internet users.

We would like to inform you about the intention to highlight the issue during next Governmental Advisory Committee meeting. Furthermore, we would like to emphasize the need to improve the decision making process especially in the context of current debate on improving of ICANN accountability to the community, which also include Russian-speaking internet users.

Our hope is to receive sufficient explanations from ICANN and to see constructive approach in order to find a mutually beneficial solution.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Nikolay Nikiforov', written in a cursive style.

Nikolay Nikiforov