

Policy for Registration of Second-Level Domain Names in the .MOCKBA TLD During the Limited Registration Period II [Version 1.0 of 30 Apr 2014]

This Policy for Registration of Second-Level Domain Names in the .MOCKBA TLD During the Limited Registration Period II (referred to hereinafter as the "Policy") sets forth the terms, conditions, procedure and time frame for registration of second-level domain names in the .MOCKBA top-level domain for exclusive rightholders of means of individualization during the Limited Registration Period II.

Terms and definitions used in this Policy:

Limited Registration is domain name registration during the time frame and on the terms and conditions set forth herein.

Specific Categories of Users are categories of users entitled for Limited Registration in the .MOCKBA TLD within the Limited Registration Period II, in particular:

- exclusive owners of trade names registered in Moscow;
- exclusive owners of appellations of origin registered in Moscow;
- non-profit organizations set up under the laws of the Russian Federation and registered in Moscow;
- founders of the mass media registered under the procedure specified in the laws in effect in the Russian Federation, provided their output is intended for distribution in Moscow.

Other terms used herein are defined in the Terms and definitions used for the registration of second-level domain names in .MOSCOW and .MOCKBA, as published on the 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 procedure of the provision of services related to limited domain name registration are set forth by this Policy; ICANN policy published on ICANN website at <http://www.icann.org>; Registry Agreement published on ICANN website at <http://www.icann.org/en/about/agreements/registries>.

When concluding registration agreements with Users, the Registrar cannot include in such registration agreements any provisions contradictory to this Policy, ICANN Policies, the Registry Agreement, and the Registrar Accreditation Agreement.

1.2. Limited Registration services for second-level domain names in the .MOCKBA TLD for end users shall be provided by ICANN-accredited Registrars that signed the .MOSCOW and .MOCKBA Registry-Registrar Agreement with the Registry Operator, and that successfully passed verification in the Trademark Clearinghouse.

1.3. The Registrar shall have the right to engage third parties for interaction with Users, which does not acquit the Registrar from the obligations specified herein. The Registrar shall require such third parties to include in their registration agreements with Users all provisions required by this Policy, ICANN Policies, Registry Agreement and Registrar Accreditation Agreement. The Registrar is fully responsible for all actions (or omissions) of such third parties and for all consequences of such actions (or omissions).

1.4. Rights and obligations of Registrars are listed in the Registrar Accreditation Agreement published on the ICANN website at <http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.htm>, as well as in the Registry Agreement published on the ICANN website at <http://www.icann.org/en/about/agreements/registries>.

1.5. In order to receive the service of limited domain name registration, the User must sign a registration agreement with a chosen Registrar or a third party engaged by the Registrar.

1.6. This Policy, as well as any exhibits hereto, may be modified, amended, updated, approved in a new version or cancelled at any moment at the Registry Operator's sole discretion. The Registry Operator is also entitled at any moment to approve and put into effect new exhibits to this Policy. The Registry shall notify Registrars via email of any modifications, amendments, updates or new versions of this Policy or exhibits hereto, as well as introduction of new exhibits hereto at least thirty (30) calendar days prior to the effective date of such modifications, amendments, updates or new versions, or prior to effective date of a new exhibit.

1.7. The Registrar shall notify its customers of any modifications, amendments, updates or new versions of this Policy or exhibits hereto, as well as introduction of new exhibits hereto at least ten (10) calendar days prior to the effective date of such modifications, amendments, updates or new versions, or prior to effective date of a new exhibit.

1.8. This Policy applies to all ICANN-accredited Registrars that signed a .MOSCOW and .MOCKBA Registry-Registrar Agreement with Registry Operator, as well as to all domain names and all Registrants of second-level domain names in the .MOCKBA TLD.

1.9. If any provision of this Policy or exhibits hereto is found (either fully or partially) illegal, invalid or unenforceable, all other provisions remain in full force and effect.

1.10. The running of the time frames established by this Policy shall be determined subject to the civil law of the Russian Federation. Moscow, Russian Federation time is used for the time frames. The technical information specifying submission of applications and modification of the Registry will use the universal coordinated time (UCT).

1.11. The right of limited domain name registration pursuant to this Policy is available solely to exclusive owners of means of individualization listed in this Policy.

An applicant's means of individualization should be valid and registered before the Registry Agreement is executed between ICANN and Registry Operator, provided a means of individualization application has not been submitted after September 15, 2012.

2. Terms and Time Frame of the Limited Registration Period II

2.1. During the Limited Registration Period II the right for limited registration is given to:

- exclusive owners of trade names registered in Moscow;
- exclusive owners of appellations of origin registered in Moscow;
- non-profit organizations set up under the laws of the Russian Federation and registered in Moscow;
- founders of the mass media registered under the procedure specified in the laws in effect in the Russian Federation, provided their output is intended for distribution in Moscow.

2.2. Registration term of any domain name registered during the Limited Registration Period II may not exceed one (1) calendar year.

2.3. Limited Registration Period II shall be at least 30 successive calendar days.

2.4. Time frames for submitting applications for Limited Registration to the Registry Operator will be published on the Registry Operator's website at least 30 calendar days prior to the start date of the Limited Registration Period II.

3. Requirements for Domain Names

3.1. The domain name in .MOCKBA TLD should meet the following requirements:

- a) full domain name ends with .MOCKBA;
- b) domain name begins and ends with a Russian Cyrillic letter or a number;
- c) intermediate characters may be Russian Cyrillic letters, numbers, or a hyphen; Cyrillic characters allow UTF-8 characters from "а" (code 0430) to "я" (code 044F) and an additional character "ё" (code 0451). The full list of UTF-8 characters is published at:
<http://www.unicode.org/charts/PDF/U0400.pdf>;
- d) domain name is at least one character long;
- e) domain name contains such a number of characters that its representation will not exceed 63 characters. The representation is achieved by transforming the Cyrillic domain name in compliance with the PUNYCODE algorithm (given in technical standards RFC-3490, 3491, 3492).
- f) domain name reproduces in full the verbal appellation of the means of individualization or is identical with the verbal appellation of the means of individualization after its spaces or other symbols are deleted or after the spaces or other symbols are replaced with hyphens. The verbal appellation of a trademark should include at least one protected element.
- g) domain name complies with the requirements of the IDN Policy for the .MOCKBA TLD published at the Registry Operator's website at
<http://www.faitid.org/projects/moscow/documents>

3.2. If the verbal appellation of the User's means of individualization:

- contains any suffixes indicating a top-level domain (including the "dot" symbol) or transcription and transliteration thereof (including the "dot" symbol), then a user shall be entitled to exclude any such suffixes from the domain name, for which an application for registration is filed;
- contains or fully consists of foreign words, then the domain name for which an application for registration is filed will include transliteration or transcription of such words, at the customer's option;
- contains a word consisting of letters from different languages, then the requested domain name will include transliteration of such letters;
- includes or fully consists of characters of foreign language, then the requested domain name will include transliteration or transcription of such characters, at the customer's option;
- contains a word consisting of characters that may not be included in the domain name in accordance with the requirements from section 3.1(c) hereof, but the meaning of the word can be clearly understood, then such characters may be replaced with letters, and in all other cases such characters will be replaced with a hyphen and/or omitted/removed, at the customer's option.

3.3. The Cyrillic domain name shall not contain words inconsistent with the public interest, principles of humanity and public morals (in particular, obscenities and appeals of violent nature that offend human dignity or religious feelings etc.).

3.4. The User (Registrant) is solely responsible for the selection of the domain name and possible violations of any third parties' rights in connection with the selection and the registration of the domain name, and is liable for the costs of such violations.

3.5. If the domain name to be registered by the User corresponds to the verbal appellation of a trademark included in the Trademark Clearinghouse, then the domain name will only be registered after the User confirms reading the Trademark Claim Notice.

3.5.1. The Registrar shall transfer to the Registry Operator any information on the domain name to be registered by the User prior to sending to the Registry an application on domain name registration and shall refrain from sending to the Registry its registration application before it receives from the Registry Operator any information on correspondence of the domain name to be registered by the User to the verbal appellation of any trademarks listed in the Trademark Clearinghouse.

3.5.2. When receiving from the Registrar any information on the domain name to be registered by the User, the Registry Operator shall verify correspondence of any such domain name to the verbal appellation of any trademarks listed in the Trademark Clearinghouse.

- a) In case of such correspondence, the Registry Operator shall send to the Registrar its notice on the need for the User to confirm reading the Trademark Claim Notice, as well as any information on the corresponding trademarks and on the rightholders thereof.
- b) In case of no such correspondence, the Registry Operator shall notify the Registrar there is no need for the User to confirm reading the Trademark Claim Notice.

3.5.3. When receiving the User's request to register a domain name which corresponds to the verbal appellation of any trademark listed in the Trademark Clearinghouse, the Registrar shall be obliged to provide to the User an opportunity to become aware of the notice on correspondence of the domain name to be registered to the verbal appellation of any trademark, as well as an opportunity to express its consent to the registration while taking into account the information specified in the notice ("Claims Service"). The contents of the notice should coincide with the Trademark Notice form provided in Exhibit 1 hereto. The form related to submission of the notice to the User and the way of expressing the User's consent to the registration of any trademark corresponding to the verbal appellation of any trademark listed in the Trademark Clearinghouse shall be determined by the Registrar.

3.5.4. No domain names corresponding to the verbal appellation of any trademark listed in the Trademark Clearinghouse shall be registered until the User confirms reading the Trademark Claim Notice.

3.6. Domain names prohibited from the registration in the .MOCKBA TLD.

3.6.1. .MOCKBA TLD has a stop-list with domain names prohibited from registration.

3.6.2. The Registry shall maintain the stop-list that contains denominations that are not accepted for registration of domain names because they include words that contradict public interests, the principles of humanity or morality (in particular, words of obscene content, slogans of anti-humane nature, which insult human dignity or religious sentiments, etc).

3.6.3. Any denominations are added to and removed from the stop-list at the sole discretion of Registry Operator.

3.6.4. Public access to the information about the presence of a denomination in the stop-list shall be exercised by means of the WHOIS service. The stop-list in full may be made available by the Registry Operator upon a fully defined request for scientific, research, and other similar purposes.

3.6.5. .MOCKBA TLD has also list of domain names prohibited from registration in accordance with ICANN requirements set out in the Registry Agreement (Specification 6), which is published on ICANN's website at: <http://www.icann.org/en/about/agreements/registries>. Any denomination are added to or removed from such list at ICANN's sole discretion.

3.6.6. The list of domain names prohibited from registration in the .MOCKBA TLD in accordance with ICANN Requirements is published on the Registry Operator's website at: <http://www.faitid.org>.

4. Procedure of the Limited Registration Period II

4.1. Domain name registration in .MOCKBA TLD within the Limited Registration Period II shall be performed in respect of any domain name which corresponds to the verbal appellation of:

- a trade name of a legal entity set up under the laws of the Russian Federation and registered in Moscow, in accordance with section 4.2 hereof;
- an appellation of origin of a product from Moscow or Moscow region, in accordance with section 4.3 hereof;
- a non-profit organization set up under the laws of the Russian Federation and registered in Moscow, in accordance with section 4.4;
- a mass media outlet registered under the procedure specified in the laws in effect in the Russian Federation, provided their output is intended for distribution in Moscow, in accordance with section 4.5.

4.2. Only the exclusive owner of a trade name of a legal entity registered in Moscow shall be entitled to register a domain name that corresponds to the verbal appellation of such a trade name within the Limited Registration Period II.

4.2.1. The domain name corresponding to the verbal appellation of the business name should coincide with the full or brief business name which is entered in the Unified State Register of Legal Entities.

4.2.2. The domain name to be registered should include, apart from the name itself, an indication to the legal entity's form of incorporation in full or in brief.

4.2.3. To register a domain name within the Limited Registration Period II, the User must:

4.2.3.1. Send to the Registrar an application for a limited domain name registration. The application form shall be determined by the Registrar.

4.2.3.2. Submit to the Registrar copies of the following documents certified by the Customer's seal:

- certificate of the User's registration as a legal entity;
- excerpt from the Unified State Register of Legal Entities issued no later than twenty (20) calendar days before the application submission date to the Registrar.

4.3. Only the exclusive owner of an appellation of origin of a product from Moscow or Moscow region shall be entitled to register a domain name that corresponds to the verbal appellation of such trademark within the Limited Registration Period II.

4.3.1. The domain name corresponding to the verbal appellation of the appellation of product origin should reproduce in full all the letters of the Russian Cyrillic alphabet included in the appellation of origin in respect of the product specified in the certificate of exclusive right to use the appellation of product origin.

4.3.2. To register a domain name within the Limited Registration Period II, the User must:

4.3.2.1. Send to the Registrar an application for a limited domain name registration. The application form shall be determined by the Registrar.

4.3.2.2. Submit to the Registrar copies of the following documents certified by the Customer's seal:

- certificate of the User's registration as a legal entity or sole trader or else any documents in support of the User's registration as a legal entity issued in conformance with the requirements in place in the country of registration (for any foreign legal entities);
- certificate of exclusive right to use the appellation of product origin effective as of the date of application submission to the Registrar.

4.4. Non-profit organizations set up under the laws of the Russian Federation and registered in Moscow shall be entitled to register a domain name that corresponds to the verbal appellation of such a non-profit organization within the Limited Registration Period II.

4.4.1. The domain name corresponding to the verbal appellation of a non-profit organization should coincide with the full or brief name of a non-profit organization which is entered in the Unified State Register of Legal Entities.

4.4.2. The domain name to be registered should include, apart from the name itself, an indication to the legal entity's form of incorporation in full or in brief, if any such indication is contained in the Unified State Register of Legal Entities.

4.4.3. To register a domain name within the Limited Registration Period II, the User must:

4.4.3.1. Send to the Registrar an application for a limited domain name registration. The application form shall be determined by the Registrar.

4.4.3.2. Submit to the Registrar copies of the following documents certified by the Customer's seal:

- certificate of the User's registration as a legal entity;
- excerpt from the Unified State Register of Legal Entities issued no later than twenty (20) calendar days before the application submitting date to the Registrar.

4.5. Only the founder of a mass media outlet registered under the procedure specified in the laws in effect in the Russian Federation, provided their output is intended for distribution in Moscow shall be entitled to register a domain name that corresponds to the verbal appellation of such a mass media outlet within the Limited Registration Period II.

4.5.1. The domain name corresponding to the verbal appellation of the mass media should coincide with the full name of the mass media in Russian (Cyrillic characters) as specified in the certificate of state registration of such mass media.

4.5.2. In case the mass media have several founders, the party authorized to apply for the domain name registration and to act as a benefactor of the sunrise domain name registration shall be determined by all the founders of any such mass media.

4.5.3. If the mass media name consists in full or in part of letters from any alphabet other than the Russian Cyrillic alphabet, then the mass media name or the relevant part thereof should be transliterated or transcribed with the letters of Russian Cyrillic alphabet, at the User's option.

4.5.4. To register a domain name within the Limited Registration Period II, the User must:

4.5.4.1. Send to the Registrar an application for a limited domain name registration. The application form shall be determined by the Registrar.

4.5.4.2. Submit to the Registrar copies of the following documents certified by the Customer's seal:

- certificate of the User's registration as a legal entity or sole trader or else any documents in support of the User's registration as a legal entity issued in conformance with the requirements in place in the country of registration (for any foreign legal entities);
- User's ID, if an individual acts as the founder;
- joint decision by all the founders on domain name registration and on granting to one of the founders the right to act as a Registrant in relation to the domain name to be registered (in case the mass media has two or more founders);

- certificate of state registration in respect of the mass media.

4.6. Upon receiving the User's application, the Registrar shall be obliged to perform the following actions:

4.6.1. To verify if domain name meets the requirements of section 3.1 hereinabove..

4.6.2. To verify the User's right to Limited Registration of the domain name of its choice in accordance with this Policy.

4.6.3. To verify the term of the trademark registration, which shall not expire less than one year from the start date of the Limited Registration Period II.

4.6.4. Provided the User has the right to a limited domain name registration and complies with the terms and conditions of its agreement with the Registrar, perform such domain name registration in the User's name.

4.7. Applications for domain name registration within the Limited Registration Period II will be accepted from August 19th 2014 to August 25th 2014 inclusive.

4.8. Applications for domain name registration within the Limited Registration Period II will be processed from August 19th 2014 to September 23rd 2014 inclusive.

5. Domain Name Registration Cancellation

5.1. Domain name registrations performed within the Limited Registration Period II shall be cancelled by the Registrar in case of violations of the terms and conditions specified in sections 3.1—3.3, 3.5, 4.2.1—4.2.2, 4.3.1, 4.4.1—4.4.2, and 4.5.1—4.5.3 hereinabove and/or in case the information submitted by the User under sections 4.2.3.2, 4.3.2.2, 4.4.3.2, and 4.5.4.2 hereinabove is found to be false.

5.2. The Registry Operator reserves the right to verify limited registration applications selectively and enforce penalties (up to domain registration cancellation and suspension of access to the Registry for the Registrar) in case of violations of the terms and conditions specified in sections 4.6.1—4.6.3 hereof.

5.2.1. The Registrar must provide to the Registry Operator all necessary details about the limited registration application or blocking application upon receiving such a request from the Registry Operator.

6. Miscellaneous

6.1. All actions related to domain names registered / being registered under the Limited Registration procedure shall be performed pursuant to the Policy version in effect as of the date of any such actions.

6.2. During the effective term of this Policy, the Registrant cannot:

6.2.1. transfer domain name to another person or entity, except after disposition of exclusive rights to the trademark in respect of all goods and services, or after the effective date of a court order related to domain name rights;

6.2.2. transfer domain name to another Registrar;

6.2.3. renew domain name registration.

6.3. Domain names registered during the Limited Registration Period II pursuant to this Policy will be delegated at least in three (3) and at most in fourteen (14) calendar days after the conclusion of the Limited Registration Period II.

6.4. This Policy shall be effective from August 19th 2014 to September 23rd 2014 inclusive.

6.5. After domain name is registered within the Limited Registration Period II, the Registrant shall be bound by the .MOCKBA TLD General Availability Policy. However, limitations specified in section 6.2. hereinabove shall be effective until September 23rd 2014 inclusive.

Exhibit 1
to the Policy for Registration
of Second-Level Domain Names
in the .MOCKBA TLD
During the Limited Registration Period II

Trademark Notice

You have received this Trademark Notice because you have applied for a domain name which matches at least one trademark record submitted to the Trademark Clearinghouse.

You may or may not be entitled to register the domain name depending on your intended use and whether it is the same or significantly overlaps with the trademarks listed below. Your rights to register this domain name may or may not be protected as noncommercial use or “fair use” by the laws of your country.

Please read the trademark information below carefully, including the trademarks, jurisdictions, and goods and service for which the trademarks are registered. Please be aware that not all jurisdictions review trademark applications closely, so some of the trademark information below may exist in a national or regional registry which does not conduct a thorough or substantive review of trademark rights prior to registration.

If you continue with this registration, you represent that, you have received and you understand this notice and to the best of your knowledge, your registration and use of the requested domain name will not infringe on the trademark rights listed below.

The following [number] Trademarks are listed in the Trademark Clearinghouse:

1. Mark: <tmNotice:markName> Jurisdiction: <tmNotice:jurDesc>
Goods and services: <tmNotice:goodsAndServices>
International Class of Goods and Services or Equivalent if applicable:
<tmNotice:classDesc>
Trademark Registrant: <tmNotice:holder>
Trademark Registrant Contact: <tmNotice:contact>

2. Mark: (<tmNotice:claim>). Jurisdiction:
Goods and services:
International Class of Goods and Services or Equivalent if applicable:
Trademark Registrant:
Trademark Registrant Contact:
X (<tmNotice:claim>). Mark:
Jurisdiction:
Goods and services:
International Class of Goods and Services or Equivalent if applicable:
Trademark Registrant:
Trademark Registrant Contact: