

Follow-Up Questions to MFSD

1. Row 14: What other issues with respect to URS do you see with impacts of GDPR?

Full response has already been provided to the issues regarding the GDPR. Please also see the response to question 3 below.

2. Row 16: Given that most of the data in the SMD file remains encoded, are your Examiners able to obtain the jurisdiction information of the trademark and category of goods and services?

If any SMD file is submitted with the Complaint, it is transmitted to the Examiner together with the case file. The SMD file contains limited human-readable information (the trademark to which the SMD file refers, a unique identifier, the labels that can be used to register domain names, the start and the end of validity of the SMD file). Other information (e.g. Nice Classification or goods and services) are encoded and can not be read by MFSD/Examiner. Once the SMD file is submitted, MFSD also verifies that it has not been revoked (SMD Revocation List).

3. Row 28: How many Complainants have expressed that they would hardly file "Doe Complaints"? What data/evidence can you provide to support your statement?

Less than 10 Complainants expressed that they would hardly file "Doe Complaints" or they would delay filing URS Complaints until they can access to the Whois data prior to the filing of a URS Complaint or they had rather file UDRP, because the UDRP Complaint might be amended. Our statements are based on informal feedbacks of Complainants / their authorized representatives. Please also consider that the major part of the Complainants filing with MFSD are from European civil law systems, where the common law concept of Doe Complaint is unknown.

4. Row 28: What data/evidence can you provide to support your statement with regard to the factors deterrent to filing URS Complainants?

In the past 2 years and a half we held numerous (more than 25) workshops / training sessions open for anyone or dedicated to in-house. Our statements are based on informal feedbacks of Complainants / their authorized representatives. There is also objective data that the URS disputes are less-used than UDRP and it is our conclusion that the limited applicability and the remedy are the main reason for that. It is our opinion that this is a conclusion that many agree on.

5. Row 53: Please provide a copy of the Notice of Complaint that you send to the Respondent.

We enclose the sample of the Notice of Complaint. The Notice of Complaint is sent in English and translated into the predominant language used in the Registrant's country or territory, as determined by the country listed in the Whois. With the Notice of Complaint a Model Response is also sent to the Respondent in such language.

6. Row 59: Please provide specific example(s) of your training and education programs/materials for your URS Examiners (e.g., PowerPoint presentations, webinars, workshops).

Examples of .ppt presentations are enclosed hereto. The seminar held on 22 May 2017 during INTA Barcelona was open for everyone: out of 20 attendees 3 were Examiners. No slides were presented at Examiners meeting held on 15 June 2018 during ECTA Athens.

7. Row 81: Do you think it would be feasible to mandate sending Registry and Registrar notices in the same language(s)? Please provide a direct answer.

No. As far as we know, the practice is to send Notices only in English to the Registry and in Cc to the Registrar. It would be burdensome (in terms of costs and time) for Providers to translate the Notices to be sent to Registry and Registrar in languages different from English and/or to communicate them in languages different from English.