

## #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, August 31, 2018 10:43:10 AM  
**Last Modified:** Friday, August 31, 2018 11:04:20 AM  
**Time Spent:** 00:21:09

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Page 1

**Q1** Proponent's Full Name\* If this proposal is jointly developed by more than one Working Group member, please write the full names of all proponents involved.

Zak Muscovitch

**Q2** What type of URS recommendation are you proposing? **Policy**

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**Q3** What URS recommendation are you proposing?\* Please be succinct as well as substantially specific and not general in nature.\* One proposal for one recommendation only.

Revise URS Rule 9 to reflect the following new provisions:

- (a) Where the subject domain name is in non-Latin script, the URS Complaint shall be brought in the corresponding language unless otherwise agreed by the parties, and subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding.
- (b) Where the subject domain name is in Latin script and where the complainant and respondent are located in the same country, the URS Complaint shall be brought in a corresponding official language of that country unless otherwise agreed by the parties, and subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding.
- (c) In all other cases, the language of the URS proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding.
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**Q4** What is your rationale for the proposal? (250 words max)

Currently the URS Rule Rule 9 provides that “The Complaint shall be submitted in English”.

Consider the situation of a Chinese trademark owner who has a Chinese language trademark and finds a possible cybersquat in a Chinese language new gTLD, such as Dot Chinese Website (.中文网). The Complainant must bring the URS in English, even if the complaint is brought at ADNDRC??

Also consider the situation of a Chinese registrant, who registers a Chinese language new gTLD at a Chinese registrar, and is subject to a URS over a Chinese trademark. He or she should have to respond to an English URS Complaint? What is the correlation between English and this situation?

In both of these situations, it is unfair to force English upon the parties when there is no genuine correlation between the English language, the parties or subject matter of the dispute, and possibly the forum of the dispute if it is ADNDRC.

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**Q5** What evidence do you have in support of your proposal? Please detail the source of your evidence. (250 words max)

The “evidence” is the inequitable nature of the Policy requirement itself on its face, combined with the fact that many registrants are non-English speaking.

China is actually the leading country in registrations. See new gTLD stats as referenced by George Kirikos in a prior Policy Proposal submitted by him (<https://ntldstats.com/country>)

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**Q6** Where and how has this issue been addressed (or not) by the Working Group or the Sub Teams to date? (250 words max)

The examination of “Language Issues” did not consider this issue at least in the Super Consolidated URS Topics Table.

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**Q7** Does the data collected and reviewed by the Sub Teams show a need to address this issue and develop recommendations accordingly? (250 words max)

The data did not address this issue.

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**Q8** If not already addressed above, on the basis of what information, gathered from what source or Sub Team, is this proposal based, if any? Please provide details. (250 words max)

n/a

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