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Domain Disputes: Procedures for domain dispute resolution in Russia

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Domain disputes in Russia are subject to judicial procedure



Claim is filed to the arbitration court at the defendant's location



Mandatory engagement of the registrar in the trial as a third party



Court: documents

- **The statement of claim**
- **Documents on the state registration**
- **Certificate of Trademark**
- **State fee (about \$30USD)**
- **!!! Apostille translated into Russian (and notarized!)**

The principles for dispute resolution



- **The Domain name is identical to the trade mark or service mark in which the complainant has rights in the territory of the Russian Federation**
- **The Domain name owner has no rights or legitimate interests in respect to the domain name**
- **The Domain name is not used or used in bad faith**

!!! Important !!!

- **Prohibits the use of a trademark in a domain name _____**
- **Does NOT indicate the class of goods or services!**

The interim measures are necessary to make sure the defendant :

- "does not run away"
- does not delay the process
- receives the domain post-trial

Necessary to prohibit the following acts:

- **Domain name transfer**
- **Change of the domain name owner**
- **Cancellation of the domain registration**

- **Pretrial - 14 days**
- **During the trial - 90 days**
- **Imposed by the Court**

In compliance with conditions of the Regulation “On the procedures to be applied in the event of disputes about domain names”

<http://www.cctld.ru/files/pdf/docs/litigations.pdf>

- **The court decision executed the Current registrar**
- **The mandatory requirement to conclude, within 30 days, an agreement with the registrar holding the domain name**
- **The domain name shall be made void on the 46th day!**



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Thank You!

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