November 19, 2013

VIA EMAIL (steve.crocker@icann.org)

ICANN Board
c/o Dr. Stephen D. Crocker, Chairman of the Board
Internet Corporation for Assigned Names and Numbers
12025 East Waterfront Drive
Los Angeles, CA 90094

Re: .kosher gTLD Application

Dear Members of the ICANN Board:

Enclosed please find a letter from the Deputy Minister of Religious Services of Israel expressing opposition to the pending application for restricted use of .kosher by a single private party.

Sincerely,

Union of Orthodox Jewish Congregations of America

By: /s/ Rabbi Moshe Elefant
   Rabbi Moshe Elefant

STAR-K Kosher Certification, Inc.

By: /s/ Dr. Avrom Pollak
    Dr. Avrom Pollak

Chicago Rabbinical Council, Inc.

Kosher Supervision Service, Inc.

By: /s/ Rabbi Sholem Fishbane
    Rabbi Sholem Fishbane

By: /s/ Rabbi Ari Senter
    Rabbi Ari Senter

The Kashruth Council of Canada

By: /s/ Rabbi S. Adler
    Rabbi S. Adler

Enclosure
November 17, 2013

To: Avi Berman, Executive Director
OU Israel, Jerusalem

1. This letter is in response to your request to receive my opinion regarding the application to ICANN for the use of the domain name “kosher” by a private party.

2. In my view, terms that have religious or national significance for the Jewish people cannot be the property of any private individual or group.

3. In addition using the domain name “kosher” for business purposes diminishes the term by attempting to make it a brand name.

4. Furthermore, the term “kosher” can be subject to different interpretations which depend on religious perceptions, customs and ancient traditions. Purchasing the domain name by a private entity which could then prevent other organizations from using the domain, may be detrimental to Jewish religious points of view.

5. A law passed in Israel in 1983 concerning kashrut fraud by businesses, factories, etc., prevents them from representing their businesses as kosher unless they have a kashrut certificate granted by a recognized authority, such as a local rabbi, the chief rabbinate, or someone who is qualified to determine kashrut.
In other words, using the term “kosher” in places where food is served, or in businesses that manufacture food, is permitted only with the approval of the requisite public bodies. The principle behind this law is to prevent public fraud. In this vein, I believe that allocation of the domain name “kosher” to a private group or organization could lead to fraud and should therefore be prevented.

6. The term “kosher” constitutes a symbol for all Jews everywhere and therefore no organization should be permitted to privatize it which could lead to controversy.

Sincerely,

Eli Ben-Dahan
Rabbi Eliyahu Ben Dahan
Deputy Minister of Religious Services