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# ICANN Complaint Submission Template

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## 1. Complainant information.

Please provide your name and contact information so someone from the Complaints Office can follow up with you regarding your complaint.

Note: ICANN will publish the Complainant's name on the Complaints pages at: <https://www.icann.org/complaints-office>. Complainant's address, email and phone number will not be published.

Name:

Organization (if applicable):

Postal Address:

Email:

Phone Number:

## 2. Short description of your complaint.

Please provide a short description of your complaint. Please limit your description to 25 words or less.

Note: The description you provide will be used to create text that may be published in reports on ICANN.org's Complaints Office pages at: <https://www.icann.org/complaints-office>.

ICANN staff missed the deadline for the determination of materiality for the .moscow RRA amendment, and it was subsequently approved without Registrar Stakeholder Group involvement.

### 3. Date(s) your complaint occurred.

Please provide the date, or dates, when the occurrence(s) driving this complaint occurred.

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The RrSG was notified on the 2nd of May, 2017 that the amendment had been approved.

### 4. Detailed description of your complaint.

Please provide a detailed explanation of the facts as you understand them and the reason(s) you believe something should be addressed by the ICANN Organization. Your description should include a chronology of what happened and when, who you were working with, if you received a resolution and, if applicable, why the resolution you received was insufficient. Include any references to documents, communications, ICANN Policies, agreements or Bylaws that might be relevant to your complaint. Please limit your description to 1000 words or two-pages or less. Additional details and description may be requested later as appropriate.

Note: The description you provide will be used to create text that may be published in reports on ICANN.org's Complaints Office pages at: <https://www.icann.org/complaints-office>.

Registrar/Registry Agreements (RRA) are of fundamental importance to all Registrars as they dictate the terms by which we do business across the many TLDs now in operation. Registrars are deeply concerned with the agreements, as well as the processes to amend them.

The RRA amendment process specifies that the Registrar Stakeholder Group will have the opportunity to review RRA amendments, and negotiate with ICANN and the Registry any issues that are raised.

However, the standard new gtld registry agreement specifies that ICANN has a 15 day window to determine if the changes to the RRA are material. Amendments are essentially auto-approved (which, by the way, is crazy) if ICANN fails to respond within the 15 day period.

In this case, the registry operators for .moscow submitted an amendment that while non-controversial, was clearly material. ICANN failed to respond within the 15 days and the amendment was approved without ever going to the RrSG for review.

Given how important these agreements are to our business, it is unacceptable for ICANN to fail in it's responsibility to assess materiality. The RrSG is asking for ICANN to review it's processes and explain the steps it will take to prevent this from occurring again. It should be noted that this was not the first time such an event has occurred.

## 5. Please describe any steps you took to try and resolve the matter.

Please describe in detail any steps, if applicable, you took to try and resolve the matter. Please limit your response to 500 words or less.

Note: The description you provide will be used to create text that may be published in reports on ICANN.org's Complaints Office pages at: <https://www.icann.org/complaints-office>.

Given the language of the RA, there is no resolution for Registrars, short of this complaint.

## 6. Please describe how you believe your complaint can be addressed by ICANN.

Please describe how you believe your complaint should be resolved by ICANN. Provide details in support of your proposed solution including but not limited to: references to documents, communications, ICANN Policies, agreements or Bylaws that might be relevant to your complaint.

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ICANN should review its processes for handling RRA amendments, ensuring that there is no single point of failure for the materiality review. ICANN should then share those process changes with the community, especially the RrSG for review and comment.

ICANN should also publish its guidelines for what constitutes materiality in RRA amendments.

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7. Please describe whether anyone else would be affected by circumstances leading to this complaint and how. Please also describe if anyone else could be affected by your proposed solution and how.

Please describe how the circumstances that led to you submitting this complaint may have adversely affected others, and how your proposed solution could affect others.

Note: The description you provide will be used to create text that may be published in reports on ICANN.org's Complaints Office pages at: <https://www.icann.org/complaints-office>.

Every single registrar could potentially have been impacted by the event that generated this complaint as it may have impacted their decision to carry the .moscow tld.

Registrars and Registry Operators would be impacted by the resolution of this complaint, in that they would have greater clarity on the process, and less risk of material changes being approved.

8. Do you have additional documents you want to include with this complaint submission?

Please include additional, relevant documents with your submission. For any additional documents, please provide the filename and document description/purpose in the below text box.

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### Terms and Conditions for Submission to the Complaints Office

Submitted complaints will be handled in accordance with the [ICANN bylaws](#) and the [ICANN Privacy Policy](#). By submitting this document to [complaints@icann.org](mailto:complaints@icann.org) you acknowledge that the complaints process shall operate to the maximum extent feasible in an open and transparent manner and consistent with procedures designed to ensure fairness. Except as noted above, information you submit is subject to being published on the ICANN website.