

Reconsideration Request Form

ICANN's Board Governance Committee is responsible for receiving requests for reconsideration from any person or entity that has been materially affected by any ICANN staff action or ~~inaction~~ if such affected person or entity believes the action contradicts established ICANN policies, or by actions or inactions of the Board that such affected person or entity believes has been taken without consideration of material information. Note: This is a brief summary of the relevant Bylaws provisions. For more information about ICANN's reconsideration process, please visit <http://www.icann.org/en/general/bylaws.htm#IV> and <http://www.icann.org/en/committees/board-governance/>.

This form is provided to assist a requester in submitting a Reconsideration Request, and identifies all required information needed for a complete Reconsideration Request. This template includes terms and conditions that shall be signed prior to submission of the Reconsideration Request.

Requesters may submit all facts necessary to demonstrate why the action/inaction should be reconsidered. However, argument shall be limited to 25 pages, double-spaced and in 12 point font.

For all fields in this template calling for a narrative discussion, the text field will wrap and will not be limited.

Please submit completed form to reconsideration@icann.org.

1. Requester Information

Name: Roman BELICHENKO

Address: Contact Information Redacted

Email: Contact Information Redacted

Phone Number (optional):

(Note: ICANN will post the Requester's name on the Reconsideration Request page at <http://www.icann.org/en/committees/board-governance/requests-for-reconsideration-en.htm>. Requestors address, email and phone number will be removed from the posting.)

2. Request for Reconsideration of (check one only):

Board inaction

Staff inaction

3. Description of specific action you are seeking to have reconsidered.

(Provide as much detail as available, such as date of Board meeting, reference to Board resolution,

etc. You may provide documents. All documentation provided will be made part of the public record.)

We are seeking reconsideration of our dispute with the Registrar company GoDaddy about our legality and possibility to transfer our domain name. As a matter of fact, the Registrar after seven month of registration, suddenly discovered, that “the domain was found to be in violation of our terms of service and quite possibly illegal.

On the base of that, our domain name was suspended and the request for transfer rejected.

We disagree with such decision of the Registrar and so applied for ICANN’s support. We submitted the essence of complaint to ICANN Contractual Compliance and relied on their competent and impartial investigation.

All details of our dispute are expressed in our mutual correspondence attached bellow.

Date: 23.12.2015.

From: Godaddy, Contact Information Redacted

To: Roman Belichenko, Contact Information Redacted

Dear Roman Belichenko,

Your domain names have been suspended for violation of the GoDaddy Universal Terms of Service. If the domain name(s) listed above are private, your Domains By Proxy(R) account has also been suspended.

View our Legal Agreement & Terms of Service policies:

http://www.godaddy.com/Legal-Agreements.aspx?prog_id=GoDaddy&isc=wwbb596&ci=96406&cvosrc=bounceback.596.wwbb596

Please contact us by email at Contact Information Redacted for additional information regarding this notification.

Sincerely,

GoDaddy

Network Abuse Department

Abuse Department Hotline [Contact Information Redacted](tel:Contact Information Redacted)

Date: 24.12.2015.

From: Roman Belichenko Contact Information Redacted

To: Godaddy, Contact Information Redacted

Hello dear representatives of the GoDaddy!

Our company is your old clients who throughout long time are successfully using the provided services.

Customer number: 110942979.

On December 23, we received from you an e-mail with the notice of blocking of the our domains. From Russian-speaking technical support of the distinct answer by phone didn't arrive. English-speaking technical support claims that our site violates use conditions, without going thus into details.

Our sites are online store of the company which is engaged in realization of medicines. All line of production is officially registered and legally is Dietary supplements. Sale of these means is allowed by the legislation of the Russian Federation and in this regard the fact, we express a request to allow to open our domains for a transfer to other registrar, and also to give out an EPP code for confirmation of this operation.

We, as well as you, are interested in the fastest permission of this incident.

With my best regards

Roman

Здравствуйте уважаемые представители компании GoDaddy!

Наша компания является Вашими давними клиентами, на протяжении долгого времени успешно пользующимися предоставляемыми услугами.

№ клиента:110942979.

23 декабря мы получили от Вас e-мейл с уведомлением о блокировке наших доменов. От русскоязычной техподдержки внятного ответа по телефону так и не поступило.

Англоязычная техподдержка утверждает, что наш сайт нарушает условия пользования, не вдаваясь при этом в подробности.

Наши сайты являются интернет-магазином компании, занимающейся реализацией лекарственных препаратов. Вся линейка продукции официально зарегистрирована и юридически является Биологически Активными Добавками. Продажа данных средств разрешена законодательством Российской Федерации и в связи с этим фактом, мы выражаем просьбу разблокировать наши домены для трансфера к другому регистратору, а также выдать EPP-код для подтверждения данной операции.

Мы, как и Вы, заинтересованы в скорейшем разрешении этого инцидента.

С уважением

Роман

Date: 28.12.2015.

From: Godaddy, Contact Information Redacted
To: Roman Belichenko Contact Information Redacted

Dear Sir or Madam,

The domain name was suspended for violating Section 5 of GoDaddy's Universal Terms of Service. Specifically, the domain name was suspended because our investigation found it so be associated with the sale or distribution of prescription medication and / or controlled substances without requiring a valid prescription or it was linking to a site taking part in the same activities.

The relevant passages of these agreements have been provided below :

Universal Terms of Service:

5. General rules of conduct

You acknowledge and agree that:

i. You will not use this Site or the Services found at this Site in a manner (as determined by GoDaddy in its sole and absolute discretion) that:...

- ...Violates the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 or similar legislation, or promotes, encourages or engages in the sale or distribution of prescription medication without a valid prescription;

GoDaddy's Universal Terms of Service is located on legal page.

GoDaddy has worked tirelessly to help pass important legislation to combat the spread of illegal pharmacy sites that sell potentially dangerous medications without the proper prescriptions. The Ryan Haight Online Pharmacy Act prohibits the sale of controlled substances without a valid in-person prescription, and requires that all pharmacy sites selling these substances to be registered with the relevant State Attorneys General and/or the D.E.A.

Because of this suspension this domain name cannot be reactivated. The domain will remain suspended until its expiration date.

Sincerely,

Content Abuse Team
GoDaddy

Date: 29.12.2015.

From: Roman Belichenko Contact Information Redacted

To: Godaddy, Contact Information Redacted

[number of incident: 28337839]

Dear Content Abuse Team!

Thank for the answer.

We respect and are solidary with your policy on fight against illegal distribution of medicines.

However we ask to consider two factors:

- 1) Our company has the status of the legal entity (limited liability company) and possesses the license for pharmaceutical activity in the territory of the Russian Federation.
- 2) All goods presented on the site are officially registered by us according to the legislation of the Russian Federation.

Proceeding from it, in the territory of the USA our preparations would be generics and would be forbidden to sale, because of action of the law of Ryan Haight. In the Russian legal framework they are absolutely lawful.

Therefore give us an EPP code for our domains transfer to the Russian registrar. Of you there is no legal basis to disturb this process. If necessary, our company is ready to submit all necessary documents confirming above-mentioned factors.

I hope for mutual understanding.

With my best regards

Roman

Уважаемые сотрудники отдела доменных имен!

Благодарим за ответ.

Мы уважаем и солидарны с Вашей политикой по борьбе с незаконным распространением лекарственных препаратов.

Однако просим учесть два фактора:

- 1) Наша компания имеет статус юридического лица и обладает лицензией на фармацевтическую деятельность на территории Российской Федерации.
- 2) Все товары, представленные на сайте, официально зарегистрированы нами в соответствии с законодательством Российской Федерации.

Исходя из этого, на территории США наши препараты являлись бы дженериками и были бы запрещены к продаже, по причине действия закона Райана Хайта. В российском же правовом поле они абсолютно законны.

Поэтому выдайте нам EPP-код для трансфера наших доменов к российскому регистратору. С Вашей стороны нет никаких законных оснований мешать этому процессу. При необходимости, наша компания готова представить все необходимые документы, подтверждающие вышеперечисленные факторы.

Надеюсь на взаимопонимание.

С уважением.
Роман.

Date: 29.12.2015.

From: Godaddy, Contact Information Redacted

To: Roman Belichenko, Contact Information Redacted

[number of incident: 28365565]

Dear Roman,

Thank you for the email. However, at the time of review the website was not requiring a prescription for known prescription medications or linking to site doing the same. Also, the domain has been listed with LegitScript which also verifies domains under other jurisdictions aside from the US. There are no reactivation options available to you at this time. The domain will remain suspended until its expiration date which at that time it be pushed through the domain expiration process to be released to the registry. <http://support.godaddy.com/help/article/6700/what-happens-after-domain-names-expire?locale=en>

Regards,
Content Abuse Digital Crimes GoDaddy

Date: 04.01.2016.

From: Roman Belichenko Contact Information Redacted

To: Godaddy, Contact Information Redacted

Dear sirs,

We have carefully studied your responses on our request and have something to object:

Written in your E-mail	Our objection
1. The domain name was suspended for violating Section 5 of GoDaddy's Universal Terms of Service. Specifically, the domain name was suspended because our investigation found it so be associated with the sale or distribution of prescription medication and / or controlled substances without requiring a valid prescription or it was linking to a site taking part in the same activities.	1. Our company LLC "MP-Enterprises" is a legal entity registered in Russian Federation and complying all country's laws and instructions concerning the distance trade of pharmaceutical substances. We sale and distribute in Russian Federation Indian medication. All mentioned pharmacy is certified in Russian Federation and we have the State License for this activity. We would like to inform you that our regulation does not require a valid prescription for those substances.
2. You will not use this Site or the Services found at this Site in a manner (as determined by GoDaddy in its sole and absolute discretion) that:.... ...Violates the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 or similar legislation, or promotes, encourages or engages in the sale or distribution of prescription medication without a valid prescription;	2. The Ryan Haight Online Pharmacy Consumer Protection Act of 2008 was developed and legalized in USA. It is not International law and should not be undertaken by the whole world. As it aforesaid, our company operates at the territory of Russian Federation, which is a sovereign country and USA laws are not valid in there.
3. GoDaddy has worked tirelessly to help pass important legislation to combat the spread of illegal pharmacy sites that sell potentially dangerous medications without the proper prescriptions.	3. We appreciate the scale of job you have done and entirely support your efforts to combat the spread of illegal pharmacy sites that sell potentially dangerous medications. Let us assure you that our site is legal and we don't sell potentially dangerous medications.

<p>4. However, at the time of review the website was not requiring a prescription for known prescription medications or linking to site doing the same</p>	<p>4. This sentence is not clear enough. Please, explain: what is the time of review? What has changed by now? What the website was not doing? And what means the same, the linked site doing?</p>
<p>5. Also, the domain has been listed with LegitScript which also verifies domains under other jurisdictions aside from the US</p>	<p>5. The domain couldn't be listed with LegitScript, which is endorsed by the NABP on behalf of the government agencies that license and regulate pharmacies and pharmacists in the United States, Canada, and other jurisdictions. Russian Federation does not refer to LegitScript as the "appropriate authority" to which rogue Internet pharmacies should be reported.</p>

In the end of this letter we ask you once more to take into account our objections and comments. We hope that you will help us to determine the reactivation options available to us. Just imagine, how many efforts were made for registration procedures and how much money were invested in advertisement. We aren't able to afford to lose this business and will do all our best to keep it working.

You are kindly requested to find out the positive decision of this problem.

We wish you Happy New Year, happiness, be healthy and wealthy, success and shared prosperity to your company.

We are looking forward to hearing from you soon.

With my best regards

Roman BELICHENKO
General Director

LLC "MP-Enterprises"

Date: 08.01.2016.

From: Godaddy, Contact Information Redacted

To: Roman Belichenko Contact Information Redacted

Dear Roman,

Unfortunately, the domain was found to be in violation of our terms of service and quite possibly illegal. There are no reactivation options available to you and the domain will not be reinstated to allow you to transfer elsewhere.

Regards,

Content Abuse GoDaddy

Date: 09.01.2016.

From: Roman Belichenko Contact Information Redacted

To: Godaddy, Contact Information Redacted

We can't thank you for last E:mail. It is almost the same as the previous one. Honestly speaking, we didn't expect such result and are deeply disappointed with your attitude to the whole matter. You didn't make even slightest effort to comment our explanations or objections. You are simply ignoring our requests and keep stubbornly insisting that we violated the law, which is not valid in our jurisdiction in Russian Federation.

We entirely disagree with your decision and have intention to terminate our Customer Agreement with GoDaddy. Of course, we made mistake signing it without serious consideration of clause 5, where you declare your right to act as determined by GoDaddy in its sole and absolute discretion. It means, that

you can submit insubstantial accusations without any evidences. This is actually what happened in our case.

You reject any possible way for discussion, so we are forced to appeal for support to your authorities.

This is to inform you, that we are going to fill Transfer Complaint Form and send it to ICANN with applicable option: My registrar does not allow me to transfer my domain name. All our mutual correspondence will be attached.

Regards.

Roman

4. Date of action/inaction:

(Note: If Board action, this is usually the first date that the Board posted its resolution and rationale for the resolution or for inaction, the date the Board considered an item at a meeting.)

Our domain name was suspended in December, 23, 2015.

5. On what date did you become aware of the action or that action would not be taken?

(Provide the date you learned of the action/that action would not be taken. If more than fifteen days has passed from when the action was taken or not taken to when you learned of the action or inaction, please provide discussion of the gap of time.)

We were aware that there are no reactivation options available to us and the domain will not be reinstated to allow us to transfer elsewhere in January, 08, 2016.

6. Describe how you believe you are materially affected by the action or inaction:

The suspension of our domain name has stopped our business. We spent more than \$200,000 in order to create the content of our sites, which are now idling. As a result of such a harm we are losing profit. This is strongly affected us materially. **We would like you to consider our request as soon as possible.**

7. Describe how others may be adversely affected by the action or inaction, if you believe that this is a concern.

We suppose, that it depends on how much money and efforts others made for their business and to what extent they rely on it materially.

8. Detail of Board or Staff Action – Required Information

Staff Action: If your request is in regards to a staff action or inaction, please provide a detailed explanation of the facts as you understand they were provided to staff prior to the action/inaction presented to the staff and the reasons why the staff's action or inaction was inconsistent with established ICANN policy(ies). Please identify the policy(ies) with which the action/inaction was inconsistent. The policies that are eligible to serve as the basis for a Request for Reconsideration are those that are approved by the ICANN Board (after input from the community) that impact the community in some way. When reviewing staff action, the outcomes of prior Requests for Reconsideration challenging the same or substantially similar action/inaction as inconsistent with established ICANN policy(ies) shall be of precedential value.

Board action: If your request is in regards to a Board action or inaction, please provide a detailed explanation of the material information not considered by the Board. If that information was not presented to the Board, provide the reasons why you did not submit the material information to the Board before it acted or failed to act. "Material information" means facts that are material to the decision.

If your request is in regards to a Board action or inaction that you believe is based upon inaccurate, false, or misleading materials presented to the Board and those materials formed the basis for the Board action or inaction being challenged, provide a detailed explanation as to whether an opportunity existed to correct the material considered by the Board. If there was an opportunity to do so, provide the reasons that you did not provide submit corrections to the Board before it acted or failed to act.

Reconsideration requests are not meant for those who believe that the Board made the wrong decision when considering the information available. There has to be identification of material information that was in existence of the time of the decision and that was not considered by the Board in order to state a reconsideration request. Similarly, new information – information that was not yet in existence at the time of the Board decision – is also not a proper ground for reconsideration. Please keep this guidance in mind when submitting requests.

Provide the Required Detailed Explanation here:

(You may attach additional sheets as necessary.)

After rejecting our request by the registrar, we have prepared Transfer Complaint Form and sent it to ICANN with applicable option, that registrar does not allow us to transfer our domain name. All our mutual correspondence is attached bellow.

Our letter № 1

To: The Internet Corporation for Assigned Names and Numbers (ICANN)
Essence of Complaint

Dear Sirs,

You are kindly requested to consider our dispute with the Registrar company GoDaddy about our legality and possibility to transfer our domain name. As a matter of fact, the Registrar after seven month of registration, suddenly discovered, that “the domain was found to be in violation of our terms of service and quite possibly illegal”. For us it doesn’t clear what it means “possibly illegal”?

“The violation of our terms of service” consists of the accusation, that we don’t undertake the Ryan Haight Online Pharmacy Consumer Protection Act of 2008, which was developed and legalized in USA, ignoring the fact, that we are Russian company complying Russian laws and regulations.

On the base of that, our domain name was suspended and the request for transfer rejected. We disagree with such decision of the Registrar and so apply for your support. All details of our dispute are expressed in our mutual correspondence attached in the file

We rely on your competent and impartial investigation.

Sincerely yours

Roman BELICHENKO.

Respond ICANN № 1

Dear Roman Belichenko,

Thank you for submitting a Transfer complaint concerning the domain name.

ICANN reviewed your complaint and requires additional information. Please provide ICANN the

following before 26 January 2016:

- Please clarify whether you want to transfer your domain name from the registrar of record GoDaddy.com, LLC to a different registrar or if you only want to change your web-hosting provider. Please note that ICANN does not have contractual authority to address any customer-service related matters that fall outside of the Registrar Accreditation Agreement (RAA) (e.g., web-hosting). However, if your issue involves a transfer between registrars, your issue may involve a breach of an ICANN Consensus Policy or agreement.

- Please provide evidence (such as emails, customer service tickets, or date and time of telephone calls) that you have already taken these four steps, that are required for ICANN to be able to start its standard Contractual Compliance process regarding domain name transfers:

- (1) You must have already attempted to retrieve the AuthInfo code directly from the control panel, with no success;
- (2) You must have already requested the AuthInfo code from the registrar, and did not receive it within 5 days from the date of your request;
- (3) You must have already attempted to unlock the domain name by using the means made available to you by the registrar or record, but were unable to actually unlock it; and
- (4) You must have already requested the registrar of record to unlock the domain name but it was not unlocked within five days following the date of your request.

Please send the information and records requested above via reply email (no more than 4 MB total) and do not change the email subject heading. Please provide records as attachments in .TXT, .PDF, or .DOC(X) format.

If you do not provide this information before 26 January 2016, ICANN will close your complaint.

Sincerely,

ICANN Contractual Compliance

Our letter № 2

To: ICANN Contractual Compliance

Dear sirs,

This is to clarify that we want to transfer our domain name from the registrar of record GoDaddy.com, LLC to a different registrar.

We would like to inform you, that:

- (1) We have already requested the AuthInfo code from the registrar, and did not receive it within 5 days from the date of our request;
- (2) We have already requested the registrar of record to unlock the domain name but it was not unlocked within five days following the date of our request.

You are kindly requested to start your standard Contractual Compliance process regarding domain name transfers.

Sincerely,

Roman Belichenko.

Please, find attached all our mutual correspondence with the registrar of record GoDaddy, regarding our issue.

Respond ICANN № 2

Dear Roman Belichenko,

Thank you for submitting a Transfer complaint concerning the domain name. Your report has been entered into ICANN's database. For reference your ticket ID is: JTQ-111-61123.

A 1st Notice will be sent to the registrar, and the registrar will have 5 business days to respond.

For more information about ICANN's process and approach, please

visit <http://www.icann.org/en/resources/compliance/approach-processes> .

Sincerely,

ICANN Contractual Compliance

Our letter № 3

Dear sirs,

Thank you for the prompt reply and including our report into ICANN's database.

We would like to ask you: is it possible for us to get access to the copies of your Notices to the registrar and its responds?

Sincerely,

Roman Belichenko.

Respond ICANN № 3

28.01.2016, 17:47, Contact Information Redacted

Dear Roman Belichenko,

ICANN addressed your complaint below and found that the registrar has not breached its obligations under the Registrar Accreditation Agreement (RAA) or ICANN's Consensus Policies.

The registrar of record advised ICANN that the Registered Name Holder's account was suspended following the registrar's own domain use policy. Please note that ICANN-accredited registrars may set their own domain use (or anti-abuse) policy, provided that it is consistent with their obligations under the RAA and any applicable laws or regulations. If you believe that the registrar might have breached its registration agreement with you or any applicable laws or regulations, you may consider seeking legal advice as to what options you may have.

ICANN considers this matter now closed. If you require future assistance, please submit a new complaint to ICANN at <http://www.icann.org/resources/compliance/complaints> .

Please do not reply to this email (replies to closed complaints are not monitored by ICANN staff).

ICANN is requesting your feedback on this closed complaint. Please complete this optional survey at <https://www.surveymonkey.com/s/8F2Z6DP> .

Sincerely,

ICANN Contractual Compliance

9. What are you asking ICANN to do now?

(Describe the specific steps you are asking ICANN to take. For example, should the action be reversed, cancelled or modified? If modified, how should it be modified?)

This is to inform you that we asked the ICANN Contractual Compliance team to resolve dispute between us and the registrar GoDaddy concerning the domain transfer matter. We provided the ICANN Contractual Compliance team, by their request, with additional information and also submitted our mutual correspondence with the registrar concerning the dispute.

We hoped, that the ICANN Contractual Compliance team will arrange competent and impartial investigation of the whole matter. But in the final reply they declared, that the registrar has not breached its obligations under the Registrar Accreditation Agreement (RAA) or ICANN's Consensus Policies, referring on the statement, that the registrar may set their own domain use (or anti-abuse) policy and on the base of it suspend the Registered Name Holder's account. As a result of it the ICANN Contractual Compliance team has taken decision to close the matter.

We state, that our complaint was not considered properly. The final reply is formal and entirely repeats the statements of the registrar. It is quite evident, that the Contractual Compliance team has taken the registrar's side without thorough examination of our explanations and comments.

We are asking BGC to enforce the registrar to unlock our domain name and provide us with Autoinfo code in order to transfer to other registrar.

10. Please state specifically the grounds under which you have the standing and the right to assert this Request for Reconsideration, and the grounds or justifications that support your request.

(Include in this discussion how the action or inaction complained of has resulted in material harm and adverse impact. To demonstrate material harm and adverse impact, the requester must be able to demonstrate well-known requirements: there must be a loss or injury suffered (financial or non-financial) that is a directly and causally connected to the Board or staff action or inaction that is the basis of the Request for Reconsideration. The requestor must be able to set out the loss or injury and the direct nature of that harm in specific and particular details. The relief requested from the BGC must be capable of reversing the harm alleged by the requester. Injury or harm caused by third parties as a result of acting in line with the Board's decision is not a sufficient ground for reconsideration. Similarly, injury or harm that is only of a sufficient magnitude because it was exacerbated by the actions of a third party is also not a sufficient ground for reconsideration.)

The grounds for our standing and the right to assert this request are based on the following reasons:

1)The registrar refers on the Section 5 of GoDaddy's Universal Terms of Service, where the right to act as determined by GoDaddy in its sole and absolute discretion is declared. It means, that

GoDaddy can submit insubstantial accusations without any evidences. This is actually what happened in our case, when we were blamed in violation of the Ryan Haight Online Pharmacy Consumer Protection Act of 2008.

Even the sole and absolute discretion should have certain limits.

We insist on the fact that, it is not International law and should not be undertaken by the whole world. Our company LLC "MP-Enterprises" is a legal entity registered in Russian Federation and complying all country's laws and instructions concerning the distance trade of pharmaceutical substances. We sale and distribute in Russian Federation Indian medication. All mentioned pharmacy is certified in Russian Federation and we have the State License for this activity.

2) The registrar states, that it "has worked tirelessly to help pass important legislation to combat the spread of illegal pharmacy sites that sell potentially dangerous medications without the proper prescriptions".

This statement is in no case concerned us. We confirm that our site is legal and we don't sell potentially dangerous medications. The registrar never submitted any substantial evidences, that this is not so. We would like to draw your attention to the fact, that the GoDaddy is selected by us to provide technical assistance in IT service. It is not supposed their staff to fulfill police operations to combat the spread of illegal pharmacy. For this purposes there are special entities worldwide, and in Russian Federation as well. More than that, the question is arisen, why the staff of internet company "has worked tirelessly to help pass important legislation" in pharmacy? It is clear, that this job was done by the order from pharmaceutical companies and certainly not free of charge. So this staff of GoDaddy is highly motivated to lobby interests of pharmaceutical companies wherever it is possible, including the withdrawing the companies like us from pharmacy markets. That is why registrar stubbornly not willing to listen to our objections and comments. .

We don't want to deal anymore with GoDaddy and insist on reconsideration of our complaint and satisfaction of our request to change the registrar.

11. Are you bringing this Reconsideration Request on behalf of multiple persons or entities? (Check one)

No

1a. If yes, Is the causal connection between the circumstances of the Reconsideration Request and the harm the same for all of the complaining parties? Explain.

Do you have any documents you want to provide to ICANN?

If you do, please attach those documents to the email forwarding this request. Note that all documents provided, including this Request, will be publicly posted at <http://www.icann.org/en/committees/board-governance/requests-for-reconsideration-en.htm>.

Terms and Conditions for Submission of Reconsideration Requests

The Board Governance Committee has the ability to consolidate the consideration of Reconsideration Requests if the issues stated within are sufficiently similar.

The Board Governance Committee may dismiss Reconsideration Requests that are querulous or vexatious.

Hearings are not required in the Reconsideration Process, however Requestors may request a hearing. The BGC retains the absolute discretion to determine whether a hearing is appropriate, and to call people before it for a hearing.

The BGC may take a decision on reconsideration of requests relating to staff action/inaction without reference to the full ICANN Board. Whether recommendations will issue to the ICANN Board is within the discretion of the BGC.

The ICANN Board of Director's decision on the BGC's reconsideration recommendation is final and not subject to a reconsideration request.