

March 14, 2017
MAIN OFFICE

Akram Atallah
President, Global Domains Division
ICANN
Contact Information Redacted

Re: **ISRAEL - allocation of IDN ccTLD**

Dear Sirs,

Our law firm represents Domain The Net Technologies Ltd. ("**Domain The Net**"). Domain The Net instructed us to approach you in order to clarify the legal situation concerning the delegation of a Hebrew IDN ccTLD to a Registry in Israel.

For several years, since the IDN ccTLD fast-track started, the issue of an IDN ccTLD for Israel was not resolved. According to Israeli law, the decision on who would be the Registry must be rendered following a **tender by the government**.

Unfortunately processing such a tender has not been the highest priority of the Ministry of Communications (the ministry responsible for this issue) in Israel, and the matter keeps being delayed. Domain The Net intends to be a bidder in such a tender, when it eventually is published.

Having said that, in a recent presentation by the CEO of the .il ccTLD registry, ISOC-IL (a **private** non-for-profit organization), at a committee of the Israeli parliament, the CEO of ISOC-IL claimed that ISOC-IL received the support of the Ministry of Communication for their application for a Hebrew IDN-TLD for Israel (in Hebrew characters it would read: "יִל").

Immediately upon becoming aware of this, we contacted the Israel Ministry of Communication to understand how such support could be made without the tender required by Israeli law.

The Ministry informed Domain The Net that it did **NOT** authorize or provide a support to ISOC-IL in regards to operating the Hebrew IDN registry for Israel. The Ministry further said that while they had provided in the past a support for the Hebrew characters "יִל" string, to be used as the IDN-TLD for Israel, that the operator will be chosen as required by law, through a government tender process. Domain The Net was also informed that in 2014 the Ministry provided ICANN with a letter clarifying the foregoing.



We seek confirmation and assurance by ICANN that it understands that the support for the Hebrew characters "יִל." string by the Ministry is not a recommendation to ICANN to delegate a TLD with that string to ISOC-IL as the registry, since such delegation should be made only following a tender by the Israeli government.

Furthermore, if a letter of any type from an Israeli Government official is provided to ICANN, in support of the ISOC-IL registry, at any point in the future, it is important that ICANN will check the legal status of such letter, including whether the official has the authority to act on behalf of the Israeli government and whether the letter was issued only after a proper tender took place for the selection of the Registry as required by Israeli law.

We look forward to receiving this confirmation from you. Please do not hesitate to contact me if further clarifications or information is required.

Respectfully,

Shirley Gal, Adv.
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Advocates and Patent Attorneys

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