

Briefing materials on the .KOSHER application

Adapted from the Hebrew word meaning “fit” or “proper,” “kosher” refers to food that meets the dietary requirements of Jewish Law. Our client, Kosher Marketing Assets LLC (“KMA”), has applied for the .KOSHER gTLD for the benefit of the entire kosher industry, including consumers, producers, vendors, and certifiers of kosher food.

It has come to our attention that a commercial competitor to KMA’s parent organization seeks to unfairly block progression of the .KOSHER gTLD by advocating GAC intervention based on a purported lack of community involvement and support for the .KOSHER gTLD application. Unlike the .HALAL application, the .KOSHER application has direct community member involvement and broad and diverse support from the kosher community worldwide.

We do not ask that you take any specific action within the GAC. Instead, we merely wish to ensure that you are supplied with complete background details with respect to KMA, its parent organization OK Kosher Certification (“OK”), and community involvement and support for .KOSHER gTLD.

Background Information on OK Kosher Certification

- OK Kosher Certification (“OK”) is one of the oldest and largest international kosher certification organizations in the United States and throughout the world.
- OK is recognized and highly regarded as a global leader within the kosher certification industry.
- OK currently provides kosher certification services in over ninety countries on six continents, and OK’s kosher certification services are supported by more than 350 of the world’s leading kosher experts.

Background Information on Kosher Marketing Assets and the .KOSHER gTLD application

- OK applied for the .KOSHER gTLD through its subsidiary Kosher Marketing Assets, LLC (“KMA”) for the benefit of the entire kosher industry, including consumers, producers, vendors, and certifiers of kosher food.
- The purpose of .KOSHER is to be a primary source of information regarding kosher laws, products, and services on the Internet. The gTLD is intended to supplement the wealth of existing kosher information sources, and promote appreciation and observance of kosher laws.
- The .KOSHER application has broad and diverse support worldwide, including from nearly fifty kosher certification organizations, certifying rabbis, and other essential kosher industry players.
- Community support for the .KOSHER application comes from diverse community members in over twenty countries, including the United States, Israel, Canada, Colombia, Japan, Mexico, Singapore, Germany, Belgium, Russia, Ukraine, North Cyprus, Thailand, Ecuador, South Africa, Czech Republic, Albania, Korea, Argentina, Australia, and the United Kingdom.

Competitor Opposition to .KOSHER

- The Union of Orthodox Jewish Congregations of America (Orthodox Union or “OU”), with the support of a handful of other commercial competitors to OK (collectively, “Objectors”), filed a baseless formal community objection against KMA’s application.
- In a good faith attempt to resolve any issues, KMA and OK were actively engaged in discussions with the Objectors before and after the objection filing.
- After rejecting multiple offers by OK and KMA designed to fully address the concerns raised in the objection filing, the Objectors sent letters to ICANN CEO Fadi Chehadé and US Commerce Secretary Penny Pritzker. The letters mischaracterize the .KOSHER application and demand ICANN’s “equal treatment” of .KOSHER with Asia Green IT System’s .HALAL, which, together with the application for .ISLAM, was the subject of a non-consensus Advice in the GAC’s Beijing Communiqué.

Response to Unfair Criticism

- In contrast with the .HALAL application, .KOSHER includes the direct involvement of OK, one of the world’s oldest and largest international kosher certification organizations, and the application is supported by nearly fifty kosher certification organizations, certifying rabbis, and other essential kosher industry players from over twenty countries around the world.
- Objectors’ definition of the relevant community is narrowly limited to kosher certification organizations. KMA intends to develop a platform that includes the broader kosher industry, including consumers, producers, and vendors, in addition to certifiers of kosher food.
- Contrary to the Objectors’ assertions, KMA does not propose a closed TLD. With recent guidance from the ICANN Board new gTLD program committee, KMA firmly intends to operate .KOSHER in an open manner with appropriate eligibility requirements, and administer the gTLD in a fair and transparent way.
- KMA’s application states that domains will be available to entities and individuals who meet eligibility of being “personally visited, inspected, and are known to be using the domain to promote Kosher Certification.” KMA is also pleased to dispel any ambiguity in the .KOSHER new gTLD application in that its original intent was to sublicense domain names to certified second-level registrants and develop close affiliations with other kosher certifying organizations such as the OU.
- The proposed eligibility requirement is not limited to verification solely by OK. In fact, OK has a long history of inclusive online practices. For example, OK’s Twitter feed @KosherAlerts routinely directs followers to content from other certification organizations, including the Objectors.
- As the registry operator of .kosher, KMA will promote kosher certification and encourage demand for kosher products generally by including those who certify, manufacture, and sell kosher food.
- OK and KMA’s efforts will benefit all industry players, including the Objectors. It is our client’s intent that the gTLD will be inclusive of kosher certification organizations, promote industry competition, and encourage demand for kosher products generally.