

Rules for recognizing a website as a mirror website

November, 22, 2017

Dear Ladies and Gentlemen,

We would like to inform you about further developments of mirror websites regulation. The Government of the Russian Federation adopted the Decree dated October 07, 2017 No. 1225 “On approval of the rules for the adoption of the reasoned decision on recognition of a website in the information and telecommunications network "Internet" as a copy of the blocked website” entered into force on October 17, 2017 (hereinafter - the “**Rules**”). The Rules specify procedure of issuing decision on recognizing a website as a copy of the previously blocked website due to copyright and related rights infringement as well as stipulate requirements to the content thereof.

1 Commission

Decision shall be issued within one day by at least 3 experts appointed by the Ministry of Telecom and Mass Communications of the Russian Federation. The list of experts is subject to determination by the Minister of Telecom and Mass Communications of the Russian Federation or his Deputy.

2 Criteria of similarity

According to the Rules, the following criteria shall apply to comparison of the copy of the blocked website with the earlier blocked website (hereinafter “**compared websites**”):

- general similarity in appearance of compared websites (template, color combination, elements location);
- similarity between domain names;
- similarity between names of compared websites;
- matching of content;
- matching of user accounts required to access to personal data of users and settings of compared websites;
- evidences of technical interaction between compared websites, including automatic redirection of users from a blocked website, index synchronization of search results related to compared websites, use of the same control system, IP address reservation;
- matching of administrator’s contact details of compared websites;
- other evidence of similarity between compared websites.

3 Decision form and content

Decision shall contain a domain name of a copy of the blocked website, grounds for making decision, be issued in electronic form and signed with the qualified electronic signature by Deputy Minister of Telecom and Mass Communications of the Russian Federation.

Hope that the information provided herein would be useful for you. If any of your colleagues would also like to receive our newsletters, please let us know by sending us his/her email address in response to this message. If you would like to learn more about our Intellectual property practice, please let us know about it in reply to this email. We will be glad to provide you with our materials.

If you have any questions, please do not hesitate to contact the Partner of ALRUD Law Firm **Maria Ostashenko** at MOstashenko@alrud.com.

Kind regards,
ALRUD Law Firm

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