

# LIFESTYLE DOMAIN HOLDINGS, INC.

## **.Brand TLD Designation Application**

### **For .COOKINGCHANNEL**

August 1, 2014

Internet Corporation for Assigned Names and Numbers (“ICANN”)  
12025 Waterfront Drive, Suite 300  
Los Angeles, California 90094

Attention: New gTLD Program Staff

RE: Application for .Brand TLD Designation

Lifestyle Domain Holdings, Inc. (“Registry Operator”) (“LDH”), in connection with the execution of the Registry Agreement for the .COOKINGCHANNEL string (the “Registry Agreement”), hereby applies for COOKINGCHANNEL to be qualified by ICANN as a .Brand TLD.

Registry Operator confirms and represents to ICANN that the TLD meets each of the criteria for the TLD to be qualified as a .Brand TLD, as described in the .Brand TLD Application Process and Specification 13 attached thereto, and that all supplemental material accompanying this application is accurate and not misleading in any respect. Registry Operator also represents that the trademark registration attached hereto as Exhibit A, the registration policies attached hereto as Exhibit B, and the SMD file ID number attached hereto as Exhibit C are complete and accurate copies of the official trademark registration, Registry Operator’s registration policies for the TLD, and the SMD file ID for the TLD for which this application is submitted respectively. In the event that ICANN determines the string COOKINGCHANNEL does not meet the criteria as a Specification 13 .Brand TLD, then Registry Operator respectfully requests that, in the alternative, an Exemption Request from Specification 9 be considered.

In addition to the above and attached application for status as a .Brand and in furtherance of its intentions, Registry Operator provides further support of its intention to operate as a .Brand:

Lifestyle Domain Holdings, Inc. (“LDH”) is a wholly-owned subsidiary of Scripps Networks Interactive, Inc. (“SNI”), a leader in lifestyle media with famous brands such as Food Network, Cooking Channel, HGTV, Travel, Channel, and DIY Network. LDH will serve as the Registry Operator of the string, COOKINGCHANNEL, and SNI and its Affiliates, as defined in the Registry Agreement, shall be the sole registrant. The mission of .COOKINGCHANNEL is to provide a diverse population of internet users high-profile lifestyle-oriented content that is reflective of our popular lifestyle brands and allows users access to relevant ideas, information and solutions every day, everywhere. .COOKINGCHANNEL will be focused on the development of robust and authentic connected experiences centered on travel, home (e.g., design and decor, gardening, real estate, home improvement and remodeling), food (cooking, nutrition), entertaining,

parenting, self-help, and other related concepts, topics and activities. .COOKINGCHANNEL will be an SNI-branded top level domain that will seek to provide internet users with the confidence that all of the programming, information, social media, shopping opportunities and other content found therein is authentic, genuine, safe and secure and associated with SNI's trusted family of lifestyle brands.

Granting Specification 13 Request as a .Brand TLD will not materially affect third parties nor will it be perceived as unfair to the general Internet community. To the contrary, SNI's use of the TLD as a closed ecosystem will provide the opportunity to distinguish web spaces it owns and operates from other spaces online, making it easier for internet users to more efficiently locate SNI products and services. The TLD will provide a trusted and user-friendly environment where domain names and content related to the TLD can flourish. Users will be able to clearly identify and select specific sites based upon their preferences.

Registry Operator acknowledges and agrees that this letter is binding on Registry Operator, and if any of the foregoing representations and agreements become untrue or is not complied with, it shall be deemed a breach of the Registry Agreement by Registry Operator, and ICANN may assert its rights under the Registry Agreement, including by determining that the TLD no longer qualifies as a .Brand TLD pursuant to the terms of Specification 13.

Questions about this request should be directed to [REDACTED], [REDACTED], the Contracting Point of Contact.

Submitted by:

[REDACTED]  
EVP & Chief Legal Officer

[REDACTED]

**Exhibit A**

**Trademark Registration**

The trademark registration for COOKING CHANNEL is attached.

# United States of America

United States Patent and Trademark Office

## COOKING CHANNEL

**Reg. No. 4,068,764**

COOKING CHANNEL, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
312 WALNUT STREET, SUITE 1800  
CINCINNATI, OH 45202

**Registered Dec. 6, 2011**

**Int. Cl.: 38**

FOR: TELEVISION BROADCASTING; STREAMING OF VIDEO PROGRAMS VIA THE INTERNET, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

**SERVICE MARK**

FIRST USE 5-31-2010; IN COMMERCE 5-31-2010.

**SUPPLEMENTAL REGISTER**

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHANNEL", APART FROM THE MARK AS SHOWN.

SER. NO. 77-844,566, FILED P.R. 10-8-2009; AM. S.R. 10-25-2011.

CORY BOONE, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

## **Exhibit B**

### **TLD Registration Policies**

Domain Name Registration and Use Policy for “.COOKINGCHANNEL”

Registry Operator hereby acknowledges that the following are true and correct registration policies:

Registry Operator intends to operate the gTLD as a closed registry with SNI and its Affiliates, as defined in the Registry Agreement, as the sole registrant. The goal of the proposed gTLD is to provide SNI and its family of brands the opportunity to extend the digital experience to its consumers and users through a dedicated and authentic domain space for SNI products and services, content, social and sharing platforms, shopping and other integrated online digital experiences for the benefit of Internet users. This specialization provides a mechanism by which SNI can easily link its products, services and countries of operation. This will allow SNI to actively manage the introduction and phase out of second-level domain spaces for new or retiring products, services, content and digital experiences to the benefit of Internet users in a trusted and authentic environment.

Members of the public will not be able to register domain names in this new gTLD. Registration will be managed by Registry Operator and its parent company, SNI, and only a limited number of designated SNI personnel or designees will be able to register domain names. If multiple parties affiliated with SNI express an interest in registering the same domain name, the designated personnel will make the decision regarding which internal party's registry and use of the domain name is a higher business priority for SNI and its family of lifestyle brands.

The registration of domain names within the “.COOKINGCHANNEL” TLD shall be restricted to SNI and its family of brands, thus following a single-registrant model. SNI may, in its sole discretion, elect to license registrations within this space to, *inter alia*, appropriate corporate divisions, subsidiaries, affiliated and authorized licensees, and other affiliated entities.

Except for those provisions not applicable to a Specification 9 exempt registry and in accordance with the registration policies set forth in Specification 13 for a brand registry, Registry Operator will abide by all policies, rights protection mechanisms and registration procedures as set forth in the Registry Agreement.

**Exhibit C**

**Signed Mark Data File ID Number**

The SMD File for COOKING CHANNEL is attached.