

IRI DOMAIN MANAGEMENT, LLC

a Delaware limited liability company
2711 Centerville Road, Suite 400, Wilmington, Delaware 19808

June 26, 2015

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

IRI Domain Management, LLC (“Registry Operator”) hereby applies for .LDS to be qualified by ICANN as a .Brand TLD.

Registry Operator confirms and represents to ICANN that .LDS meets each of the criteria for .LDS 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 .LDS, and the SMD file ID for the TLD for which this application is submitted respectively.¹

Registry Operator agrees that if it makes any changes to its registration policies for .LDS (whether before or after this application has been approved) that may disqualify .LDS as a .Brand TLD, it will promptly provide ICANN with a complete and accurate copy of the revised registration policies. In addition, if Registry Operator fails to maintain the trademark registration underlying its .Brand TLD application, it shall promptly notify ICANN of such failure. Registry Operator also agrees to maintain the criteria required to qualify as a .Brand TLD and to immediately notify ICANN of any changes in circumstances that could alter the statements made, and supporting materials provide with, this application.

¹ Certain criteria for this .Brand application have been established because Registry Operator holds an exemption from the Registry Code of Conduct. To obtain that exemption Registry Operator successfully demonstrated that (1) only Registry Operator or its affiliates are registrants of domain names in .LDS and (2) .LDS is not a generic string. A complete and accurate copy of the Specification 9 Exemption that ICANN granted on July 17, 2014 for .LDS is attached as Exhibit D.

Because this application is submitted to ICANN after the delegation of .LDS to nameservers designated by the Registry Operator into the root-zone, Registry Operator represents to ICANN that all domain names that are registered in the TLD are registered to and maintained in compliance with the requirements of the .Brand TLD definition.

Registry Operator acknowledges and agrees that this letter is binding on it and, if any of the foregoing representations and agreements becomes untrue or 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 .LDS no longer qualifies as a .Brand TLD pursuant to the terms of Specification 13.

Questions about this application should be directed to [REDACTED]
[REDACTED]

Submitted by: [REDACTED]
Position: Manager, IRI Domain Management, LLC
Dated: May 29, 2015
Email: [REDACTED]



BENELUX - BUREAU
VOOR DE
INTELLECTUELE
EIGENDOM

BEWIJS VAN INSCHRIJVING

01 *Inschrijvingsnummer*
0903425

Nummer en dagtekening (dag en uur) van het depot
1228848 08.07.2011 , 11.54

02 *Vervaldatum*
08.07.2021

03 *Naam van de deposant*
Intellectual Reserve, Inc., Utah corporation

04 *Adres (straat en nummer) van de deposant*
50 East North Temple Street

05 *Postcode, plaats en land van de deposant*
Salt Lake City, Utah 84150,
Verenigde Staten van Amerika.

06 *Naam en adres van de gemachtigde of vermelding van het correspondentie-adres van de deposant*
Merkenbureau Knijff & Partners B.V.
Leeuwenveldseweg 12
1382 LX Weesp,
Nederland.

08 *Woordmerk*
LDS

13 *Klasse-aanduiding en opgave van de waren en diensten*

Kl 09 Wetenschappelijke, zeevaartkundige, landmeetkundige, fotografische, cinematografische, optische, weeg-, meet-, sein-, controle- (inspectie-), hulpverlenings- (reddings-) en onderwijsstoestellen en -instrumenten; apparaten en instrumenten voor de geleiding, de distributie, de omzetting, de opslag, het regelen en het beheersen van elektriciteit; apparaten voor het opnemen, het overbrengen en het weergeven van geluid of beeld; magnetische gegevensdragers, schijfvormige geluidsdragers; verkoopautomaten en mechanismen voor apparaten met vooruitbetaling; kasregisters, rekenmachines, gegevensverwerkende apparatuur en computers; brandblusapparaten.

Kl 16 Papier, karton en hieruit vervaardigde producten voor zover niet begrepen in andere klassen; drukwerken; boekbinderswaren; foto's; schrijfbehoeften; kleefstoffen voor kantoorgebruik of voor de huishouding; materiaal voor kunstenaars; penselen; schrijfmachines en kantoorartikelen (uitgezonderd meubelen); leermiddelen en onderwijsmateriaal (uitgezonderd toestellen); plastic materialen voor verpakking, voor zover niet begrepen in andere klassen; drukletters; clichés.

Kl 35 Reclame; beheer van commerciële zaken; zakelijke administratie; administratieve diensten.

Kl 41 Opvoeding; opleiding; ontspanning; sportieve en culturele activiteiten. Opvoeding; opleiding; ontspanning; sportieve en culturele activiteiten.

Kl 42 Wetenschappelijke en technologische diensten, alsmede bijbehorende onderzoeks- en ontwerpdiensten; dienstverlening op het gebied van industriële analyse en industrieel onderzoek; ontwerpen en ontwikkelen van computers en van software.

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01.10.2011

Status spoedinschrijving

"Ingevolge artikel 2.8 lid 2 BVIE bestaat voor deze inschrijving de mogelijkheid dat het Bureau tot doorhaling besluit"

Kenmerken van de deposant of de gemachtigde
RF/TM54980BX00



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BEWIJS VAN INSCHRIJVING

Den Haag, 13 juli 2011

Edmond Simon
Directeur-Generaal



**BENELUX OFFICE
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06 *Name and address of attorney or address of correspondence of the applicant*

Merkenbureau Knijff & Partners

Leeuwendseweg 12

1382 LX Weesp,

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08 *Wordmark*

LDS

13 *Classification and list of goods and services*

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Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

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01-10-2011

Status rush application

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Reference of applicant or representative

RF/TM54980BX00

The Hague, 13 July 2011

signature
Edmond Simon
President-General



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signature
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President-General

.LDS Registration Policies

A. Eligibility

Eligibility to register domain names under the .LDS gTLD will be highly restricted. Only IRI Domain Management (“Registry Operator”) and its designated representative, officers and employees of The Church of Jesus Christ of Latter-day Saints, and Church affiliates will have authority to register domain names in .LDS. Restricting eligibility in this manner is justified because the mission of .LDS is to serve the community, not to recover revenues through the sale of domains, and because permitting third-party registrants could confuse community members about the authenticity of content on .LDS, contrary to that mission.

Registry Operator has developed a list of acceptable domains. They include names that denote the Church’s values such as service to others, lifelong learning, freedom to choose, and good citizenship; names describing the Church’s beliefs such as faith in Jesus Christ, God’s Plan of Happiness, God’s Commandments, Joseph Smith, and the Book of Mormon; and domains directing the user to “Worship with Us” or “Meet Missionaries.” Acceptable domain names also refer the reader to affiliated Church organizations such as “LDS Humanitarian Services.”

A list of Reserved Names has also been developed, composed of domain names that Registry Operator will not resolve under the .LDS TLD. Individual Church members will not be granted domain names, in order to preserve the use of the .LDS gTLD for the needs of the Church and its members generally.

Second-level domain names will be added through an internal process that has been established. Domain names may be proposed by any party eligible to register names. The proposed name will be forwarded to the Registry Operator’s manager and its outside counsel. Registration requests will be decided by the manager in consultation with outside counsel. Disputes concerning eligibility will also be decided by the manager in consultation with outside counsel.

B. Name Selection

- ◆ Domain names under the .LDS gTLD will be at least 3 characters and no more than 63 characters long.
- ◆ Domain names will consist only of letters, numbers, and hyphens and will start and end with an alphanumeric character but not a hyphen.

Registry Operator will reserve from registration all names contained in Specification 5 of the New gTLD Agreement, “Schedule of Reserved Names at the Second Level in gTLD Registries.” This includes reservation of:

- The label “EXAMPLE”;
- Two-character labels, unless released pursuant to an agreement with the relevant government and country-code manager;
- Tagged domain names, defined as domain names with hyphens in the third and fourth positions;
- Names for registry operations, including NIC, WWW, IRIS, and WHOIS;
- Country names and territory names, except pursuant to an agreement with the relevant government or subject to the review by ICANN’s Governmental Advisory Committee (“GAC”) and approval by the ICANN Board of Directors.

Any party eligible to register domains under the .LDS gTLD will be allowed to register any second-level domain in the format of “anyname.lds,” subject to the restrictions described above and the legal rights protections required by Specification 7 of the Registry Agreement.

Domains registered under the .LDS gTLD will be used in conformity with the stated mission of the proposed TLD. This means that domain names will be used to serve the needs and interests of the Church and its members, as determined by the Registry Operator in consultation with outside counsel.

C. Enforcement

Internal policies and procedures prevent any domain name from being added to the .LDS registry without the approval of the Registry Operator. Every request for a domain name will be decided by Registry Operator in consultation with its outside counsel. Registry Operator will review each second-level domain name at the time of registration to ensure that that name complies with internal policies governing the registration of .LDS domain names, including these Registration Policies. Also, Registry Operator will conduct ongoing reviews of each second-level domain name registered under .LDS at least once each calendar year to ensure compliance with the terms of the .LDS Registry Agreement and ICANN Temporary and Consensus Policies.

Because the .LDS gTLD is restricted to Registry Operator and affiliates, no enforcement issues with respect to third parties will arise and appeal mechanisms applicable to such issues are unnecessary.

Registry Operator reserves the right to amend its Registration Policy.

NOTICE OF EXEMPTION

Effective Date: 17 July 2014

ICANN staff has completed its review of your request to be exempt from the "Registry Operator Code of Conduct" included in Specification 9 of the Registry Agreement ("Exemption Request"). Your request relates to the Registry Agreement for the .lds top-level domain ("TLD").

We are pleased to inform you that your Exemption Request has been approved.

ICANN's approval of your Exemption Request is subject to the following conditions:

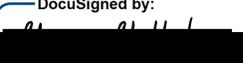
1. You agree to remain in strict compliance with the representations made in your Exemption Request and the criteria set forth in ICANN's Code of Conduct Exemption Process (i.e. you will continue to satisfy the criteria as if you applied for an exemption on a future date), the latter of which may be found published at the following link: <http://newgtlds.icann.org/en/announcements-and-media/announcement-17oct13-en> ("Exemption Process").
2. You agree to notify ICANN promptly in writing of any changes in circumstances that could affect your satisfaction of the exemption criteria set forth in the Exemption Process, including changes to your registration policies for the TLD.
3. If, at any time after the Effective Date of this Notice of Code of Conduct Exemption ("Notice of Exemption"), the representations made in your Exemption Request become untrue, you fail to continue to satisfy the criteria set forth in the Exemption Process (i.e. on a future date, you would not satisfy the criteria if you applied for an exemption on that future date) or you fail to comply with your commitments under this Notice of Exemption, you acknowledge and agree that this Notice of Exemption will be automatically and immediately void, and thereafter you will comply with the requirements of the Registry Operator Code of Conduct.

In furtherance of your continued maintenance of the exemption, you agree to conduct internal reviews at least once per calendar year to ensure your continued compliance with the representations made in your Exemption Request and the criteria set forth in the Exemption Process. Within 20 calendar days following the end of each calendar year, you will provide ICANN with a certification executed by one of your executive officers certifying your continued compliance with the representations made in your Exemption Request and the criteria set forth in the Exemption Process. Such certification may be submitted to ICANN via email at newgtld@icann.org. You agree that ICANN may post the certification and any materials provided by you or requested by ICANN in support of such certification, but ICANN will keep confidential and not publish any information that is, and you have marked as, Confidential Information (as defined in the Registry Agreement), other than in compliance with Section 7.15 of the Registry Agreement. ICANN may specify in the future the form and content of certifications and supporting materials be delivered by other reasonable means.

This Notice of Exemption does not prevent ICANN from conducting investigations regarding your continued compliance with the representations made in your Exemption Request and the criteria set forth in the Exemption Process, including, for example, review of TLD zone files and registration data.

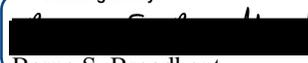
Please note, this Notice of Exemption does not alter or otherwise waive any other obligation required of you under the Registry Agreement for the TLD, specifically including, but not limited to those set forth in Section 2.9.

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS

DocuSigned by:
By: 
Alicia A. Adair
President, Global Domains Division

AGREED TO AND ACCEPTED:

IRI DOMAIN MANAGEMENT, LLC

DocuSigned by:
By: 
Beno S. Broadbent
Manager