

# LIFESTYLE DOMAIN HOLDINGS, INC.

## **.Brand TLD Designation Application**

### **For .FOODNETWORK**

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 .FOODNETWORK string (the “Registry Agreement”), hereby applies for FOODNETWORK 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 FOODNETWORK 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 submitted and reviewed.

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, FOODNETWORK, and SNI and its Affiliates, as defined in the Registry Agreement, shall be the sole registrant. The mission of .FOODNETWORK 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. .FOODNETWORK 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. .FOODNETWORK 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], the Contracting Point of Contact.

Submitted by:

[REDACTED]  
EVP & Chief Legal Officer  
[REDACTED]

**Exhibit A**

**Trademark Registration**

The trademark registration for FOOD NETWORK is attached.

**Int. Cl.: 38**

**Prior U.S. Cls.: 100, 101 and 104**

**United States Patent and Trademark Office**

**Reg. No. 2,791,044**

**Registered Dec. 9, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**FOOD NETWORK**

TELEVISION FOOD NETWORK, G.P. (PART-  
NERSHIP)  
1180 AVENUE OF THE AMERICAS, 12TH FLOOR  
NEW YORK, NY 10036

FOR: CABLE TELEVISION BROADCASTING  
SERVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 4-0-1996; IN COMMERCE 4-0-1996.

OWNER OF U.S. REG. NOS. 2,090,091 AND  
2,230,206.

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

SEC. 2(F).

SER. NO. 78-077,052, FILED 8-2-2001.

MARK T. MULLEN, EXAMINING ATTORNEY

## **Exhibit B**

### **TLD Registration Policies**

Domain Name Registration and Use Policy for “.FOODNETWORK”

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 “.FOODNETWORK” 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**

SMD File for FOODNETWORK attached.