

### Attachment 3

#### **.Brand TLD Designation Application**

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

Monash University ("Registry Operator"), in connection with the execution of the Registry Agreement for the .monash TLD (the "Registry Agreement"), hereby applies for .monash TLD 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 and the registration policies attached hereto as Exhibit B are complete and accurate copies of the official trademark registration and Registry Operator's registration policies for the TLD, respectively.

Registry Operator agrees that if Registry Operator makes any changes to its registration policies for the TLD (whether before or after this application has been approved) that may disqualify the TLD 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.

Because this application is submitted to ICANN after the delegation of the TLD 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 Registry Operator 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 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]

Submitted by:

[REDACTED]

[REDACTED]

Position:

Primary Contact for  
Registry\_\_\_\_

Dated:

\_May 2014\_\_\_\_\_

Email:

[REDACTED]



Australian Government

IP Australia

# CERTIFICATE OF REGISTRATION OF TRADE MARK

No. 1485959

I, **Fatima Beattie**, Registrar of Trade Marks hereby certify -

that the trade mark represented on this certificate was filed as Trade Mark No. 1485959 on 17 April 2012. It is due for renewal on 17 April 2022 and **Monash University of Clayton Road CLAYTON VIC 3168 AUSTRALIA** has been entered in the Register of Trade Marks as the owner of the trade mark.

The trade mark is registered in the following class/es: 9, 16, 35, 43

## MONASH

I CATHERINE MARSHALL  
CERTIFY THAT THIS IS A TRUE  
AND CORRECT COPY OF PAGE  
1 OF THE CERTIFICATE OF  
REGISTRATION

**Catherine Marshall**

K&L Gates

525 Collins Street, Melbourne  
An Australian Legal Practitioner  
(within the meaning of the  
Legal Profession Act 2004)

The goods and/or services for which the trade mark is registered, plus any endorsement, additional owners or other information relating to the registration, are listed on the attached pages.

Given under my hand and the seal of the Trade  
Marks Office on 18 March 2014



**Fatima Beattie**  
REGISTRAR OF TRADE MARKS



Australian Government

IP Australia

# CERTIFICATE OF REGISTRATION OF TRADE MARK ATTACHMENT

**No. 1485959**

The trade mark is registered for the following goods and/or services:

**Computer hardware and software, including educational, training and instructional manuals in electronic format; articles of protective clothing, footwear and eyewear being goods in class 9**

**Educational materials (other than apparatus) for use in teaching; educational, training and instructional materials in printed form; stationery; printed matter, including books, booklets, leaflets and brochures; paper, cardboard and goods made from these materials not included in other classes; stationery; photographs; educational, training and instructional apparatus included in this class being goods in class 16**

**Business consultancy being services in class 35**

**Providing accommodation, including temporary accommodation for students; providing food and drink, including restaurant, cafe, cafeteria and bar services being services in class 43**

I CATHERINE MARSHALL  
CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY  
OF PAGE 2 OF THE CERTIFICATE  
OF REGISTRATION

**Catherine Marshall**

K&L Gates

525 Collins Street, Melbourne  
An Australian Legal Practitioner  
*(within the meaning of the  
Legal Profession Act 2004)*

## Exhibit B

### Monash University – Registration Policies for the .monash TLD

#### Mission and purpose of the TLD

The mission and purpose of the TLD is to present a cohesive, clear, dedicated and immediately identifiable online identity for Monash University.

#### Eligibility to register a domain name in the TLD

##### Definitions

**DNS** means the 'Domain Name System' that is a distributed database and hierarchical global infrastructure deployed on the Internet and private IP-based networks used to resolve domain names into IP addresses.

**ICANN** means the Internet Corporation for Assigned Names and Numbers, its successors and assigns.

**Member of Monash University** means Monash, Monash's Affiliates (as that term is defined in Monash's Registry Agreement with ICANN for the TLD which may include, but is not limited to, an employee, a member of a board of directors or trustee), or Monash's Trademark Licensees.

**Monash** means Monash University ABN 12 377 614 012.

**Registrant** means the individual or entity that is the holder of the domain name as found in the Registry Service and controls the DNS records for that domain name.

**Registry** means the systems used to record, store and maintain details of domain names in the TLD.

**Service** means the services that we provide in relation to the TLD.

**Trademark Licensee** means any corporation, partnership, limited liability company or similar legal entity (and not a person) that has a written trademark license agreement with Monash or Monash's Affiliate, for use of the registered trademark owned by Monash or Monash's Affiliate, the textual elements of which correspond exactly to the TLD operated by Monash, where:

- i. such license is valid under applicable law;
- ii. such license is for the use of such trademark in the regular course of that entity's business outside of the provision of TLD Registry Services, and is not primarily for the purpose of enabling registration or use of domain names in the TLD;
- iii. such trademark is used continuously in that entity's business throughout the term of Monash's Registry Agreement with ICANN; and
- iv. the domain names in the TLD registered to the Trademark Licensee are to be used for the promotion, support, distribution, sales or other services reasonably related to any of the goods and/or services identified in the trademark registration.

**TLD** means Top Level Domain and for the purpose of this policy the TLD means .monash.

**We, us** and **our** means Monash or its designated representatives.

### **Proposing the registration or renewal of a domain name**

The procedure for submitting a proposal to register or renew domain names in the TLD can be found at the following link <http://www.policy.monash.edu/policy-bank/management/its/domain-names-procedures.html>.

The procedure will ensure that all proposals are assessed to confirm that our requirements for eligibility are met.

### **Eligibility requirements**

To support the mission and purpose of the TLD we have established the following eligibility requirements for a domain name registration in the TLD.

In order to be eligible to register or renew a domain name in the TLD the requestor must warrant:

- it is a Member of Monash University; and
- if the Registrant is a Member of Monash University that is a Trademark Licensee, that the domain name will be used for the promotion, support, distribution, sales or other services reasonably related to any of the goods and/or services identified in the trademark registration.

### **Submitting information regarding your eligibility**

In order to register or renew a domain name in the TLD the Registrant of the domain name must be a Member of Monash University.

### **Evidencing your eligibility**

The following information will be required with each proposal to register or renew a domain name:

- the completed proposal forms; and
- an undertaking by the requestor to make the warranties, acknowledgements and agreements contained in the registration form accessible from <http://www.policy.monash.edu/policy-bank/management/its/domain-names-procedures.html>

### **Eligibility review**

During the process of reviewing a proposal to register or renew a domain name we will examine all the information provided to support the requestor's eligibility.

Proposals to register or renew a domain name will be granted or declined according to our procedure, and all decisions will at all times be made at our sole discretion.