

## 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 .MORMON to be qualified by ICANN as a .Brand TLD.

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

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

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<sup>1</sup> 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 .MORMON and (2) .MORMON is not a generic string. A complete and accurate copy of the Specification 9 Exemption that ICANN granted on September 25, 2014 for .MORMON is attached as Exhibit D.

Because this application is submitted to ICANN after the delegation of .MORMON 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 .MORMON no longer qualifies as a .Brand TLD pursuant to the terms of Specification 13.

Questions about this application should be directed to [REDACTED]

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

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*To avoid CANCELLATION of the registration, the owner of the registration must submit a declaration of continued use or excusable non-use between the fifth and sixth years after the registration date. (See next page for more information.) Assuming such a declaration is properly filed, the registration will remain in force for ten (10) years, unless terminated by an order of the Commissioner for Trademarks or a federal court. (See next page for information on maintenance requirements for successive ten-year periods.)*



A handwritten signature in black ink, reading "Jon W. I. Dudas".

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

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

*What and When to File:*

- First Filing: A Declaration of Continued Use (or Excusable Non-use), filed between the 5<sup>th</sup> and 6<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- Second Filing: A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between the 9<sup>th</sup> and 10<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

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

*What and When to File:*

- A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between each 9<sup>th</sup> and 10<sup>th</sup>-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

**Grace Period Filings\***

There is a six-month grace period for filing the documents listed above, with payment of an additional fee.

**The U.S. Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements. Therefore, you should contact the USPTO approximately one year prior to the deadlines set forth above to determine the requirements and fees for submission of the required filings.**

**NOTE: Electronic forms for the above documents, as well as information regarding current filing requirements and fees, are available online at the USPTO web site:**

[www.uspto.gov](http://www.uspto.gov)

**YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT  
FILE THE DOCUMENTS IDENTIFIED ABOVE DURING THE  
SPECIFIED TIME PERIODS.**

\*Exception for the Extensions of Protection under the Madrid Protocol:

The holder of an international registration with an extension of protection to the United States must file, under slightly different time periods, a Declaration of Continued Use (or Excusable Non-use) at the USPTO. See 15 U.S.C. §1141k; 37 C.F.R. §7.36. The renewal of an international registration, however, must be filed at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol. See 15 U.S.C. §1141j; 37 C.F.R. §7.41.

**Int. Cls.: 41 and 42**

**Prior U.S. Cls.: 100, 101 and 107**

**United States Patent and Trademark Office**

**Reg. No. 3,239,919**

Registered May 8, 2007

**SERVICE MARK  
PRINCIPAL REGISTER**

**MORMON**

INTELLECTUAL RESERVE, INC. (UTAH NOT-  
FOR-PROFIT CORPORATION)  
50 EAST NORTH TEMPLE  
SALT LAKE CITY, UT 84150

FOR: GENEALOGY SERVICES, IN CLASS 42 (U.S.  
CLS. 100 AND 101).

FIRST USE 6-1-1833; IN COMMERCE 6-1-1833.

FOR: EDUCATIONAL SERVICES, NAMELY,  
PROVIDING CLASSES, CONFERENCES, AND IN-  
STITUTES IN THE FIELDS OF HISTORY AND  
RELIGION, IN CLASS 41 (U.S. CLS. 100, 101 AND  
107).

SEC. 2(F).

SER. NO. 78-977,858, FILED 9-5-2002.

FIRST USE 0-0-1920; IN COMMERCE 0-0-1920.

JILL C. ALT, EXAMINING ATTORNEY

## **.MORMON Registration Policies**

### **A. Eligibility**

Eligibility to register domain names under the .MORMON 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 .MORMON. Restricting eligibility in this manner is justified because the mission of .MORMON is to serve the needs and interests of the Church and its members, not to recover revenues through the sale of domains, and because permitting third-party registrants could confuse Church members and other Internet users about the authenticity of content on .MORMON, 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 .MORMON TLD. Individual Church members will not be granted domain names, in order to preserve the use of the .MORMON 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 .MORMON 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 Registry 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 .MORMON gTLD will be allowed to register any second-level domain in the format of "anyname.mormon," subject to the restrictions described above and the legal rights protections required by Specification 7 of the Registry Agreement.

Domains registered under the .MORMON 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 .MORMON 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 .MORMON domain names, including these Registration Policies. Also, Registry Operator will conduct ongoing reviews of each second-level domain name registered under .MORMON at least once each calendar year to ensure compliance with the terms of the .MORMON Registry Agreement and ICANN Temporary and Consensus Policies.

Because the .MORMON 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:* 25 September 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 **.mormon** 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](mailto: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:


  
Alicia A. Stahl

President, Global Domains Division

AGREED TO AND ACCEPTED:

### IRI DOMAIN MANAGEMENT, LLC

DocuSigned by:

  
Bernie S. Broadbent

Manager