

Code of Conduct Exemption Request

Internet Corporation for Assigned Names and Numbers (“ICANN”)
12025 Waterfront Drive, Suite 300
Los Angeles, California 90094
Attention: New gTLD Program Staff

RE: Request for Exemption from Registry Operator Code of Conduct

Real Estate Domains LLC (“Registry Operator”), in connection with the execution of the Registry Agreement for the .REALTOR TLD (the “Registry Agreement”), hereby requests an exemption from the obligations of the Registry Operator Code of Conduct set forth in Specification 9 to the Registry Agreement (the “Code of Conduct”). Pursuant to such request, Registry Operator confirms that each of the following statements is true and correct (collectively, referred to as the “Statements”):

1. All domain name registrations in the TLD are registered to, and maintained by, Registry Operator for the exclusive use of Registry Operator or its Affiliates (as defined in the Registry Agreement);
2. Registry Operator does not sell, distribute or transfer control or use of any registrations in the TLD to any third party that is not an Affiliate of Registry Operator; and
3. Application of the Code of Conduct to the TLD is not necessary to protect the public interest for the following reasons:

As the steward of the REALTOR® brand, the National Association of REALTORS® (“NAR”, which has engaged Registry Operator to operate the .REALTOR TLD under license from NAR) has a vested interest in ensuring protection of the public interest with regard to the .REALTOR TLD. As set forth in Answer 18(a) in Registry Operator’s application for the .REALTOR TLD:

“The National Association of REALTORS® (NAR), The Voice for Real Estate®, is the world’s largest professional association, representing greater than one million members over approximately 1,400 local associations/boards. The term REALTOR® is registered as a collective membership mark with the United States Patent and Trademark Office. It is also registered for that or other services in the trademark offices of an additional 45 nations and the European Community.

The mark REALTOR® identifies a real estate professional who is a member of NAR and subscribes to NAR’s Constitution, Bylaws and rules and regulations, including NAR’s strict Code of Ethics. The Code establishes time-honored and baseline principles that come from the collective experiences of REALTORS® since the Code of Ethics was first established in 1913. In addition, REALTORS® earn designations and certifications to increase their skills, proficiency, and knowledge. Designations and certifications acknowledging expertise in various real estate sectors are awarded by NAR and its affiliated groups upon completion of required courses and experience. Most REALTORS® also join state and local associations, and subscribe to the rules and regulations of such state and local associations.

...

NAR believes that the .REALTOR gTLD can provide a trusted and valued

Schedule A

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

All domain name registrations in the TLD are registered to, and maintained by, Registry Operator for the exclusive use of Registry Operator and its Affiliates. "Affiliates" includes NAR, REALTORS®, NAR members, NAR affiliates (including societies and counsels), NAR licensees and parties otherwise in a contractual relationship with NAR relating to use of the REALTOR® mark.

Registry Operator will be, under licensed use of the REALTOR® mark from NAR, the registrant of record of all .REALTOR domains. Registry Operator and Affiliates, in NAR's sole discretion, will be allowed to license and use .REALTOR domains so long as Registry Operator remains the registrant of record and further maintains its rights and obligations as registrant.

Registry Operator will determine, under direction by NAR in NAR's sole discretion, (i) eligibility as an "Affiliate", (ii) which Affiliate(s) may license and use which domains in .REALTOR, (iii) how many domains may be licensed and used by any particular Affiliate, including any bulk license(s) of group(s) of any domains, and (iv) how such domains may be used, so long as such is consistent with Registry Operator's obligations under the Registry Agreement.

space consistent with current consumer perception of the REALTOR® mark, and that such trust and value is created in no small part by NAR's ability and willingness to protect the value and trust associated with the .REALTOR brand.. "

As continued in Answer 18(b):

"The proposed .REALTOR gTLD will benefit registrants, Internet users and others by, among other reasons, providing a trusted and valued space for NAR, REALTORS®, NAR members, NAR affiliates, NAR licensees and other NAR-contracted parties to provide real estate related information. Use of the .REALTOR gTLD under NAR's stewardship will be complimentary to the current use and benefit of the REALTOR® mark, providing new on-line opportunities for REALTORS®, other NAR-related entities and users alike."

Public interest will be protected by extension of the professionalism associated with the REALTOR® mark, as set forth in Answer 18(b)(1):

"The REALTOR® mark is associated with professionalism in the provision of real estate services, and specifically with membership in the National Association of REALTORS® and adherence with the strict Code of Ethics set forth by NAR. It is NAR's goal to continue such association under operation and use of the .REALTOR gTLD. In this regard, NAR anticipates that the same level of specialty associated with REALTOR® in the non-digital world, the same level of service provided in association with the REALTOR® mark in the non-digital world, and the same level of reputation associated with the REALTOR® mark in the non-digital world, will continue in the .REALTOR gTLD. "

Registry Operator represents that the registration policies attached hereto as Schedule A are a true and correct copy of the Registry Operator's registration policies for the TLD. Registry Operator agrees to notify ICANN promptly in writing in the event any of the Statements has become untrue (whether before or after an exemption has been Granted). Registry Operator further acknowledges and agrees that the Exemption will be void if at any time any of the Statements has become untrue.

Submitted by: [Redacted]

Position: General Counsel

Date Noted: February 18, 2014

Email: [\[Redacted\]](#)