



Response To Request For Proposal

Volume 1 - ICM Registry's Application Transmittal

Part 1: Unsponsored TLD
Application Transmittal Form

Part 2: Statement of Request
Confidential Treatment of Materials
Submitted Form



The Internet Content Management Registry

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INTRODUCTION

ICM Registry is pleased to provide this response to your Request for Proposal (RFP) for New Top Level Domain Registries.

This Proposal is provided bound in four separate volumes as specified in ICANN’s Un-sponsored TLD Application Form.

Volume 1 – ICM Registry’s Application Transmittal contains two (2) parts:

- Part 1: Un-sponsored TLD Application Transmittal form, one hardcopy original plus one (1) CD in MS-Word 97 format and in HTML format.
- Part 2: Statement of Request Confidential treatment of Materials Submitted Form, one original hardcopy.

CD Number	CD Title	Contents
1	The Internet Content Management Registry Response to Request For Proposal New TLD Application	Volume 1 Part#1 Volume 2 and Annexes Volume 3

Volume 2 – Registry Operator’s Proposal contains two (2) parts:

- Sub Volume 2.1: Business Capabilities and Plan, one hardcopy original;
- Sub Volume 2.2: Technical Capabilities and Plan, one hardcopy original;

Volume 3 – Description of TLD Policies, one hardcopy original;

Volume 4 – Registry Operator’s Fitness Disclosure, one hardcopy original.

This volume, Proposal Volume 1, ICM Registry’s Application Transmittal includes:

- ~~///~~ the signed Un-sponsored TLD Application Transmittal form;
- ~~///~~ a check in the amount of US\$50,000.00 to ICANN for application fees;
- ~~///~~ ICM Registry signing authority document; and
- ~~///~~ signed Statement of Request Confidential treatment of Materials Submitted Form.

Proposal Presentation - ICANN Briefing

ICM Registry’s full proposal is in the Registry Operators Proposal and TLD Policies for ICANN’s consideration. We are also requesting an opportunity to brief ICANN staff and Board. We welcome your questions and are eager to provide further details of our implementation model, policies and any other aspect of our proposed registry operation, in the spirit of openness and vibrant discussion which characterizes the best of the Internet’s evolution.

SIGNED TRANSMITTAL FORM

Part 1: Un-sponsored TLD Application Transmittal Form

An application is hereby made to operate the registry for an un-sponsored top-level domain within the Internet Domain Name System (DNS).

B1. This application is made by:

[List the full legal name, principal address, telephone and fax numbers, and e-mail address of the registry operator.]

Legal Name: ICM Registry, Inc.
Contact: Jason Hendeles, Founder, President and Chairman
Principal Address: 2300 Yonge Street, Suite 907
P.O. Box 2326
Toronto, Ontario, Canada, M4P 1E4
Telephone: (416) 485-3888
FAX: (416) 485-6195
URL: www.icmregistry.com
E-MAIL: jason@iy.com

With a copy to:
Legal Name: Holland & Knight LLP
Contact: Jose I. Rojas, Esquire
Principal Address: 701 Brickell Avenue, Suite 300
Telephone: (305) 789-7799
FAX:
E-MAIL: jrojas@klaw.com

B2. The person signing below certifies that he or she has full authority to make this application on behalf of the applicant and to make all agreements, representations, waivers, and undertakings stated in this transmittal form and accompanying materials. Copies of the documents demonstrating the authority are attached.

[Attach directly to this transmittal form the documentation of the authority of the person signing. Place the legend "B2: Authorization" at the top of each page of these attachments.]

B3. All documents linked directly or indirectly from "TLD Application Process: Information for Applicants," posted at <<http://www.icann.org/tlds/tld-application-process.htm>> have been thoroughly reviewed on behalf of applicant. In particular, the following documents have been reviewed:

B3.1. New TLD Application Process Overview, posted at <<http://www.icann.org/tlds/application-process-03aug00.htm>>.

B3.2. New TLD Application Instructions, posted at <<http://www.icann.org/tlds/application-instructions-15aug00.htm>>.

B3.3. Criteria for Assessing TLD Proposals, posted at <<http://www.icann.org/tlds/tld-criteria-15aug00.htm>>.

The applicant understands that failure fully to follow instructions included in these documents will be a factor negatively affecting consideration of this application.

B4. This application consists of the following, in addition to this transmittal form:

B4.1. The Registry Operator's Proposal, with cover sheet and attachments and accompanying materials.

[With this transmittal form, submit a clearly labeled and separately bound Registry Operator's Proposal prepared by the registry operator.]

B4.2. A Description of TLD Policies, with cover sheet and attachments and accompanying materials.

[With this transmittal form, submit a clearly labeled and separately bound Description of TLD Policies prepared by the registry operator.]

B4.3. A Statement of Requested Confidential Treatment of Materials Submitted.

[Whether or not any confidential treatment is sought, please attach the Statement of Requested Confidential Treatment directly to this transmittal form. Place the legend "A5.4: Statement of Requested Confidential Treatment of Materials Submitted" at the top of every page of the statement.]

B4.4. Fitness Disclosure of Registry Operator.

[With this transmittal form, submit a clearly labeled and separately bound Fitness Disclosure prepared by the registry operator.]

B5. This application is accompanied by one or more 3 ½" floppy diskettes (IBM high density) or a CD-ROM containing files with items B4.1 and B4.2 above. Each item is provided in a common word-processing format and in HTML format.

[Submit the disk(s) with the application.]

B6. Check one:

(X) This application is accompanied by a check, drawn on a United States bank and payable to the Internet Corporation for Assigned Names and Numbers (ICANN), in the amount of 50,000 United States dollars.

() At least five business days before submitting this application, the applicant has sent 50,000 United States dollars by wire transfer according to item 18.2 of the New TLD Application Instructions. This application is accompanied by a wire transfer receipt or other document identifying the wire transfer.

The applicant understands and agrees that this \$50,000 is only an application fee to obtain consideration of this application; that the fee will not be refunded or returned in any circumstances (except if this application is not considered due to failure to reach agreement on terms for confidential treatment); that there is no understanding, assurance, or agreement that this application will be selected for negotiations toward entry of an agreement with a registry operator; or that, if this application is selected, the negotiations will lead to entry of such an agreement or establishment of a TLD as sought in this application. The applicant understands and acknowledges that ICANN has the right to reject all applications for new top-level domains that it receives and that there is no assurance that any additional top-level domain will ever be created in the future.

[Be sure to include a valid check drawn on a United States bank in the full amount, or documentation of the wire transfer.]

B7. In the event multiple TLD strings are proposed in this application, the applicant understands (a) that all parts of the application must apply, without significant variation, to all of the strings and (b) that, if ICANN determines in its sole discretion that one or more parts (such as the Business Capabilities and Plan or the Description of TLD Policies) apply to different proposed TLD strings in a significantly different manner, the applicant may be required to elect which of the strings to pursue in this application.

B8. The applicant hereby authorizes ICANN to:

B8.1. contact any person, group, or entity to request, obtain, and discuss any documentation or other information that, in ICANN's sole judgment, may be pertinent to this application,

B8.2. take any other steps to verify, elaborate on, supplement, analyze, assess, investigate, or otherwise evaluate the information contained in this application or other information that, in ICANN's sole judgment, may be pertinent to this application,

B8.3. consult with persons of ICANN's choosing regarding the information in this application or otherwise coming into ICANN's possession.

B9. The applicant understands that difficulties encountered by ICANN in verifying, elaborating on, supplementing, analyzing, assessing, investigating, or otherwise evaluating any aspect within or related to this application may reflect negatively on the application. In consideration of ICANN's review of the

application, the applicant hereby waives liability on the part of ICANN (including its officers, directors, employees, consultants, attorneys, and agents) for its (or their) actions or inaction in verifying the information provided in this application or in conducting any other aspect of its (or their) evaluation of this application. The applicant further waives liability on the part of any third parties who provide information to ICANN or its officers, directors, employees, consultants, attorneys, and agents in connection with the application.

B10. The applicant hereby authorizes ICANN (and its officers, directors, employees, consultants, attorneys, and agents) to publish on ICANN's web site, and to disclose or publicize in any other manner, all materials submitted to, or obtained or generated by, ICANN (or its officers, directors, employees, consultants, attorneys, and agents) in connection with the application, including ICANN's (or their) evaluations and analyses in connection with the application or ICANN's investigation or evaluation of the application, except to the extent set forth in a written and duly signed agreement between ICANN and the applicant on the terms for confidential treatment of particular materials or information submitted by applicant. The applicant grants ICANN and its officers, directors, employees, consultants, attorneys, and agents a license to use any copyright or other intellectual property that applicant may have in any portion of the application for this purpose.

B11. The applicant hereby gives ICANN permission to use the applicant's name and/or logo in ICANN's public announcements (including informational web pages) relating to top-level domain space expansion.

B12. The applicant hereby agrees, acknowledges, and represents that it has no legally enforceable right to acceptance or any other treatment of this application or to the delegation in any particular manner of any top-level domain that may be established in the authoritative DNS root. It further agrees, acknowledges, and represents that it has no legally enforceable rights in, to, or in connection with any top-level domain by virtue of its preparation or submission of this application or by virtue of ICANN's receipt of this application, ICANN's acceptance of the application fee, ICANN's consideration or other handling of this application, or statements made in connection with this or other applications ICANN receives.

B13. The applicant understands and agrees that it will acquire rights in connection with a top-level domain only in the event that it enters one or more written, duly signed agreements with ICANN, and that applicant's rights in connection with that top-level domain will be limited to those expressly stated in the written, duly signed agreements.

B14. In consideration of ICANN's review of the application:

B14.1. the applicant, for itself and each of its officers, directors, employees, consultants, attorneys, agents, partners, and joint venturers, hereby agrees that neither ICANN, nor any of its officers, directors, employees, consultants, attorneys, and agents, shall have any liability for its/his/her receipt, consideration, evaluation, analysis, or other activities in any way connected with this application; and

B14.2. the applicant hereby releases and forever discharges ICANN and each of its officers, directors, employees, consultants, attorneys, and agents from any and all claims and liabilities relating in any way to (a) any action or inaction by or on behalf of ICANN in connection with this application or (b) the establishment or failure to establish a new TLD.

B15. Please send an e-mail to the following address acknowledging receipt of this application:

[Please fill in the e-mail address to which an acknowledgement should be sent.]

jason@iy.com

& jason@icmregistry.com

By signing this transmittal form, the undersigned certifies, on his or her own behalf and on behalf of the applicant, that all information contained in this application, and all supporting documents included with this application, is true and accurate to the best of his/her/its knowledge and information. The undersigned and the applicant understand that any material misstatement or misrepresentation will reflect negatively on this application and may cause cancellation of any delegation of a top-level domain based on this application.

Signature

Jason Hendeles

Name (please print)

Founder, President and Chairman

Title

ICM Registry, Inc.

Name of Applicant

October 2, 2000

Date

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Updated 1 September 2000

ICM REGISTRY'S APPLICATION FEE

ICM REGISTRY'S PROPOSAL CD

SIGNING AUTHORITY

At this time, Chestermere Investments Ltd. is the sole owner of ICM Registry, Inc. Mr. Jason Hendeles is an authorized signing officer of Chestermere Investments Ltd. and retains the full authority to sign on behalf of both Chestermere Investments Ltd. and ICM Registry, Inc.

CONFIDENTIALITY FORM

Part 2: Statement of Requested Confidential Treatment of Materials Submitted

I. PROCEDURE FOR CONFIDENTIAL TREATMENT OF MATERIALS SUBMITTED.

ICANN intends to evaluate applications to sponsor or operate new TLDs in as open and transparent a manner as is reasonably feasible. At the same time, however, ICANN recognizes that to encourage applicants to provide all documents and information relevant to the application, it is appropriate to afford applicants the opportunity to submit legitimate trade-secret information with a request for confidential handling by ICANN.

Except to the extent that it expressly agrees otherwise in writing, ICANN will be free to disclose and use information submitted in connection with an application in any manner and to anyone it deems appropriate. If the applicant wishes ICANN to accord confidential treatment to any material in its application or otherwise submitted in connection with the application, the applicant must expressly request confidential treatment of that material in this statement and mark the material with the legend "CONFIDENTIAL." Applicants are strongly encouraged to avoid, or at least to minimize, requests for confidential treatment of material in applications or submitted in connection with applications.

Any request for confidential handling will be reviewed for confidentiality by ICANN staff before further consideration of the material to which the request relates. ICANN staff will promptly notify the applicant of the extent to which ICANN is willing to agree to treat the designated material in a confidential manner and the manner in which ICANN is willing to handle that material, requesting a response from the applicant within two business days. If ICANN is not willing to agree to the applicant's request for confidential handling in its entirety, ICANN and the applicant will discuss the matter in an effort to reach a written agreement on confidential treatment of materials. Only a written agreement, signed by ICANN's President or Vice-President, will be binding on ICANN.

In the event ICANN and the applicant do not agree on provisions for confidential treatment within a period designated by ICANN, ICANN will, to the extent of the disagreement, delete all material submitted by applicant that is subject to applicant's request for confidentiality. The deleted information will then cease to be part of the applicant's application and will not be considered by ICANN staff in reviewing the application, nor will the deleted information be disclosed or otherwise used by ICANN. After being advised of what has been deleted, the applicant will be offered (for two business days) the opportunity to withdraw the application and obtain a refund of the US\$50,000 application fee. ICANN intends to use reasonable efforts to meet the requirements of this section I, but shall not be liable for failing to meet them.

II. APPLICANT'S REQUEST FOR CONFIDENTIAL TREATMENT.

F1. The applicant's full legal name is:

[Please insert the full legal name of the applicant. Where there are multiple applicants (this can occur in certain applications for sponsored TLDs), please insert all of their full legal names.]

ICM Registry Inc.

F2. Does the applicant request confidential treatment of any portion of the application or any material submitted in connection with the application?

[Answer "yes" or "no".]

YES

F3. If the response to item F2 is yes, please provide, on sheets of paper attached to this Statement of Requested Confidential Treatment of Materials Submitted, the following information for each set of material as to which the applicant requests confidential treatment:

[Attach sheets stating the information requested in items F3.1, F3.2, and F3.3.]

F3.1. Clearly identify exactly what material is subject to the request for confidential treatment. The identification should state the general nature of the material (e.g., "Description of Sources of Financing") and precisely and clearly state every place in the application or material submitted where the material appears (e.g., "the first full paragraph on page 48 of the 'Registry Operator's Proposal'").

[In addition, be sure to place the legend "CONFIDENTIAL" on each part of your overall application that you identify in response to this item.]

F3.2. State what restrictions on disclosure, use, and handling of the material is requested.

F3.3. Provide a justification for why the material should be treated confidentially and why the restrictions on disclosure, use, and handling are appropriate.

By signing this Statement of Requested Confidential Treatment of Materials Submitted, the undersigned certifies that he or she has authority to do so on behalf the applicant (or applicants, where there is more than one). The undersigned agrees on behalf of himself or herself and the applicant(s) to the procedure described in section I of this statement and that there is no claim to confidential treatment for any material submitted by applicant(s) not clearly identified in response to item F3.1 and marked "CONFIDENTIAL." The undersigned agrees, on his or her own behalf and on behalf of the applicant(s) and each of its (or their) officers, directors, employees, consultants, attorneys, agents, partners, and joint venturers, that neither ICANN, nor any of its officers, directors, employees, consultants, attorneys, and agents, shall have any monetary liability for disclosure or use of submitted materials contrary to the procedure described in section I of this statement, except where that disclosure or use is done to maliciously harm applicant(s).

Signature

Jason Hendeles

Name (please print)

Founder, President and Chairman

Title

ICM Registry Inc.

Name of Applicant(s)

October 2, 2000

Date

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Updated August 15, 2000

ICM Registry is requesting confidential treatment and full non-disclosure of the following material:

Section D13.4.4 Proof of Capital – Chestermere Investments Limited Balance Sheet, Statement of Retained Earnings, Statement of Income and Financials Statements.

Section D13.4.4 Proof of Capital – ICM Registry Inc. Disclosure Memorandum, Securities Purchase Agreement and Stockholders Agreement executed hardcopy only. Blank copies provided on the CD can be disclosed.

Annex 2: Agreements – Agreement between ICM Registry and The .TV Corporation International and Agreement between ICM Registry and Verisign Global Registry Services Inc. and all other Agreements.

Annex 6 – ATC Registrar Submission

Annex 10 – The .TV Corporation International Technical Proposal in its entirety.

Annex 3 – The .TV Corporation International Information, dotTV's financials only.

Section 13.3 Pro-Forma Financial Projections in its entirety.

Section 13.2.1 Services to be provided - sub-headings Filtering Technologies and Domain Name Server Filtering only.

Annex 11 – Verisign Technical Proposal.

Justification

ICM Registry's justification for the request for confidential treatment on the above materials is for the following reasons:

- ?? Materials have proprietary notices and/or copyright are being sought,
- ?? Separate non-disclosure agreements have been signed with our partners,
- ?? ICM Registry and its investors are 100% privately held companies and wish their private financial affairs to held in confidence,
- ?? and to ensure competitive advantage over our competitors.