# New sTLD RFP Application

# .mobi

### Part B. Application Form

## Name and Address fields

### Company/Organization Information

| | |
|---|---|
| **Company Name** | Nokia Corporation \| Vodafone Group Services Limited \| Microsoft |
| **Company Address 1** | P.O. Box 226 \| Vodafone House \| One Microsoft Way |
| **Company Address 2** | Keilalahdentie 2-4 \| The Connection \| N/A |
| **Company City** | Helsinki \| Newbury \| Redmond |
| **Company State/Province** | N/A \| Berkshire \| Washington |
| **Company Postal Code** | FIN-00045 \| RG14 2FN \| 98052-6399 |
| **Company Website Address** | www.nokia.com \| www.vodafone.com \| www.microsoft.com |
| **Company Country** | Finland \| England \| USA |

### Sponsoring Organization Information

| | |
|---|---|
| **Sponsoring Organization Name** | Mobi JV (working name) |
| **Sponsoring Organization Address 1** | c/o Nokia Corporation |
| **Sponsoring Organization Address 2** | P.O. Box 45 |
| **Sponsoring Organization City** | Helsinki |
| **Sponsoring State/Province** | N/A |
| **Sponsoring Organization Postal Code** | FIN-00045 |
| **Sponsoring Organization Country** | Finland |
| **Sponsoring Organization Website Address** | www.mtldinfo.com |

## Namestrings and Conventions

| First sTLD choice: | mobi |
|---|---|

**Naming Conventions:**

Within the sTLD, companies and consumers will be able to register at the second level in conformance to standard DNS conventions. TLD will conform to the accepted LDH naming formats. Some generic SLDs will be reserved for special purposes.

| Second sTLD choice: | mbl |
|---|---|

**Naming Conventions:**

Within the sTLD, companies and consumers will be able to register at the second level in conformance to standard DNS conventions. TLD will conform to the accepted LDH naming formats. Some generic SLDs will be reserved for special purposes.

| Third sTLD choice: | mobi |
|---|---|

**Naming Conventions:**

Within the sTLD, companies and consumers will be able to register at the second level in conformance to standard DNS conventions. TLD will conform to the accepted LDH naming formats. Some generic SLDs will be reserved for special purposes.

## Sponsoring Organization Structure

The Sponsoring Organization -Mobi JV- administers and manages the registration operations of the mobile sTLD. The initial founders of Mobi JV consist of Nokia, Microsoft and Vodafone ("Founders"). However, there are a number of key investors joining the Founders, including 3, GSM Association, Hewlett Packard, Orange, Samsung, SUN Microsystems, T-Mobile, TIM and others. Information about this investment opportunity has been widely distributed to industry participants from all areas of the mobile community, including operators, service providers, device manufacturers, and content and technology providers. Additional opportunities for investment exist and will be offered to the mobile industry prior to Mobi JV creation with sponsorship and supporting information to be collected and provided to ICANN. Subject to grant of the mobile sTLD, the Mobi JV will be established under Irish law as a private limited liability company. The Founders and the key investors referenced above will finalise the Definitive Agreements (subscription agreement, articles of association, shareholder agreement) that will define the relationship among these entities in regards to stakes as shareholders in Mobi JV and in regards to governing the operations of Mobi JV.

Mobi JV is managed by a management team and a board and both will participate in shareholder meetings. The Board consists of up to 17 members from investor companies.

The Board will establish two bodies intended to aid Mobi JV in its

policy-formulation efforts: a Membership Advisory Group (the "MAG") and a Policy Advisory Group (the "PAG"). The MAG will be open to all commercial participants in the mobile industry, and will be self-supporting on a cost recovery basis. The PAG, which will also operate on a cost recovery basis, will consist of industry members, to be designated by the MAG, representing commercial members of the sponsored community including mobile services providers, mobile device manufacturers, applications and content providers. In addition, the Mobi JV board will invite relevant consumer and trade organizations to designate PAG members. For example, ICANN's At Large Advisory Committee (ALAC) will be invited to designate a member of the PAG. Mobi JV will subsidise participation in the PAG of members designated by not-for-profit and/or non-commercial segments of the relevant mobile and Internet communities and public interest bodies; members of the PAG designated by commercial entities will bear their own costs of participation.

## Appropriateness of Sponsored TLD Community

The sponsored TLD community to be served by the mobile specific domain name space is limited to the following stakeholders:

* Individual and business consumers of mobile devices, services and applications
* Mobile content and service providers
* Mobile operators
* Mobile device manufacturers and vendors
* IT technology and software vendors who serve the mobile community

All aforementioned stakeholders will benefit by designation of a clearly identified TLD for mobile optimised Internet content and services. Even though mobile service operators and content providers, so far acting separately, have made efforts to try to serve the online needs of the mobile market, these efforts have been uncoordinated. Thus the benefits to consumers have been far smaller than if these efforts were harmonised under a single TLD name space to serve the entire community. Indeed, for each of the stakeholders described above, designation of the mobile specific TLD name will foster the widespread adoption of mobile and wireless devices to access the Internet and ultimately the convergence of Internet and mobile telecommunications.

The number of cellular subscribers is projected to increase from 1.5 billion in 2003 to a projected 2.2 billion by 2006 (Source: ITU Telecommunication Development Report, 2002).  In 2003, worldwide shipments of wireless adapters, access points and gateways grew by over 110%; the trend by notebook vendors and PDA manufacturers for adding this WLAN capability is so strong that it is approaching a default option (source: Gartner). Consequently, the number of registered names using mobile content and services is expected to grow exponentially. As mobile communication services expand from traditional voice-centric to more data-centric and hybrid services, traditional voice phone numbers are likely to be complemented by domain-based addressing. Demand for domain names from these two new sources will increase pressure on existing undifferentiated TLDs as mobile service providers and mobile end-users seek an Internet presence. A dedicated TLD will provide the mobile community with a mobile-specific, tailored experience that the use of currently available general-purpose TLDs would not offer.

Businesses and consumers that utilise mobile devices will be able to take advantage of a wide range of Internet services and content under the mTLD that have been specifically tailored for access and use by mobile devices. The sponsored TLD provides a clearly recognisable mobile label to the services and

content, indicating that they will be easy and convenient to use with mobile devices. By choice of suitable mobile-specific technologies, the service offering can be adapted to mobile-specific characteristics, such as the limitations of mobile networks and devices (throughput, temporary signal loss, etc), which will result in a better user experience for those services.

Mobile operators and service providers will be able to increase customer service adoption and usage traffic as business and consumer customers will be able to rely more conveniently, efficiently and effectively on mobile devices to access the Internet.  This in turn will help to encourage the development of new Internet applications and content for mobile devices and users.

The use of the mobile TLD Internet names to contact mobile customers will further enhance the possibility of wide portability solutions for names, which many service operators should embrace and from which customers will clearly benefit. At the same time, because the Internet has a truly global reach, these benefits will not be confined to any particular country or region, but instead will be realised throughout the world. In many cases, developing countries are bypassing investment in fixed telecommunications infrastructures in favor of more easily and efficiently deployed mobile systems. The mobile TLD will help developing countries to leverage their investment in mobile telecommunications to enhance the Internet experience for established users and to expand Internet access in general.

In addition, the surge in business and consumer use of mobilised Internet services and content will lead to increased demand for Internet capable mobile devices. Manufacturers will be able to sell more products, and more important, will be given an incentive to develop richer, more innovative and advanced features in their devices.

## Representation

Mobi JV will ensure that it represents and operates in the best interests of all segments of the .mTLD community and the Internet at large. As noted above, Mobi JV will establish a Membership Advisory Group ("the MAG"), open to all commercial participants and trade associations in the sponsored community, which will designate industry members of a Policy Advisory Group (the "PAG"). Mobi JV board will also invite relevant consumer organizations, public interest groups, and NGOs to designate members of the PAG. ICANN's At-Large Advisory Committee ("ALAC"), for example, will be invited to designate a member of the PAG. Commercial participants in the PAG will bear their own costs of participation; Mobi JV will subsidise not-for-profit entities' participation in the PAG. The PAG will advise Mobi JV with respect to registration policy, dispute resolution procedures, and other policy matters. The PAG's operating rules will attempt to ensure diversity by encouraging participation by members of the sponsored community from all parts of the world.

The MAG will be self-organising and self-funding on a cost recovery basis.

The PAG will be funded on a cost recovery basis, and will develop its own rules of operation. It will meet at regularly scheduled intervals throughout the year. In addition, to ensure that there is no geographic or cultural bias, the PAG will hold its regular meetings in different parts of the world.

The PAG will establish formal mechanisms to ensure that where appropriate the public at large can participate in its policy recommendation process. Information about the PAG's policy development activities will be made available on its web site, and the PAG will consider unsolicited comments and

feedback on policy-related recommendations submitted by the public before the group's policy recommendations are formally submitted to Mobi JV.

## Openness and Tansparency

Mobi JV will conduct its operations in an open and transparent manner in keeping with good business practices. The relevant registry reports and statistical information will be made available to ICANN and to the public in accordance with ICANN's policies.

The PAG will establish a web site on which it will post information about the development of policy recommendations affecting the .mTLD registry. The agenda of the PAG will be posted on the web site as well, and, where appropriate, interested members of the public will be given an opportunity to participate. A summary of the PAG meetings will be posted on the web site soon after each meeting takes place.

In addition, as described in greater detail below in the sections addressing policy formulation, the policy decision-making processes of Mobi JV will be conducted in an open manner and will be informed by input from all members of the sponsored community and, where relevant, the public at large. Specifically, the PAG will establish basic policy-formulation processes that provide notice of all substantive issues under consideration. Where appropriate, the PAG will solicit public comment. All formal PAG recommendations to Mobi JV regarding substantive issues being considered by Mobi JV, and the formal response by Mobi JV to those recommendations will be made public.

Mobi JV will make available to the public via its web site a summary of its final decisions and an explanation for any differences between Mobi JV decisions and PAG recommendations, thus providing transparency in decision-making. Any such differences will be resolved in the manner described in the "policy making process" section below.

## Initial Directors, Officers, and Other Staff

Mobi JV will be managed by yet-to-be-named industry experienced executives and the Board. Executive management will include CEO, COO, CTO, CMO and Chief Counsel to run key functions of the Registry including Customer service, Technology, Marketing and Sales, and HR/Legal.

## Selection of Directors, Officers, Members, Staff

Mobi JV plans for an efficient organisation, the estimated need for in-house staff is 20-25. Selected functions will be outsourced to relevant experienced organisations. The planned Mobi JV staff structure will be the following:

Role / Function

* Chief Executive Officer
* Administrative assistants
* Chief Counsel
* Chief Operating Officer
* Partner & Customer Service manager and staff
* HR/Payroll/Facilities administrator
* Chief Technology Officer and staff
* Standards and Industry Liaison manager with staff
* Presentation Style Guide manager with staff

```
* Chief Marketing Officer
* Marketing manager and staff
* Sales and Registrar Relations

We anticipate the outsourced functions will include registry operations, Shared
Registry System (SRS) and DNS infrastructure, IT support, web site management,
public relations and HR function. In recruiting and staffing, Mobi JV intends
to embrace the diversity of industry eligibility and geographic representation.
Method of selection, terms of service, compensation, management of conflicts of
interest, and resignation and removal policies will be defined by Mobi JV in
the creation of the company and as specified in the business plan.
```

## Meetings and Communication

```
All formal Board meetings will be held with a majority of Directors (or their
alternates) present at the meeting, unless otherwise decided by the Board.
Board meetings will be held at least four times a year. MAG meetings will be
held in accordance with procedures adopted by the group. PAG meetings will be
held frequently at PAG selected locations. As indicated above, the PAG will
establish and maintain a web site to publish its recommended policies,
practices, and guidelines and to request input from the sponsored community
and, where appropriate, the public at large.
```

## Fiscal Information

```
Mobi JV will adopt Generally Accepted Accounting Principles (GAAP) which will
result in the revenue being recognised over the period for which the sale
represents. Mobi JV's estimated need for own staff is 20-25. Initially, based
on the planned product and service offering, Mobi JV forecasts the following
revenues and related profits:
```

|                    | 2004    | 2005     | 2006    | 2007    | 2008   |
|--------------------|---------|----------|---------|---------|--------|
| Revenue            | –       | 637      | 5,076   | 12,582  | 23,449 |
| Operating expenses | 2,305   | 11,427   | 10,196  | 12,198  | 14,869 |
| EBITDA             | 2,305)  | (10,790) | (5,120) | 384     | 8,580  |
| Depreciation       | 10      | 77       | 77      | 67      | –      |
| Profit before tax  | (2,315) | (10,867) | (5,196) | 318     | 8,580  |
| Tax (12.5%)        | –       | –        | –       | –       | –      |
| Profit after tax   | (2,315) | (10,867) | (5,196) | 318     | 8,580  |

```
All figures above are in Euro '000, and based on the assumptions that Mobi JV
will receive the go-ahead decision from ICANN on 1 October 2004, and Mobi JV
will receive notification that TLD is delegated to registry on 1 January 2005.
```

## Indemnification from Liability

```
Mobi JV will use the established industry standard practices for insurance
liability for its directors, officers, members and staff. Mobi JV will provide
reasonable indemnification for the members of the PAG against claims based on
policy recommendations issued by the group, and other activities undertaken on
behalf of, and consistent with the role of the PAG as set forth in this
application. Finally, Mobi JV will require all registrars to provide waivers of
liability, and to seek thorough, written waivers of liability from registrants
for activities undertaken by Mobi JV in fulfilling its obligations under any
agreement with ICANN or as required by an ICANN policy, and in exercising any
```

authority delegated by ICANN to Mobi JV.

## Proposed Extent of Policy-Making Authority

I. Scope of authority

Mobi JV seeks authority to conduct the following policy-making initiatives in connection with its administration of the .mTLD domain:

* Setting eligibility criteria for registration in the restricted .mTLD domain within the rules agreed with ICANN;
* Establishing procedures for initial/Sunrise registrations;
* Creating and managing an on-going, transparent process for establishing policies relating to eligibility criteria, and modifying those criteria when appropriate;
* Determining the eligibility of an applicant for registration within the .mTLD domain based on the established eligibility criteria;
* Establishing registry prices for existing and creating new products;
* Establishing quality assurance requirements and best practice guidelines for .mTLD registrars (all of whom must also be ICANN accredited registrars);
* Establishing the policies and best practice guidelines regarding mobile content and service operation within the domain in accordance with industry and technology standards and practices;
* Managing and resolving domain disputes among applicants based on ICANN's Uniform Domain-Name Dispute-Resolution Policy;
* Establishing restricted WHOIS and other relevant privacy-related polices in accordance with ICANN, regulatory, and telecommunications requirements.

II. Reasons/Justifications for seeking such authority

Mobi JV seeks the proposed delegation of authority because it is uniquely qualified and positioned to develop policies in the best interests of all segments of the .mTLD community. Mobi JV's organizational structure is designed so as to represent the interests of all sections of the mobile industry and user community.

III. Method of guaranteeing that the organization will administer the policy in the interest of the Internet at large

In order to ensure that the .mTLD domain is operated in the interests of the Internet at large, Mobi JV will establish two bodies: a Membership Advisory Group (the "MAG") and a Policy Advisory Group (the "PAG"). The MAG will be open to all commercial participants and trade associations in the sponsored community, and will be self supporting. The PAG will consist of industry members, to be designated by the MAG, representing mobile service providers, mobile device manufacturers, and applications and content providers. In addition, the Mobi JV board will invite relevant consumer organizations, public interest groups, and NGOs to designate PAG members. For example, ICANN's At Large Advisory Committee (ALAC) will be invited to designate a member of the PAG. The PAG will be charged with advising Mobi JV with respect to registration policy, dispute resolution procedures, and other policy matters. The PAG's operating rules will attempt to ensure diversity by encouraging participation by members of the sponsored community from all parts of the world.

To ensure that the interests of the Internet community as a whole are represented, in making policy recommendations to Mobi JV, the PAG will have the ability to solicit input from the public and the broader ICANN community, including through ICANN's At-Large Advisory Committee ("ALAC"). As indicated

above, a representative from ALAC will be invited to join the PAG as a
subsidised member.

The PAG will conduct its operations in an open and transparent manner that
allows for appropriate levels of participation by interested persons and
entities in keeping with sound business practices. In this way, the policies of
Mobi JV will be guided by and visible to individuals and entities with an
interest in the issues under consideration. Mobi JV will state with specificity
any reasons for differing from PAG policy recommendations before issuing a
final decision on any substantive policy issue, and will follow established
procedures (see below) to resolve any differences between its views and those
of the PAG.

Mobi JV's Board of Directors will be charged with practical assessment of all
formal PAG recommendations concerning substantive policy issues affecting the
.mTLD. Those recommendations to Mobi JV and the responses by Mobi JV to those
recommendations will be made public. Mobi JV will make available to the public
via its web site a summary of its final decisions and an explanation for any
differences.

IV. Means for ensuring opportunity for members of the Sponsored TLD Community
to discuss and participate in such policy formulation


The Board of Directors, consisting of Mobi JV investors, is ultimately
responsible for policy formulation based on input and recommendations of the
PAG. The Board is a representative cross-section of the mobile industry. Mobi
JV will deliberately seek additional investors to ensure a balanced
representation of the sponsored community, including operators, service
providers, device manufacturers, and content and technology providers. This
Board composition will be deliberately created to balance the interests of the
various stakeholders in the mobile and Internet communities.

In addition, as noted above, Mobi JV will establish a Membership Advisory Group
("the MAG") open to all members of the mobile industry, whether or not they are
investors in the Mobi JV. The MAG will designate industry stakeholders to
participate in the Policy Advisory Group (the "PAG") to develop policy
recommendations related to registration policy, dispute resolution procedures,
and other matters.

The PAG will be composed of representatives of all segments of the .mTLD
community including industry groups, mobile services providers, mobile device
manufacturers, applications and content providers and relevant consumers' and
trade organizations, and will include a representative from ICANN's At-Large
Advisory Committee ("ALAC"). The operating rules of the MAG and the PAG will
ensure that the PAG represents a broad geographic and functional diversity by
encouraging participation by stakeholders from all parts of the world.

The MAG and the PAG thus will offer non-investors the ability to influence Mobi
JV's Board of Directors policy-making activities. The activities of the PAG
will be transparent and open to the public at large as appropriate. The PAG
will meet at regularly scheduled intervals throughout the year. In addition, to
avoid geographic or cultural bias in its decision-making process, the PAG will
ensure that its regular meetings will be held in different parts of the world.

Mobi JV will conduct its operations in an open and transparent manner
consistent with sound business practices. Relevant registry reports and
statistical information will be made available to the public according to

ICANN's policies. The PAG will establish a web site on which it will post relevant information concerning its development of policies affecting the .mTLD registry. The agenda of the PAG will be posted on the web site and, where appropriate, the PAG may solicit input from interested members of the public at large.

Where appropriate, Mobi JV's policy decision-making processes will be conducted in an open manner and will be subject to community comment and review. Mobi JV will provide notice of all substantive issues under consideration and, where appropriate, an opportunity for public comment. All formal PAG recommendations to Mobi JV regarding substantive issues being considered by Mobi JV, and the formal response by Mobi JV to those recommendations will be made public. Mobi JV will make available to the public via its web site a summary of its final decisions and an explanation for any differences thus providing transparency in decision-making.

V. Creation of procedures for facilitating participation by a broad cross-section of the Sponsored TLD Community and whether variation from existing ICANN policies is intended

Mobi JV is committed to establishing policy-making procedures that will ensure that a broad cross-section of the .mTLD community and the Internet community can participate in its policy-making activities. At a minimum, these procedures will ensure that, in connection with policy decision-making activities, Mobi JV:

* requests policy advice from the Policy Advisory Group in connection with substantive policy-related decisions;
* considers unsolicited policy recommendations made by the PAG; and
* establishes a mediation/reconciliation process to ensure that any decision by Mobi JV's Board of Directors that differs from the formal recommendations of the PAG is justified by the reasoning for such decision.

## Policy-Making Process

Mobi JV's Board of Directors will ultimately make the policies for the .mTLD domain based on appropriate and timely input from the MAG, the PAG, the Mobi JV management team and independent feedback from other relevant sources.

All substantive policies for the .mTLD domain will be established pursuant to the procedures listed below. These procedures are intended to ensure that the policy-formulation process for all decisions affecting the development and operation of the .mTLD domain has the following basic attributes:

* encourages outreach to all stakeholders in the .mTLD community and the broader Internet community;
* provides an opportunity for constructive input from all stakeholders in the .mTLD community and, where appropriate, the public at large;
* calls for the development of a record of the policy development process that documents the input received from all sources;
* establishes reasonable timetables for decision making that allows sufficient time for interested parties to submit comments and for consideration of those comments;
* requires that Mobi JV provide adequate reasons for following or differing from policy recommendations submitted under the policy-making process.

Mobi JV anticipates that the basic policy-formulation process will be as follows.

* The PAG will establish an appropriate process for timely collection of input from all stakeholders in the sponsored community and, where appropriate, from the public at large. This process could involve working groups, task forces, or some mixture of each.
* Mobi JV's Board may raise policy matters for consideration by the PAG through formal request to the PAG, to which the PAG will provide a timely response.
* The PAG will consider all comments and recommendations received to form a uniform opinion and create a single Report that represents the consensus agreement of all PAG members. At a minimum, the Report will set forth (1) the basis for any recommendations, (2) the steps taken to generate community input and the nature of that input, (3) the identity of and rationale for any dissents, and (4) any special time considerations relevant to the recommendations presented.
* The Policy Advisory Group will present its Report and recommendations to Mobi JV's Board, which will have the opportunity to make follow-up inquires to the PAG to help refine and clarify any issues that are unclear.
* Mobi JV's Board will consider the recommendations of the Policy Advisory Group and render an initial decision, which will be made available to the Group and posted on Mobi JV's web site. In making its initial decision available, Mobi JV's Board will endeavor to acknowledge and provide an explanation for any substantive differences between the Policy Advisory Group's recommendations and Mobi JV's initial decision.
* The Policy Advisory Group will be provided a reasonable period (no less than 30-days, in the absence of urgent conditions) to comment on Mobi JV's Board's initial decision.
* Mobi JV's Board in turn will be required to consider all comments on its initial decision before issuing a final decision on the policy matter. In so doing, Mobi JV's Board again must acknowledge and provide an explanation for any differences between the Group's comments and Mobi JV's Board's final decision.
* Mobi JV's Board will have the authority to enact temporary policy measures on an emergency basis under limited circumstances to be specified.

## A. Add new value to the Internet name space

1. Name value

With the .mTLD sTLD, the mobile ecosystem becomes boundary-less and therefore can cater to significantly larger communities. These communities range from end-users, businesses and equipment manufacturers to mobile operators, service operators and content providers. The needs and requirements of the rapidly growing number of Internet connected mobile terminals have not yet been considered with respect to the name space.

The .mTLD sTLD improves the name space in several key ways: First, it facilitates the identification of content related to a dynamic, expanding community , which can offer mobile specific content and services based on accepted technologies under one global label of mobility. Second, the .mTLD sTLD improves peer-to-peer connectivity of mobile devices. Third, the .mTLD sTLD addresses possible crowding in the domain name space. And fourth, by being built on appropriate technology choices, the .mTLD fosters innovation by enabling new approaches to resolution of the spam, security and privacy issues for mobile devices.

2. Enhance the diversity of name space

.mTLD sTLD delivers several benefits for end users, businesses, providers and manufacturers, and the name space more generally. Because it is distinct from all other TLDs, the mobile designation provides clear, global recognition. In addition, the .mTLD sTLD bears a clear, logical relationship to its stated purpose: namely, enabling the mobile users' community to converge to provide a truly mobile Internet experience to businesses and consumers. This transparent connection empowers end users to easily identify mobile-friendly content while at the same time enabling end users to contact - or be contacted by - other mobile or fixed network users. This maximises for the end user the benefit and satisfaction they can get from their mobile connectivity.

Mobile users can now be identified by their mobile name and they will be able to identify Internet sites that are optimised for viewing via mobile devices. Similarly, content providers will benefit more from formatting their sites so that end users can easily access and view important disclaimer and other vital consumer protection information.

The significant advantages of .mTLD sTLD provide the sponsored community with a suitable space to offer high-quality services under a common umbrella. This benefit is particularly important as technologies rapidly evolve as many wireless and wireline services of greatly varying features and quality compete for customers. With this environment, it is vital that the mobile industry is able to provide services that users can trust and the .mTLD sTLD serves to foster that trust by ensuring that the content that end users seek access to is suitable to the bandwidth, screen size, memory, and other technical capabilities of their mobile devices and do not create unnecessary costs to the consumer.

3. Reach and enrich broad global communities

Globally, the number of people utilising mobile devices in general has grown, and the number of people using mobile devices to access the Internet in particular has increased exponentially. The size and growth of mobile users is demonstrated by cellular growth. The number of cellular subscribers is projected to increase from 1.5 billion in 2003 to a projected 2.2 billion by 2006 (Source: ITU Telecommunication Development Report, 2002).  In 2003, worldwide shipments of wireless adapters, access points and gateways grew by over 110%; the trend by notebook vendors and PDA manufacturers for adding this WLAN capability is so strong that it is approaching a default option (source: Gartner). Consequently, the number of registered names using mobile content and services is expected to grow exponentially.

It is important to notice that the highest growth rates in regards to the use of mobile technologies are in developing countries - most notably, Africa. On the African continent, the projected annual growth in cellular use is estimated to be 39 percent versus the growth rate in Western Europe, which projects an annual growth of only 13.6 percent (Source: ITU Telecommunication Development Report 2002).

However, overall growth statistics demonstrate strong global development. It is also proven that the countries with the highest mobile penetration rates are located in vastly different world regions.

The .mTLD sTLD facilitates Internet access for mobile subscribers by allowing them to obtain an Internet name as part of their local service agreement in an easy, direct, and cost-effective way. This easy access is especially important

for developing countries where Internet infrastructure is not yet fully
developed. As a result, there is a big opportunity for registration in the
.mTLD sTLD - and this increase in registration will greatly benefit these
communities.

## B. Protect the rights of others

1. Sunrise Period

Trademark owners wishing to protect their trademarks in the .mTLD sTLD will be
given the opportunity to reserve domains in the initial start up phase of
registration. During this phase, registrations will be available to two types
of entities:

a. Companies or organisations wishing to utilise the .mTLD sTLD, who will be
able to register their trademark(s);

b. Trademark owners wishing to reserve their trademark to prevent registration
by others, but who do not currently intend to use the domain. Trademark owners
who register on this basis will be able to convert their domain to a useable
domain, in the event that they decide that they wish to use the domain. They
will then go through the process set out for companies registering under (a)
above.

During the Sunrise period, domain names will be registered on a first come,
first served basis. However, if an application is found not to be based on a
valid registered trademark (in accordance with the criteria set out below), the
application will be rejected.

2. Proof of rights for Sunrise

Registered trademark owners applying under 1a or 1b above will need to
demonstrate that the registered right relied upon was applied for prior to 10
March 2004. Documentation required includes:

* a copy of their trademark certificate (and, for marks registered after 10
March 2004 satisfactory evidence of the application date if not shown on the
certificate);
* copies of any renewal certificates (or other satisfactory evidence) required
to demonstrate that the trademark is still valid;
* where the trademark certificate and/or renewal certificate, or other
documentation relied upon is not in English, translations of the following
sections of these documents will be required:
* name and address of proprietor;
* date of application and registration;
* date next renewal due (or whichever date indicates that the registration is
currently in force).

The requirement to provide the above documentation will assist in the
prevention of false applications.

Mobi JV will check that the documentation provided supports the application for
the Sunrise registration. Mobi JV will maintain a copy of the documentation.

3. Further verification

In the event that Mobi JV queries the documentation provided by a Sunrise
applicant, that Sunrise applicant will be contacted and given the opportunity

to provide further substantiation within a set time period. Further
substantiation which would satisfy any concerns raised would be:

* a certified office copy of the trademark registration (demonstrating
compliance to satisfaction of Mobi JV);
* a legalised copy of the trademark registration (demonstrating compliance to
satisfaction of Mobi JV);
* an affidavit or similar sworn document satisfactory in form and substance to
Mobi JV from a registered trademark attorney from the country in which the
trademark is registered confirming that the details provided to Mobi JV
regarding the trademark are accurate.

The Mobi JV will maintain a copy of the documentation.

4. What can be registered during the Sunrise

A registered trademark for the purposes of the Sunrise is a trademark or
service mark registered in a national or regional trademark office, provided in
the case of a regional trademark the region covered includes at least one
entire country.

5. Rules for registration during the Sunrise period

a. The domain name requested must correspond exactly to the textual elements of
the registered trademark (discounting any TLD element).

b. Spaces or punctuations which appear in trademark registrations can either be
represented by a hyphen or disregarded. Similarly ampersands can be
disregarded, represented by a hyphen or the letters "and" (or the equivalent
term in the language of the trademark registration) can replace the ampersand.

c. Requests for Internationalised Domain Names (IDN) that are covered under a
textual trademark will be registered in those names' IDNA-compliant "punycode"
ASCII equivalent, in accordance with RFC 3490, RFC 3491, RFC 3492, RFC 3454 and
ICANN IDN guidelines. Procedures for acceptance of IDN registrations will be
formulated.

d. Where a trademark corresponds exactly to a reserved generic second-level
name, the Sunrise application will be rejected.

5. Sunrise challenges procedure

a. Sunrise applicant's challenge to Registry rejection

As set out above, the Registry will carry out a check on the basis of the
documentation provided to it. If this documentation does not appear to be in
accordance with the criteria set out in paragraph A above, the Registry will
give the Sunrise applicant an opportunity to verify its trademark rights as
explained in 2 above.

If, after having considered the further verification documents, the Registry
rejects the Sunrise application, the Sunrise applicant will have a right of
appeal to a third party arbitration panel which will give a binding decision.

b. Challenges to Sunrise applications accepted by the Registry

Relevant documentation supplied to the Mobi JV Registry in support of the
Sunrise applications will be available. A period during which third parties can

challenge a registration will be established immediately after the Sunrise period closes. Challenges will be determined by an independent arbitration panel who will apply the Sunrise criteria to determine whether the Sunrise application is valid.

The Registry will abide by any decision of the arbitration panel. In the event that a Sunrise application is cancelled as a result of the arbitration panel's decision, the domain name will be granted to the applicant who first meets the following criteria:

i) The application for the domain name was in time during the Sunrise period and the documentation supplied in support of the application has been accepted by the Registry. A period of challenge of equal length to that referred to above will be granted from the date of acceptance of this application, in order to give third parties the opportunity to challenge the application.

ii) In the event of no other applications being made within the Sunrise period for the domain name in question, the person challenging the application, provided that person can establish that they have trademark rights which conform with the criteria set out in 1 above.

## C. Assurance of charter-compliant registrations and avoidance of abusive registration practices

Mobi JV, with input and advice from the Policy Advisory Group (PAG), will elaborate, maintain and publish style guidelines which apply to material (defined as content and/or services) available under the .mTLD sTLD, and will offer charter-compliance support on how to follow them. These guidelines will document requirements and best practices for .mTLD sTLD material. The purpose of such guidelines will be to ensure compatibility and to promote a predictable user experience without stifling innovation.

All applicants for domain names in the .mTLD sTLD space will be encouraged to make use of the style guidelines if and when providing material to be accessed under the .mTLD sTLD. Registrants of Reserved Generic Second-Level Domains, as defined in (I) below, will be required to comply with the style guidelines as part of their registration agreement, and for any reported discrepancy of their .mTLD sTLD material with the style guidelines, Mobi JV will utilise the Charter Compliance Dispute Resolution process described in 4. below.

1. Reserved Generic Second-Level Domains

Selected generic second level domains, such as weather.mTLD and music.mTLD, will be reserved for distribution in an equitable manner which may include auction. The successful bidder in each case will enter into a contract with Mobi JV to operate the second level domain in the interests of the sponsored community.

2. Trademark Second-Level Domains

Registered trademark owners will be offered a Sunrise process through which they may acquire second-level domain registrations associated with their registered trademark. The Sunrise process will provide for:

* reservations for registered trademarks in relation to goods or services to be provided through a second level domain;
* reservations for registered trademarks when anticipated that goods or services will not be provided through a second level domain to avoid

misappropriation of trademark rights;
* a dispute resolution process to resolve conflicting or false trademark claims
which arise through the Sunrise process.

3. Generic Second-Level Domains not Reserved by Mobi JV

The UDRP will be used to resolve any conflicting claims arising over
non-Trademark reservations of generic second-level domain names.

4. Charter Compliance Dispute Resolution process

Where .mTLD sTLD material is identified as not complying with charter
requirements, any concerned party should contact Mobi JV setting out the
reasons for their belief that the material is not in compliance with the
charter. Mobi JV will notify the registrant and the registrant will have not
less than thirty (30) days to answer the claim and make appropriate amendments
to ensure compliance.

A Charter Compliance Committee will be established by Mobi JV's Board of
Directors. If, after the notice period has expired, the requested changes have
not been implemented, the concerned party may apply to the Charter Compliance
Committee for resolution of the dispute. Policies relating to the submission of
the complaint by the concerned party and the opportunity for the registrant to
respond will be formulated by Mobi JV's Board of Directors with input from the
Policy Advisory Group (PAG). It is proposed that the Charter Compliance
Committee be given the authority to issue instructions that changes be made to
the material, to give the Registrant deadlines to come into compliance with the
charter requirements, and to decide on additional measures as necessary.

5. Compliance in name.mTLD

The registry will establish rules relating to the registration by individuals
of their personal names in the name.mTLD second level domain.

Trademark owners will be given an opportunity to reserve their trademarks in
this space.

## D. Assurance of adequate dispute-resolution mechanisms

All registrations in the .mTLD sTLD will be subject to the Uniform Dispute
Resolution Procedure ("UDRP") and any amendments to the UDRP which are
sanctioned by ICANN. This will include domains registered during the initial
phase, which will become available for challenge as soon as the domain is
registered. In addition all reserved generic second-level domains which are
offered by Mobi JV will offer UDRP or equivalent dispute resolution.

As set out above, companies not wishing to use their trademarks in the .mTLD
sTLD, but wishing to protect them prior to the second phase, are given the
opportunity of reserving the domains which correspond to their trademarks.
Similarly, Sunrise periods will be made available for the second level domains
which are auctioned by Mobi JV.

## E. Provision of ICANN-policy compliant WHOIS service

Mobi JV recognises that the provision of a WHOIS database assists registrants
and appointed contact persons for associated registrations to protect their
rights to use the registered domain names. Therefore, subject to any future

policy regarding WHOIS data adopted by ICANN, all domain name registrants will
be required to provide correct contact information and consent to selected
information being made public for legitimate purposes. Mobi JV intends to adopt
policies and procedures that require participating registrars, at the
registrars expense, to provide those wishing to query the WHOIS database (other
than for marketing purposes or other purposes contrary to Mobi JV policy) with
access to complete and up-to-date data for each registered domain name record
(subject to applicable privacy policies) including, but not limited to the
following:

* domain name and the TLD in which the domain name is registered;
* status of the domain name, e.g., "on hold" or "pending delete";
* registrant's name and postal address;
* administrative/technical contacts' name, postal address, e-mail address,
telephone number and (if any) facsimile number;
* original registration date, expiration date and date on which the database
was last updated;
* Internet Protocol addresses and corresponding names of primary and secondary
name servers for the domain name; and
* registrar's identification information.

In order to assist complainants under the UDRP to determining whether a pattern
of "bad faith" has been demonstrated by a particular registrant, the
information set forth above will be available on a publicly accessible
database, subject to applicable privacy policies, which will be searchable by
domain name, registrant's name, registrant's postal address, contacts' names,
Registrars Contact IDs and Internet Protocol address without arbitrary limit.
In order to provide an effective WHOIS database, Boolean search capabilities
may be offered.

Registrars will be required to participate in the operation of a cross-registry
WHOIS database, which will provide searching capabilities and access to all
information concerning domain name registrations regardless of which TLD the
domain name is registered in or which registrar processed the domain name
application.

The registry will require the registrars to adhere to a compliance review
policy. As part of that policy, each registrar will be required to designate a
contact point to which evidence of false or fraudulent contact data may be
reported. Registrars will institute procedures for investigating claims that
registrations may contain false information, and for registrations found to
contain false information, requiring their speedy and efficient correction, or
otherwise cancellation. These procedures may be invoked by interested third
parties.