Date: 07 July 2016

ICANN Final Determination
Re: Notice of Registry Operator Request for Termination of Registry Agreement - .FLSMIDTH

On 12 February 2016, FLSmidth A/S notified ICANN of its intent to terminate the .FLSMIDTH Registry Agreement entered into on 24 July 2014. Pursuant to Section 4.4(b) of the Registry Agreement, Registry Operator may terminate the Registry Agreement for any reason upon one hundred eighty (180) calendar day advance notice.

Pursuant to the terms of Section 4.5 of the Registry Agreement, ICANN consulted with FLSmidth A/S to assess whether to transition operation of the .FLSMIDTH top-level domain (TLD) to a successor Registry Operator.

On 12 May 2016, ICANN made a preliminary determination that operation of the .FLSMIDTH TLD need not be transitioned to a successor Registry Operator based on the following rationale:

- FLSmidth A/S has represented to ICANN that it holds intellectual property rights for the name "FLSMIDTH" in at least forty-five (45) jurisdictions.
- Only one domain name is registered in the .FLSMIDTH TLD and it is mandated by the Registry Agreement (nic.flsmidth).
- FLSmidth A/S, in its function as the Registry Operator, has represented to ICANN that it does not sell, distribute or transfer control or use of any registrations in the .FLSMIDTH TLD to third parties.

On 11 June 2016, after a 30-day period for comments by interested parties, no comments were received. Pursuant to Section 4.4(b) of the Registry Agreement, ICANN will proceed to terminate the .FLSMIDTH Registry Agreement and revoke the TLD's delegation from the Root Zone by 10 August 2016.

In conformance with Section 4.5 of the Registry agreement (as modified by section 6 of Specification 13 for this .Brand TLD), ICANN may not delegate the TLD to a successor registry operator for a period of two years without Registry Operator's consent, which shall not be unreasonably withheld, conditioned or delayed.

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