



February 18, 2013

Re: No String Confusion between .GEA and .GED gTLDs

GEA Group Aktiengesellschaft and GED Domains LLC respectfully submit this joint statement explaining the reasons why the parties believe that the .GED and .GEA gTLD strings should not be placed in string contention set.

The parties believe there is a very low probability of user confusion between the .GEA top-level domain applied for by GEA Group (based in Germany) and the .GED top-level domain applied for by GED Domains, a subsidiary of GED testing Services LLC (based in the USA), even if both strings are delegated into the root zone.

1. GEA[®] and GED[®] are both registered trademarks and well-established brands that enjoy high levels of confidence and recognition from **their respective customers, business partners and Internet users.**

- GEA is one of the largest **system providers for food and energy processes** and a world market leader in its business areas with a 2011 turnover of about € 5.4 billion and close to 24.000 employees worldwide. GEA – or its predecessor Metallgesellschaft AG, respectively – has been listed at the Frankfurt stock exchange on the DAX from 1990 until 1996 and on the MDAX thereafter. GEA has a history in engineering and innovative technology for more than 100 years and has been founded according to the company register on May 17, 1881.

- GED is a registered trademark for the **nationally recognized high school equivalency test administered by states and jurisdictions to measure high school-level skills and knowledge for adults who did not complete a traditional high school program.** The GED[®] test is the only high school equivalency program recognized by all 50 U.S. states, the District of Columbia, U.S. territories and insular areas, Canada and internationally. Since its inception in 1942, more than 18 million adults have earned their GED[®] test credential. Nearly 800,000 GED[®] tests are administered each year, and in 2010, more than 470,000 individuals were awarded their high school credential through the GED[®] testing program. GED Testing Service has made substantial investments in developing and marketing its GED[®] test and cultivating its well-recognized name in the education field. GED Testing Service has publicized and continues to publicize its services through network and cable television programs, radio broadcasts, print media, including newspapers and periodicals, and through the Internet.

2. The products and services being offered and promoted by GEA and GED Testing Service, and the markets and consumers they serve, respectively, couldn't be more different. Even if by chance some Internet user inadvertently accesses a .GED site with the expectation of finding a .GEA site, or accesses

www.GEDtestingservice.com

a .GEA site with the expectation of finding a .GED site, he or she will easily identify that the content is not what was expected or desired. As such, the probability of real-world consumer confusion is exceedingly low. In fact, despite decades of coexistence, neither party is aware of a single instance of consumer confusion.

3. Finally, GEA and GED Domains are planning to restrict the use and registration of their respective gTLDs to the following business entities, as described in each of their applications:

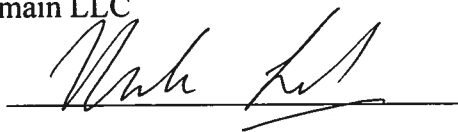
- GED Domains plans to allow registrations under the .GED top-level domain **only for its partners and licensees authorized by GED Testing Service**, the parent of GED Domains LLC. Partners and licensees are located primarily in the United States.

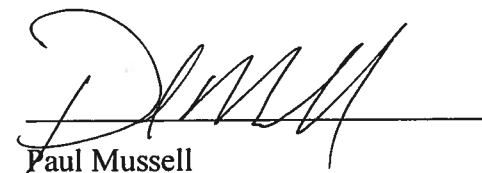
- GEA is the operator and thus registry for the top-level domain .GEA. It allows the registration of second level domain names. **The gTLD .GEA will be exclusively used by GEA Group and its affiliated companies** on the Internet, especially for the operation of websites, email communications and other DNS-based services. The domain names under the gTLD .GEA are not available to the public for registration and active use.

String confusion exists where a string so nearly resembles another that it is likely to deceive or cause confusion, but for any likelihood of confusion to exist, it must be probable, not merely theoretically possible, that confusion will actually arise in the mind of the average, reasonable Internet user. Mere visual similarity is not a sufficient basis to support a finding of string confusion. Accordingly, GEA Group and GED Domains, and its parent GED Testing Service, respectfully submit that their respective gTLDs pass the string similarity review and proceed with the evaluation process.

Sincerely,

GED Domain LLC

By: 
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Title: VP Strategy & Business Development

By: 
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Title: VP & Assistant General Counsel