

.Brand TLD Designation Application

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

RE: Application for .Brand TLD Designation

American Express Travel Related Services Co., Inc. (“Registry Operator”), in connection with the execution of the Registry Agreement for the .AMERICANEXPRESS TLD (the “Registry Agreement”), hereby applies for the .AMERICANEXPRESS TLD to be qualified by ICANN as a .Brand TLD.

Registry Operator confirms and represents to ICANN that the TLD meets each of the criteria for the TLD to be qualified as a .Brand TLD, as described in the .Brand TLD Application Process and Specification 13 attached thereto, and that all supplemental material accompanying this application is accurate and not misleading in any respect. Registry Operator also represents that the trademark registration attached hereto as Exhibit A, the registration policies attached hereto as Exhibit B, and the SMD file ID number attached hereto as Exhibit C are complete and accurate copies of the official trademark registration, Registry Operator’s registration policies for the TLD, and the SMD file ID for the TLD for which the application is submitted respectively.

Registry Operator agrees that if Registry Operator makes any changes to its registration policies for the TLD (whether before or after this application has been approved) that may disqualify the TLD as a .Brand TLD, it will promptly provide ICANN with a complete and accurate copy of the revised registration policies. In addition, if Registry Operator fails to maintain the trademark registration underlying its .Brand TLD application, it shall promptly notify ICANN of such failure. Registry Operator also agrees to maintain the criteria required to qualify as a .Brand TLD and to immediately notify ICANN of any changes in circumstances that could alter the statements made, and supporting materials provide with, this application.

Registry Operator acknowledges and agrees that this letter is binding on Registry Operator and, if any of the foregoing representations and agreements becomes untrue or not complied with, it shall be deemed a breach of the Registry Agreement by Registry Operator, and ICANN may assert its rights under the Registry Agreement, including by determining that the TLD no longer qualifies as a .Brand TLD pursuant to the terms of Specification 13. Questions about this request should be directed to [REDACTED].

Submitted by: [REDACTED]
Position: [REDACTED]
Dated: [REDACTED]
Email: [REDACTED]

Exhibit A

Trademark Registration

United States of America
United States Patent and Trademark Office

AMERICAN EXPRESS

Reg. No. 4,225,805

Registered Oct. 16, 2012

**Int. Cls.: 35, 36, 38, 39,
41, 43 and 45**

SERVICE MARK

PRINCIPAL REGISTER

AMERICAN EXPRESS MARKETING & DEVELOPMENT CORP. (DELAWARE CORPORATION)
200 VESEY STREET
ATTN: DIANNE CAHILL (014906)
NEW YORK, NY 10285

FOR: BUSINESS DEVELOPMENT SERVICES, NAMELY, PROVIDING START-UP SUPPORT FOR BUSINESSES OF OTHERS; BUSINESS MANAGEMENT CONSULTATION; ASSISTING BUSINESSES IN OBTAINING GOVERNMENT CONTRACTS; CORPORATE MEETING MANAGEMENT SERVICES; PROVIDING FACILITIES FOR BUSINESS MEETINGS; PROMOTING THE SALE OF CREDIT CARD ACCOUNTS THROUGH THE ADMINISTRATION OF INCENTIVE AWARD PROGRAMS; PROVIDING AN ONLINE DIRECTORY INFORMATION SERVICE FEATURING INFORMATION REGARDING MERCHANTS WHO ACCEPT PAYMENT BY CREDIT CARD, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 0-0-1971; IN COMMERCE 0-0-1971.

FOR: ASSISTANCE WITH ELECTRONIC TRANSFERS OF MONEY; BANKING SERVICES; PREPAID CARD, PREPAID GIFT CARD, STORED VALUE CARD AND PAYMENT CARD SERVICES; FOREIGN CURRENCY EXCHANGE SERVICES; PAYMENT PROCESSING SERVICES, NAMELY, CHARGE CARD, CREDIT CARD, PREPAID CARD, GIFT CARD, STORED VALUE CARD AND PAYMENT CARD TRANSACTION PROCESSING SERVICES; ELECTRONIC CHARGE CARD, CREDIT CARD, PREPAID CARD, GIFT CARD, STORED VALUE CARD AND PAYMENT CARD TRANSACTIONS; ISSUING CHARGE CARDS, CREDIT CARDS, PREPAID CARDS, PREPAID GIFT CARDS, STORED VALUE CARDS AND PAYMENT CARDS; PROVIDING ONLINE INFORMATION FOR MERCHANTS REGARDING GUIDELINES AND FEES PERTAINING TO CREDIT CARD ACCEPTANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 0-0-1850; IN COMMERCE 0-0-1850.

FOR: PROVIDING ONLINE FORUMS AND ELECTRONIC BULLETIN BOARDS FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING SMALL BUSINESS ADVICE; PROVIDING EQUIPMENT AND FACILITIES FOR VIDEOCONFERENCING, TELECONFERENCING, AND TELEPRESENCE CONFERENCING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,225,805 FIRST USE 10-1-2005; IN COMMERCE 10-1-2005.

FOR: TRAVEL AGENCY SERVICES, NAMELY, ARRANGING THE TRANSPORTATION OF PASSENGERS BY LAND, AIR AND WATER; PERSONAL TOUR GUIDE SERVICES AND TOUR INFORMATION SERVICES; CARGO HANDLING SERVICES, NAMELY, HANDLING OF PASSENGERS' LUGGAGE AND ARRANGING BAGGAGE TRANSFER; TRAVEL AGENCY SERVICES, NAMELY, ARRANGING FOR AUTOMOBILE AND BUS RENTALS; ARRANGING TRAVEL TOURS AS A BONUS PROGRAM FOR CREDIT CARDS CUSTOMERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 0-0-1915; IN COMMERCE 0-0-1915.

FOR: ARRANGING FOR TICKET RESERVATIONS AND ADMISSION TO MUSIC, THEATER, FASHION, FILM, AND SPORTS EVENTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-1-2006; IN COMMERCE 11-1-2006.

FOR: TRAVEL AGENCY SERVICES, NAMELY, MAKING RESERVATIONS FOR TEMPORARY LODGING, RESTAURANTS, AND MEALS, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 0-0-1915; IN COMMERCE 0-0-1915.

FOR: CONCIERGE SERVICES FOR OTHERS COMPRISING MAKING REQUESTED PERSONAL ARRANGEMENT AND RESERVATIONS AND PROVIDING CUSTOMER-SPECIFIC INFORMATION TO MEET INDIVIDUAL NEEDS RENDERED TO CREDIT CARD CUSTOMERS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 11-12-1999; IN COMMERCE 11-12-1999.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,024,840, 3,528,717 AND OTHERS.

SER. NO. 85-608,760, FILED 4-26-2012.

KIMBERLY FRYE, EXAMINING ATTORNEY

Int. Cl.: 35, 36, 39, 42

Prior U.S. Cl.: 100, 101, 102, 105

United States Patent Office

Reg. No. 1,024,840

Registered Nov. 11, 1975

SERVICE MARK

Principal Register

AMERICAN EXPRESS

American Express Company (New York corporation)
65 Broadway
New York, N.Y. 10006

For: COMPUTERIZED CREDIT AUTHORIZATION, CONVENTION AND MEETING ARRANGEMENT SERVICES AND REAL ESTATE MANAGEMENT SERVICES, in CLASS 35 (U.S. CL. 101).

First use in or before 1971; in commerce in or before 1971.

For: FINANCIAL AND FINANCIALLY RELATED SERVICES—NAMESLY, CREDIT CARD SERVICES, TRAVELER'S CHECK SERVICES, MONEY ORDER SERVICES, INTERNATIONAL BANKING SERVICES, INVESTMENT BANKING SERVICES, MILITARY BANKING SERVICES, FINANCIAL SERVICES FOR TRAVELERS, FOREIGN REMITTANCE SERVICES, ELECTRONIC FUNDS TRANSFER SERVICES, MUTUAL FUND INVESTMENT SERVICES AND INSURANCE UNDERWRITING SERVICES—in CLASS 36 (U.S. CL. 102).

First use in or before 1850; in commerce in or before 1850.

For: TRAVEL SERVICES — NAMELY, TICKET AND TOUR ARRANGEMENTS, TRANSPORTATION, TOUR AND SIGHTSEEING RESERVATION SERVICES—in CLASS 39 (U.S. CL. 105).

First use in or before 1915; in commerce in or before 1915.

For: GENERAL MERCHANDISE MAIL ORDER SERVICES AND HOTEL SERVICES, in CLASS 42 (U.S. CL. 100).

First use in or before 1969; in commerce in or before 1969.

Owner of Reg. Nos. 688,103, 738,813, and 881,301.

Ser. No. 21,448, filed May 15, 1974.

J. H. WEBB, Examiner

Exhibit B

TLD Registration Policies

Registration Policy - .AMERICANEXPRESS

The mission and purpose of the .AMERICANEXPRESS gTLD is to serve as a trusted, hierarchical, and intuitive namespace provided by American Express Travel Related Services Co., Inc. (“Registry Operator”) for use by Registry Operator, its qualified Affiliates and Trademark Licensees. Only Registry Operator and its qualified Affiliates and Trademark Licensees will be allowed to register or control the DNS records associated with domain names at any level in the .AMERICANEXPRESS gTLD. Registry Operator will implement an internal process to determine which second-level domain names will be registered and which Affiliates and Trademark Licensees will be eligible to register second-level domains. All domain name registrations will be managed by the Registry Operator.

For the purposes of this proposed Registration Policy, Registry Operator utilizes the following definitions*:

Affiliate – Affiliate means a person or entity that, directly or indirectly, through one or more intermediaries, or in combination with one or more other persons or entities, controls, is controlled by, or is under common control with, the person or entity specified.

Control – Control (including the terms “controlled by” and “under common control with”) means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person or entity, whether through the ownership of securities, as trustee or executor, by serving as an employee or a member of a board of directors or equivalent governing body, by contract, by credit management or otherwise.

Trademark Licensee – Trademark Licensee means any corporation, partnership, limited liability company or similar legal entity (and not a person) that has a written trademark license agreement with Registry Operator or its Affiliate, for use of the registered trademark owned by Registry Operator or its Affiliate, the textual elements of which correspond exactly to the .BRAND TLD string operated by Registry Operator, where:

- (i) such license is valid under applicable law;
- (ii) such license is for the use of such trademark in the regular course of that entity’s business outside of the provision of TLD Registry Services, and is not primarily for the purpose of enabling registration or use of domain names in the TLD;
- (iii) such trademark is used continuously in that entity’s business throughout the Term; and
- (iv) the domain names in the TLD registered to the Trademark Licensee are required to be used for the promotion, support, distribution, sales or other services reasonably related to any of the goods and/or services identified in the trademark registration.

Registry Operator will review each second-level domain name at the time of registration to ensure that the name complies with internal policies governing the registration of .AMERICANEXPRESS domain names, including this Registration Policy. Additionally, Registry Operator will conduct ongoing reviews of each second-level domain at least once per calendar year namely to ensure compliance with the terms of the .AMERICANEXPRESS Registry Agreement, as well as with ICANN Consensus or Temporary Policies.

Registry Operator reserves the right to amend its registration policy.

*Definitions for "Affiliate" and "Control" are taken from Section 2.9(c) of the Registry Agreement. The definition of "Trademark Licensee" is taken from Section 6.2 of Specification 13 of the Registry Agreement.

Exhibit C

Signed Mark Data File ID Number

