

.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

Deutsche Vermögensberatung Aktiengesellschaft ("DVAG") ("Registry Operator"), in connection with the execution of the Registry Agreement for the .DVAG TLD (the "Registry Agreement"), hereby applies for the .DVAG TLD to be qualified by ICANN as a .Brand TLD.

The DVAG brand

DVAG, a stock corporation located in Germany, provides comprehensive financial advisory services for individual clients.

Founded in 1975 by Professor Dr. Reinfried Pohl, DVAG began as a family business focused on superior customer service and effective wealth enhancement strategies. DVAG is Germany's leading financial consulting company, and a strong leader in the investment services industry of Europe. DVAG holds a trademark for DVAG in Germany with priority of March 13, 1995. This mark is used in connection with DVAG's client consulting services, to identify its commercial agents as authorized agents and to advertise the unique consulting services offered by the company.

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 and 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 which this application is submitted, respectively.

.DVAG qualifies as a .Brand TLD

The .DVAG TLD meets all requirements to be defined as a .Brand TLD and with its registration policy, attached as appendix B below, qualifies for Specification 13 to the New gTLD Registry Agreements as:

- The .DVAG TLD string is identical to the textual elements protectable under applicable law, of the DVAG registered trademark valid under applicable law;
- The DVAG trademark is recorded with, and issued a signed mark data file by the Trademark Clearinghouse.
- The trademark is owned and used by Registry Operator in the ordinary course of its business in connection with the offering of goods and services claimed in the trademark registration.
- The trademark was issued to Registry Operator prior to the filing of its TLD registry application with ICANN.
- The trademark is used throughout the Term continuously in the ordinary course of business of Registry Operator in connection with the offering of goods and services identified in the trademark registration.
- The trademark does not begin with a period or a dot.
- The trademark is used by Registry Operator in the conduct of one or more of its businesses that are unrelated to the provision of TLD registry services
- Only Registry Operator is an eligible registrant of domain names in the TLD and controls the DNS records associated with domain names at any level in the TLD;
- The TLD is not a Generic String TLD (as defined in Specification 11);
- Registry Operator has provided ICANN with an accurate and complete copy of such trademark registration. See attachment A, Trademark Certificate below.

Registry Operator agrees to conduct internal reviews at least once per calendar year to ensure that the TLD meets the requirements of the definition of a .Brand TLD. Registry Operator will provide ICANN with the results of our internal review, along with a certification executed by one of our executive officers that the TLD meets the requirements of a .Brand TLD.

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



Submitted by:

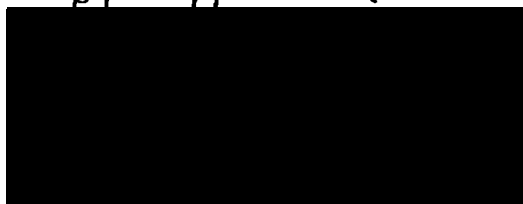


Position:

Mitglied des Vorstandes (Executive Officer)

Dated:

Email:



Submitted by:



Position:

Mitglied des Vorstandes (Executive Officer)

Dated:

Email:

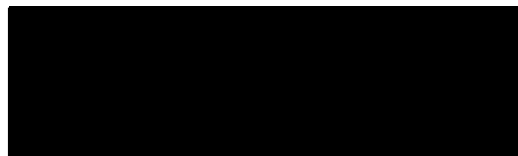


Exhibit A

Trademark Registration

[to be attached by Registry Operator]

BUNDESREPUBLIK DEUTSCHLAND**URKUNDE**

Über die Eintragung der Marke

Nr. 395 10 643

Akz.: 395 10 643.5

DVAG

Markeninhaber:

Deutsche Vermögensberatung AG, Frankfurt

Tag der Anmeldung: 13.03.1995

Tag der Eintragung: 01.02.1996

Der Präsident des Deutschen Patentamts

N. Haugg

Deutsches Patent- und Markenamt

Dienststelle Jena

Formlos

Deutsches Patent- und Markenamt • 07738 Jena

CMS Hasche Sigle
Theodor-Heuss-Ring 19 - 21

50668 Köln

Jena, den 13.04.2005



☎(03641) 40 - 5722 Frau Höfer

Registernr.: **395 10 643.5**

Inhaber: Deutsche Vermögensmanagement AG
Frankfurt

EINGEGANGEN
18. April 2005

Ihr Zeichen: DVAG WO121 -br

**Bitte Registernummer / Inhaber bei Eingaben,
bei Zahlungen auch Geb.-code angeben!**

Verlängerungsbestätigung

Die Schutzdauer der Wortmarke Nr. 395 10 643.5

DVAG

wurde im Register verlängert.

Die neue Schutzdauer endet am: 31.03.2015.

Die Veröffentlichung erfolgt (voraus.) im Markenblatt - Heft: 2005-19(13.05.2005).

Markenabteilung



Dieses Schreiben wurde elektronisch erstellt und ist daher ohne Unterschrift gültig.

Anlagen:

Interne Bearbeitungsvermerke:

M7431]
20.02.01
Telefon (0 36 41) 40 54
Telefax (0 36 41) 40 56 90
Internet: <http://www.dpma.de>

A 7197772 / V 275271 / Z 6525334

Hausadresse (Fracht)
Deutsches Patent- und Markenamt • Dienststelle Jena
Goethestr.1 • 07743 Jena

Bankverbindung
Inh.: Bundeskasse Weiden
Kred.-inst.: Bundesbank München

Kto: 700 010 54 (BLZ 700 000 00)
BIC(SWIFT-Code): MARKDEF1700
IBAN: DE 847000 0000 0070 0010 54



Informationen

zur Marke 39510643, Stand 09.04.2014

Die Marke mit der Registernummer **39510643** ist mit den folgenden Angaben in das Register des Deutschen Patent- und Markenamts eingetragen.

Die Schutzdauer der Marke beginnt mit dem Anmeldetag und endet am 31.03.2015. Eine Verlängerung um jeweils 10 Jahre ist gemäß § 47 Markengesetz möglich.

Informationen zur Marke 39510643, Stand: 09.04.2014

[-----] **Datenbestand:** DE

[111] **Registernummer:** 39510643

[210] **Aktenzeichen:** 395106435

[540] **Wiedergabe der Marke:** DVAG

[550] **Markenform:** Wortmarke

[220] **Anmeldetag:** 13.03.1995

[151] **Tag der Eintragung im Register:** 01.02.1996

[156] **Verlängerung der Schutzdauer:** 01.04.2005

[730] **Inhaber:** Deutsche Vermögensberatung AG, 60329 Frankfurt, DE

[740] **Vertreter:** CMS Hasche Sigle, 50678 Köln, DE

[750] **Zustellanschrift:** CMS Hasche Sigle Krankenhaus 1, Im Zollhafen 18, 50678 Köln

[511] **Klasse(n) Nizza:** 36

[-----] **Aktenzustand:** Marke eingetragen

[180] **Schutzendedatum:** 31.03.2015

[450] **Tag der Veröffentlichung:** 10.05.1996

[510] **Waren- / Dienstleistungsverzeichnis:**

Klasse	Begriffe
36	Vermögensberatung

Verfahrensdaten

Anmeldeverfahren

[-----] **Verfahrensart:** Anmeldeverfahren

[-----] **Verfahrensstand:** Marke eingetragen

[-----] **EDV-Erfassungstag :** 01.02.1996

Widerspruchsverfahren

[-----] **Verfahrensart:** Widerspruchsverfahren

[-----] **Verfahrensstand:** Marke ohne Widerspruch eingetragen

[-----] **EDV-Erfassungstag :** 01.02.1996



Verlängerung

[-----] **Verfahrensart:** Verlängerung

[-----] **Verfahrensstand:** Schutzdauer der Marke verlängert

[-----] **EDV-Erfassungstag** : 12.04.2005

Umschreibung - Vertreterbestellung/-änderung

[-----] **Verfahrensart:** Umschreibung - Vertreterbestellung/-änderung

[-----] **Verfahrensstand:** Umschreibung abgeschlossen

[-----] **EDV-Erfassungstag** : 30.03.2009

[-----] **Markenblatt:** 18/2009

[-----] **Veröffentlicht in Teil** : 8b

[-----] **Eingangstag des Antrags:** 26.03.2009

[-----] **Veröffentlichungsdatum:** 30.04.2009

[740] **Vertreter:** CMS Hasche Sigle, 50678 Köln, DE

[-----] **Früherer Vertreter:** CMS Hasche Sigle, 50668 Köln, DE

[750] **Zustellanschrift:** CMS Hasche Sigle Krankenhaus 1, Im Zollhafen 18, 50678 Köln

[-----] **Frühere Zustellanschrift:** CMS Hasche Sigle, Theodor-Heuss-Ring 19 - 21, 50668 Köln

Exhibit B

TLD Registration Policies

[to be attached by Registry Operator]

Domain Name Registration and Use Policy for “.DVAG”

I. General principles

1. Purpose

The “.DVAG” Top Level Domain (“TLD”) is established by and for the use of Deutsche Vermögensberatung (“DVAG”), the Registry Operator for the TLD space. DVAG will, with the advice and assistance of the Registry Service Provider, KSregistry GmbH, and relevant governmental bodies, develop, maintain and enforce effective TLD management strategies to manage the “.DVAG” space.

This Policy is intended to be updated and revised regularly to reflect the needs of DVAG and its TLD.

The registration of domain names within the “.DVAG” TLD shall be restricted to DVAG itself, thus following a single-registrant model. DVAG may, in its sole discretion, elect to license the use of registrations within this space to any affiliated parties.

2. Registration Policy

As indicated above, the “.DVAG” space will follow a single-registrant model. Thus, DVAG shall be the only entity eligible to register domain names within the “.DVAG” TLD.

II. Domain Allocation Rules

3. String Requirements

Registry Operator, via Registry Service Provider, will not accept a Registration unless the applied-for Domain Name meets the applicable requirements as defined under the Registry Agreement, Specifications 5 and 6, including the following technical and syntax requirements. The Domain Name Label must:

- if ASCII, consist exclusively of the letters A-Z, the numbers 0-9, and hyphens;
- if non-ASCII (e.g., IDN), consist of language scripts offered by the Registry;
- not exceed 63 characters;
- contains at least one character; and
- not contain hyphens in the third and fourth position, except if they represent valid internationalized domain names in their ASCII encoding, namely where two consecutive hyphens (-) are used in the 3rd and 4th positions, when preceded by "xn" and followed by a label that corresponds with an IDN containing characters referred to above.

4. Reserved Names

Registry Operator may reserve, and not allow the Registration of any labels which appear or are referenced by the Schedule of Reserved Names set forth in Specification 5 of the Registry Agreement.

However, DVAG may propose the release of any reservations, in compliance with applicable processes established by or in accordance with ICANN policies or procedures (if applicable).

5. Name Collisions

If any “.DVAG” domain name is identified by ICANN as a potential name collision risk, pursuant to the Registry Operator’s rights and responsibilities under the Registry Agreement, Specification 6, § 6, the Registry Operator reserves the right to take all necessary and proper steps to resolve the conflict, including the blocking of any affected domain name.

III. Registration and Licensing Rules

6. Registration period and renewals

A “.DVAG” domain name may be registered, and renewed at the end of each registration period, subject to the current terms and conditions offered by the concerned Registrar.

7. Licensing of domain name registrations

DVAG may, in its sole discretion, elect to license the use of domain name registrations within the “.DVAG” space to its commercial agents, appropriate corporate divisions, or other affiliated entities. In all cases, however, DVAG will remain the registrant of record for all domain name registrations within the TLD, and shall retain the authority to modify or terminate such registrations at any time via the concerned registrar.

IV. Acceptable Usage Guidelines for “.DVAG” Domain Names

8. Acceptable Use

The “.DVAG” space is intended to function as the DVAG’s online corporate branding platform, and as such the registrations therein should generally support the goals and mission of the organization.

DVAG intends that no domain name in the “.DVAG” space shall be used in a manner which:

- infringes any other third parties rights
- is in breach with any applicable laws, government rules or requirements

or for the purposes of:

- undertaking any illegal or fraudulent actions, including spam or phishing activities, or
- defaming DVAG or its businesses, affiliates, brokers, employees, etc.

DVAG will routinely monitor the use of all domain names registered in the “.DVAG” space to ensure that the content displayed thereon is in the best interests of the company and its business endeavors. Failure to comply with the terms and conditions set out in this Registration and Use Policy may result in the immediate cancellation, transfer, deletion or suspension of a registered

“.DVAG” domain. The Registry Operator reserves the right to make any necessary changes to a domain name registration in the event of breach of the provisions herein established.

9. Dispute Resolution

The Registry Operator for “.DVAG” will comply with all dispute resolution mechanisms as defined in the Registry Agreement Specification 7 article 2, and as revised from time to time by ICANN consensus policies and procedures. Registrants of “.DVAG” domain names hereby agree to be bound by all applicable domain name dispute policies, as outlined in this Registration and Use Policy.

These dispute mechanisms include, but are not limited to:

- the Trademark Post-Delegation Dispute Resolution Procedure (“PDDRP”);**
- the Uniform Rapid Suspension system (“URS”); and**
- the Uniform Domain Name Dispute Resolution Policy (“UDRP”).**

Exhibit C

Signed Mark Data File ID Number

