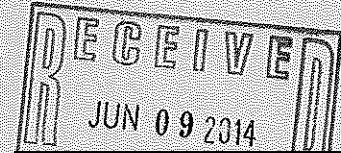




Marketing, IP & Technology
[Redacted]

REC'D JUN 09 2014



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

EverBank ("Registry Operator"), in connection with the execution of the Registry Agreement for the .everbank TLD (the "Registry Agreement"), hereby applies for .everbank 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 and the registration policies attached hereto as Exhibit B are complete and accurate copies of the official trademark registration and Registry Operator's registration policies for the TLD, 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] at the email address below.

Submitted by: [REDACTED]

Position:

Associate General Counsel

Dated:

06 June 2014

Email:

[REDACTED]

EXHIBIT A
TRADEMARK REGISTRATION

United States of America

United States Patent and Trademark Office

EVERBANK

Reg. No. 3,940,918

Registered Apr. 5, 2011

Int. Cl.: 36

SERVICE MARK

PRINCIPAL REGISTER

EVERBANK (FLORIDA FEDERAL SAVINGS INSTITUTION)
12TH FLOOR/KAREN KOSTER BURR
501 RIVERSIDE AVENUE
JACKSONVILLE, FL 32202

FOR: BANKING SERVICES; FINANCIAL INVESTMENT BROKERAGE; FINANCIAL INVESTMENT IN THE FIELD OF CERTIFICATES OF DEPOSIT, MONEY MARKET FUNDS, METALS AND FOREIGN CURRENCIES; FUND INVESTMENT CONSULTATION; PROVIDING INFORMATION AND RESEARCH IN THE FIELD OF FINANCE AND FINANCIAL INVESTMENTS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-23-1999, IN COMMERCE 10-1-1999.

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

OWNER OF U.S. REG. NOS. 2,568,122, 2,574,128, AND 2,840,486.

SER. NO. 85-119,405, FILED 8-31-2010.

ARETHA SOMERVILLE, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,568,122

United States Patent and Trademark Office

Registered May 7, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

EVERBANK

CUSTOMERONE FINANCIAL NETWORK, INC.
(DELAWARE CORPORATION)
188 SOUTH MAIN STREET
STOWE, VT 05672

FOR: BANKING AND FINANCIAL SERVICES, NAMELY ADMINISTRATION OF EMPLOYEE BENEFIT PLANS; AUTOMATED TELLER MACHINE SERVICES; BANKING; CASH MANAGEMENT; CASH REPLACEMENT RENDERED BY CREDIT CARD; COMMERCIAL LENDING SERVICES; CONSUMER LENDING SERVICES; COOPERATIVE CREDIT ORGANIZATIONS; CREDIT CARD SERVICES; CREDIT CARD TRANSACTION PROCESSING SERVICES; CREDIT CARD VERIFICATION; CREDIT RECOVERY AND COLLECTION; CURRENCY EXCHANGE AND ADVICE; DEBIT ACCOUNT SERVICES FEATURING A COMPUTER READABLE CARD; DEBIT CARD SERVICES; DEBT RECOVERY AND COLLECTION AGENCIES; DEBT RECOVERY AND COLLECTION; ELECTRONIC FUNDS TRANSFER; ESTATE TRUST MANAGEMENT; FIDUCIARY REPRESENTATIVES; FINANCIAL CLEARING HOUSES; FINANCIAL GUARANTEE AND SURETY; FINANCIAL INFORMATION IN THE NATURE OF RATES OF EXCHANGE; FINANCIAL INFORMATION PROVIDED BY ELECTRONIC MEANS; FINANCIAL MANAGEMENT; FINANCIAL PORTFOLIO MANAGEMENT; FINANCIAL PLANNING; INVESTMENT CONSULTATION; INVESTMENT BROKERAGE; MUTUAL FUND INVESTMENTS; FINANCING SERVICES; GUARANTEE ASSURANCE UNDERWRITING; HOME

EQUITY LOANS; INSTALLMENT LOANS; INSURANCE INSURANCE CONSULTATION, REFERRAL, AND BROKERAGE; INVESTMENT MANAGEMENT; LEASE PURCHASE FINANCING; LEASE PURCHASE LOANS; LOAN FINANCING; MAINTAINING ESCROW ACCOUNTS FOR INVESTMENTS; MAINTAINING MORTGAGE ESCROW ACCOUNTS; MONETARY EXCHANGE; MONEY ORDER SERVICES; MORTGAGE BANKING; MORTGAGE BROKERAGE; MORTGAGE LENDING; MUTUAL FUND DISTRIBUTION; PROVIDING BANK ACCOUNT INFORMATION BY TELEPHONE; PROVIDING MULTIPLE PAYMENT OPTIONS BY MEANS OF CUSTOMER OPERATED ELECTRONIC TERMINALS AVAILABLE ON-SITE IN-RETAIL STORES; PROVIDING REBATES AT PARTICIPATING ESTABLISHMENTS OF OTHERS THROUGH USE OF A MEMBERSHIP CARD; SAVINGS AND LOAN ASSOCIATIONS; SAVINGS AND LOAN SERVICES; SAVINGS BANK SERVICES; SECURITY SERVICES, NAMELY GUARANTEEING LOANS; TEMPORARY LOANS; TRUSTEESHIP REPRESENTATIVES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-23-1999; IN COMMERCE 10-1-1999.

SN 75-899,147, FILED 1-20-2000.

CAROLYN PENDLETON, EXAMINING ATTORNEY

EXHIBIT B
REGISTRATION POLICIES

EverBank

EverBank is the banking subsidiary of EverBank Financial Corp, a diversified financial services company that provides innovative banking, lending and investing products and services to approximately 575,000 customers nationwide through scalable, low-cost distribution channels. EverBank markets and distributes products and services primarily through an integrated online financial portal, which is augmented by a nationwide network of independent financial advisors, 14 high-volume financial centers in targeted Florida markets and other financial intermediaries. These channels are connected by technology-driven centralized platforms, which provide operating leverage throughout EverBank's business.

EverBank's financial portal, which has been recognized by Forbes.com as Best of the Web, includes online bill-pay, account aggregation, direct deposit, single sign-on for all customer accounts and other features, which further deepen customer relationships. EverBank's website and mobile device applications provide information on product offerings, financial tools and calculators, newsletters, financial reporting services and other applications for customers to interact with EverBank and manage all of their EverBank accounts on a single integrated platform.

Mission: As a leading financial services provider, Applicant seeks to use .everbank gTLD to provide its customers with a technologically secure and advanced environment in which to learn about and access the products and services provided by Applicant and its affiliates, and for their customers to securely manage their financial lives. The .everbank gTLD will be particularly important as banking and other financial services websites are among the most targeted for fraudulent online activity. Therefore, Applicant intends to operate .everbank as a closed registry to ensure the security and privacy of the information available.

More specifically, EverBank's goals for the .everbank gTLD are to:

1. Provide a single, secure location for all EverBank-branded services;
2. Ensure no customer confusion regarding location of EverBank-branded services; and
3. Provide the Internet community a single location for interacting with EverBank.

.Everbank Registration Policies

EverBank currently intends for the .everbank gTLD to be used exclusively by EverBank and its qualified subsidiaries and affiliates. As EverBank intends to use the gTLD for its own branding purposes, most of the registration policies will be written into existing corporate policies. EverBank will implement the following registration policies:

- .Everbank Domain Name Eligibility Requirements
- Acceptable Use Policy
- Rights Protection Mechanisms
- Privacy Policy

1. .Everbank Domain Name Eligibility Requirements

The .Everbank Domain Registration Eligibility policy sets forth the guidelines that dictate the allowable labels for domain name registrations, who or what entities may register the names, how the names may be used as well as the technical criteria each name must meet.

EverBank proposes that only EverBank, its qualified subsidiaries and affiliates will be allowed to request second level domain registrations. EverBank will implement an internal process that will define the submission process for second-level registration requests and tightly control the process, by allowing only limited number designated employees to approve registrations. EverBank envisions having a domain management department that will be responsible for the receipt of domain name registration requests from specially designated and approved managers (Domain Manager) through a documented internal request form. Once the Domain Manager receives a registration request, an internal review will be completed to ensure the name complies with internal policies and procedures governing the registration of .everbank domain name as well as complies with the technical specifications in the ICANN Agreement. Once the name has undergone the standard review, and is deemed in compliance with internal rules and procedures, the name will be approved and submitted through an ICANN-Accredited Registrar for registration.

2. Acceptable Use Policy

This Acceptable Use Policy gives EverBank (the "Registry") the ability to quickly lock, cancel, transfer or take ownership of any .everbank domain name, either temporarily or permanently, if the domain name is being used in a manner that appears to threaten the stability, integrity or security of the Registry, or any of its registrar partners – and/or that may put the safety and security of any registrant or user at risk. The process also allows the Registry to take preventive measures to avoid any such criminal or security threats.

The Acceptable Use Policy may be triggered through a variety of channels, including, among other things, private complaint, public alert, government or enforcement

agency outreach, and the on-going monitoring by the Registry or its partners. In all cases, the Registry or its designees will alert Registry's registrar partners about any identified threats, and will work closely with them to bring offending sites into compliance.

The following are some (but not all) activities that may be subject to rapid domain compliance:

- **Phishing:** the attempt to acquire personally identifiable information by masquerading as a website other than EverBank's own .everbank site.
- **Pharming:** the redirection of Internet users to websites other than those the user intends to visit, usually through unauthorized changes to the Hosts file on a victim's computer or DNS records in DNS servers.
- **Dissemination of Malware:** the intentional creation and distribution of "malicious" software designed to infiltrate a computer system without the owner's consent, including, without limitation, computer viruses, worms, key loggers, and Trojans.
- **Fast Flux Hosting:** a technique used to shelter Phishing, Pharming and Malware sites and networks from detection and to frustrate methods employed to defend against such practices, whereby the IP address associated with fraudulent websites are changed rapidly so as to make the true location of the sites difficult to find.
- **Botnetting:** the development and use of a command, agent, motor, service, or software which is implemented: (1) to remotely control the computer or computer system of an Internet user without the user's knowledge or consent, (2) to generate direct denial of service (DDOS) attacks.
- **Malicious Hacking:** the attempt to gain unauthorized access (or exceed the level of authorized access) to a computer, information system, user account or profile, database, or security system.
- **Child Pornography:** the storage, publication, display and/or dissemination of pornographic materials depicting individuals under the age of majority in the relevant jurisdiction.

EverBank reserves the right, in its sole discretion, to take any administrative and operational actions necessary, including the use of computer forensics and information security technological services, among other things, in order to implement the Acceptable Use Policy. In addition, EverBank reserves the right to deny, cancel or transfer any registration or transaction, or place any domain name(s) on registry lock, hold or similar status, that it deems necessary, in its discretion; (1) to protect the integrity and stability of the registry; (2) to comply with any applicable laws, government rules or requirements, requests of law enforcement, or any dispute resolution process; (3) to avoid any liability, civil or criminal, on the part of Registry as well as its affiliates, subsidiaries, officers, directors, and employees; (4) per the terms of the registration agreement or (5) to

correct mistakes made by the Registry or any Registrar in connection with a domain name registration. EverBank also reserves the right to place upon registry lock, hold or similar status a domain name during resolution of a dispute.

3. Rights Protection Mechanisms

EverBank is committed to following all mandatory ICANN rights protection mechanisms aimed at protecting third party intellectual property rights within .everbank. EverBank plans to operate and maintain the .everbank space as an extension of its current branding activities, therefore, it is highly unlikely that names in the zone will interfere with the rights of other third parties.

Nevertheless, EverBank plans to implement all Rights Protection Mechanisms (RPMs) as required by ICANN. These RPMs include, but are not limited to the following:

- * Sunrise and Trademark Claims Process
- * Implementation of the Uniform Dispute Resolution Policy (UDRP)
- * Implementation of the Uniform Rapid Suspension (URS) mechanism

4. Privacy.

EverBank will ensure that the operation of the .everbank TLD will be consistent with EverBank's Privacy Policy, available on its website at

<https://www.abouteverbank.com/privacy.aspx>