



**STRICTLY CONFIDENTIAL – SUBJECT TO EXECUTION OF .ISELECT REGISTRY AGREEMENT**

**.Brand TLD Designation Application**

31 August 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**

iSelect Ltd (“Registry Operator”) in connection with the execution of the Registry Agreement for the .iselect TLD (“Registry Agreement”), hereby applies for .iselect 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 provided with, this application.

**iSelect Ltd**

ABN: 48 124 302 932

294 Bay Road, Cheltenham, Victoria 3192 Australia

Tel: +61 (3) 9276 8000 Fax: +61 (3) 9276 8080

Registry Operator acknowledges and agrees that, subject to mutual execution of the .iselect Registry Agreement, this letter is binding on the Registry Operator and, if any of the foregoing representations and agreements become 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 .iselect Registry Agreement (if it is mutually executed), 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 the iSelect Legal department on [REDACTED]

Submitted by: [REDACTED]

Position: General Counsel and Company Secretary

Dated: 31 August 2014

Email: [REDACTED]

**Exhibit A**

**Trademark Registrations**

**Refer to attached document.**

The information in this report has been derived from the Australian Trade Marks Office database. Whilst every care has been exercised in creating the ATMOSS searching system, the Trade Marks Office in making it available to the public as a means of searching will not be liable for errors or omissions in the material or data or for any consequences arising from such errors or omissions, including any loss which may be incurred as a result of reliance on the accuracy or completeness of the material or data.

UserID ANONYMOUS

Search #	Hits
1	8

### Criteria Used

Words: iselect(Part word); Status : Pending and Registered;

No.	Tm No.	Words / Image Phrase / Classes	Status
1	814209	iSELECT 35	Registered
2	1171351	iSelect 35,36	Registered

**Trade Mark : 814209**

**Word:** iSELECT  
**Image:**  
**Lodgement Date:** 18-NOV-99  
**Acceptance Advertised:** 12-APR-01  
**Registered From:** 18-NOV-99  
**Registration Advertised:** 27-FEB-03  
**Entered on Register:** 07-FEB-03  
**Renewal Due:** 18-NOV-19  
**Class/es:** 35  
**Status:** Registered/Protected  
**Kind:** n/a  
**Type of Mark:** Word  
**Type:** Standard

**Divisionals:**

Divisional Number:

Divisionals:

**Partial Assignment:**

Partial assignment from:

Partial Assignments:

**Owner:** iSelect Health Pty Ltd  
088749955  
294 Bay Rd  
CHELTENHAM VIC 3192  
AUSTRALIA

**Address for service:** KLIGER PARTNERS Lawyers  
Level 2  
280 Queen Street  
MELBOURNE VIC 3000  
AUSTRALIA

**Goods & Services****Class: 35**

Consumer advisory services being the provision to consumers and businesses of advice and information concerning retail goods and services; consumer assistance services being the provision of assistance and advice to consumers and businesses in relation to the purchase of retail goods and services; advice and information concerning retail goods and services by the Internet or a call centre; but not including such services relating to convenience stores, restaurants, cafes, snack bars, quick food outlets, fuel filling stations, motor vehicle service stations and all the goods and services sold therein, including in particular, foodstuffs and beverages, fuels, and motor vehicle parts and accessories

**Endorsements****Claimed Interest Details:**

**Trade Mark : 1171351**

**Word:** iSelect  
**Image:**  
**Lodgement Date:** 16-APR-07  
**Acceptance Advertised:** 12-JUN-08  
**Registered From:** 16-APR-07  
**Registration Advertised:** 09-OCT-08  
**Entered on Register:** 22-SEP-08  
**Renewal Due:** 16-APR-17  
**Class/es:** 35, 36  
**Status:** Registered/Protected  
**Kind:** n/a  
**Type of Mark:** Word  
**Type:** Standard

**Divisionals:**

Divisional Number:

Divisionals:

**Partial Assignment:**

Partial assignment from:

Partial Assignments:

**Owner:** iSelect Health Pty Ltd  
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294 Bay Rd  
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**Goods & Services****Class: 35**

Business advisory services relating to the supply of consumer goods and services that facilitate a change of suppliers on behalf of consumers of goods and services including electricity, gas, insurance, ISP, telecommunications and telephony; water pricing analysis; provision of pricing information and price comparison services relating to the supply of consumer goods and services including electricity, gas, insurance, ISP, telecommunications, telephony and water; advisory services for comparing mobile phone plans

**Class: 36**

Advisory services for comparing financing of loans, insurance, utilities, electricity, gas, ISP, telecommunications, telephony and water; advisory services relating to health insurance; advisory services relating to life insurance; advisory services relating to home loans; brokerage services relating to the procurement of the change of suppliers to consumers of goods and services, including loans, insurance, utilities, electricity, gas, ISP, telecommunications, telephony and water; providing an online comparison service in respect of insurance

**Endorsements**

Provisions of paragraph 44(3)(b) applied.\*

**Claimed Interest Details:**



## Exhibit B

### TLD Registration Policies

#### **.iselect TLD REGISTRATION POLICY**

##### **Mission and purpose of the TLD**

The mission and purpose of the TLD is to present a cohesive, clear, dedicated and immediately identifiable online identity for iSelect.

##### **Eligibility to register a domain name in the TLD**

##### **Definitions**

**DNS** means the 'Domain Name System' that is a distributed database and hierarchical global infrastructure deployed on the Internet and private IP-based networks used to resolve domain names into IP addresses.

**ICANN** means the Internet Corporation for Assigned Names and Numbers, its successors and assigns.

**Member of iSelect** means us, our Affiliates (as that term is described in our agreement with ICANN for the TLD which may include, but is not limited to, an employee, a member of a board of directors or trustee), or our Trademark Licensees.

**Registrant** means the individual or entity that is the holder of the domain name as found in the Registry Service and controls the DNS records for that domain name.

**Registry** means the systems used to record, store and maintain details of domain names in the TLD.

**Service** means the services that we provide in relation to the TLD.

**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 us or our Affiliates, for use of the registered trademark owned by us or our Affiliate, the textual elements of which correspond exactly to the TLD operated by us, 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 of our agreement with ICANN; and
- iv. the domain names in the TLD registered to the Trademark Licensee are 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.

**TLD** means Top Level Domain and for the purpose of this policy the TLD means .iselect.

**We, us and our** means iSelect Ltd and our designated representatives.

### **Proposing the registration or renewal of a domain name**

The procedure for submitting a proposal to register or renew domain names in the TLD may be obtained from the iSelect Legal department.

The procedure will ensure that all proposals are assessed to confirm that our requirements for eligibility are met.

### **Eligibility requirements**

To support the mission and purpose of the TLD we have established the following eligibility requirements for a domain name registration in the TLD.

In order to be eligible to register or renew a domain name in the TLD the requestor must warrant:

- it is a Member of iSelect;
- if the Registrant is a Member of iSelect that is a Trademark Licensee, that the domain name will 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.

### **Submitting information regarding your eligibility**

In order to register or renew a domain name in the TLD the Registrant of the domain name must be a Member of iSelect.

### **Evidencing your eligibility**

The following information will be required with each proposal to register or renew a domain name:

- the completed proposal forms; and
- an undertaking by the requestor to make the warranties, acknowledgements and agreements contained in the Registration Agreement.

### **Eligibility review**

During the process of reviewing a proposal to register or renew a domain name we will examine all the information provided to support the requestor's eligibility.

Proposals to register or renew a domain name will be granted or declined according to our procedure, and all decisions will at all times be made at our sole discretion.