.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

TOYOTA MOTOR CORPORATION ("Registry Operator"), in connection with the execution of the Registry Agreement for the .lexus TLD (the "Registry Agreement"), hereby applies for .lexus 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, and the SMD file ID number attached hereto as Exhibit C 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 below.
Exhibit A

Trademark Registration

Please view the following pages for Registry Operator’s Trademark Registration.
CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.

In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this second day of January 1990.

[Signature]

Acting Commissioner of Patents and Trademarks
NOTICE

This Registration will be canceled by the Commissioner of Patents and Trademarks at the end of six years following the date of registration, unless within one year next preceding the expiration of such six years, the registrant files in the Patent and Trademark Office an affidavit showing that said mark is in use in Commerce or showing that its nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. A fee of $100.00 for each class must accompany the affidavit.
Int. Cl.: 12
Prior U.S. Cl.: 19

United States Patent and Trademark Office
Reg. No. 1,574,718
Registered Jan. 2, 1990

TRADEMARK
PRINCIPAL REGISTER

LEXUS

TOYOTA JIDOSHA KABUSHIKI KAISHA
(JAPAN CORPORATION)
1, TOYOTA-CHO, TOYOTA-SHI
AICHI-KEN, JAPAN

FOR: AUTOMOBILES, IN CLASS 12 (U.S. CL.
19).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
BENELUX CONV APPLICATION NO. 603193,
FILED 2-17-1987, REG. NO. 426733, DATED


DAVID H. STINE, EXAMINING ATTORNEY
CERTIFICATE OF RENEWAL

The registration shown in this certificate has been renewed in the United States Patent and Trademark Office to the named registrant.

The records of the United States Patent and Trademark Office show that an application for renewal of the registration for the mark shown in this certificate was filed in the Office, that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks, and that the registrant is entitled to renewal of the registration for the mark under the Trademark Act of 1946, as Amended.

A copy of the mark and pertinent data from the registration are a part of this certificate.

This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law.

Acting Commissioner of Patents and Trademarks
Maintenance Requirements

Section 9: This registration will expire by law after ten (10) years, UNLESS, before the end of the tenth year following the date of renewal shown on this certificate, the registrant files in the U.S. Patent and Trademark Office an application for renewal of the registration as required by Section 9 of the Trademark Act of 1946, 15 U.S.C. §1059, as Amended. It is recommended that the registrant contact the Patent and Trademark Office approximately nine years after the date shown on this renewal to determine the necessary requirements and fees for filing a Section 9 application for renewal that are in effect at that time. Currently a fee and a specimen showing how the mark is used in commerce are required for each class of goods and/or services identified in the certificate of renewal and both must be enclosed with the application for renewal.
LEXUS

TOYOTA JIDOSHA KABUSHIKI KAISHA (JAPAN CORPORATION) 693390, FILED 2-17-1987, REG. NO. 426733, DATED 2-17-1987.
1, TOYOTA-CHO, TOYOTA-SHI FOR: AUTOMOBILES, IN CLASS 12
AIChI-KEN, JAPAN (U.S. CL. 19).

44(D) ON BENELUX APPLICATION NO.

In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Oct. 12, 1999.

COMMISSIONER OF PATENTS AND TRADEMARKS
NOTICE OF ACCEPTANCE OF §8 DECLARATION AND §9 RENEWAL
MAILING DATE: Sep 11, 2009

The declaration and renewal application filed in connection with the registration identified below meets the requirements of Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059. The declaration is accepted and renewal is granted. The registration remains in force.

For further information about this notice, visit our website at: http://www.uspto.gov. To review information regarding the referenced registration, go to http://tarr.uspto.gov.

REG NUMBER: 1574718
MARK: LEXUS
OWNER: TOYOTA JIDOSHA KABUSHIKI KAISHA

0213-0557-35
REG NO. 109252418 25
Exhibit B

TLD Registration Policies

lexus Registry Public Policy

The Registry Operator for .lexus adheres to the following policies and procedures.

Specification 13
This TLD is a .brand TLD as defined by the Specification 13 attached to the Registry Agreement between the Registry Operator and ICANN and Registry Operator intends to operate the TLD accordingly.

Basic Naming Rules
The domain names under this TLD will be as follows: “domain-name”.lexus”. Domain names may consist of the English letters A-Z, digits 0-9, and hyphens (“-”), provided that they are 1-63 characters long. Naming rules for this TLD are established in full consideration of the New gTLD Reserved Names Policy outlined in the Registry Agreement (Specification 5) as well as other applicable rules and policies that are subject to change from time to time.

Eligibility Policy
The only eligible Registrants for this TLD are the Registry Operator itself, namely “TOYOTA MOTOR CORPORATION”, and its Affiliates or Trademark Licensees as approved by the Registry. All domains for this Registry are registered by the Registry Operator, its Affiliates or Trademark licensees and they maintain control of the DNS records associated with all domains names at any level.

Anti-abuse policy
The Registry Operator intends to function in such a way that all domain name registrations in the TLD shall be registered to and controlled by the Registry Operator, its Affiliates or Trademark Licensees, under the Registry Operator’s strict control. It will not sell, distribute or transfer control of domain name registrations to any party that is not an Affiliate or a Trademark Licensee of the Registry Operator. As such, the Registry Operator does not anticipate that abuse activities, or at least their certain forms, could present a threat for this TLD. Below is the outline of the Registry Operator’s anti-abuse policy.

Abuse Point of Contact
The Registry Operator maintains an abuse point of contact to report issues as the ones illustrated above. The information about this point of contact will be available at the Registry Operator’s official site (www.nic.lexus).
WHOIS Policy
The Registry Operator for this TLD complies with all the regulations by ICANN, as set forth in the Registry Agreement (Specification 4), related to the establishment and operation of the registry-level Whois, accessible to the public.

The WhoIs Domain Name Lookup Service will return information in the format established and defined by ICANN.

Launch Policy: General availability
As per Specification 13, the Registry Operator will not implement a Sunrise. The Registry will implement a General Availability period from the beginning of operations, defined as the time the Registry will start allowing registration of domains within the TLD. The General Availability period is subject to the eligibility criteria mentioned in this policy: only Registry Operator, its Affiliates or Trademark Licensees are allowed to become registrants of domain names in the TLD and they must control the DNS records associated with domain names at any level in the TLD.

Launch policy: Trademark Claims
Trademark Claims system will be in place as minimally required by ICANN during a period of 90 days from the time General Availability starts. During this period there will be a notice to the Registrant before registration if a requested domain name is an identical match to a trademark registered in the Trademark Clearinghouse. Moreover, the rights owner/s will be informed once the domain name corresponding to the record in the Trademark Clearinghouse has been registered. However, given the Registry Operator’s intended exclusive use of all domain names in the .lexus TLD and its policies designed to prevent any misuse, it is highly unlikely that the Registry Operator’s registration and use of any .lexus domain names will infringe any other company’s trademark rights.

Domain Name Lifecycle

1. Domain Name Lifecycle - Registration Periods
The .lexus TLD Registry supports initial registrations of up to ten (10) years. Renewals may be made for one (1) to ten (10) years provided that the total remaining registration period does not exceed ten (10) years. Transfers, under part A of the Inter-Registrar Transfer Policy, extend the term of the registration by one year. The registration period will be truncated to ten (10) years should the addition of this year result in a registration period exceeding the ten (10) year maximum.

2. Domain Name Lifecycle - States
The states in which a domain name can exist in this TLD Registry are as follows: Registered, Pending Transfer, Redemption, Pending Restore or Pending Delete.

3. Domain Name Lifecycle - Grace Periods
This TLD supports four grace periods: add, renew, auto-renew, and transfer.

4. Domain Name Lifecycle - Transitions
The following describes all transitions available from the states described above. Reference to grace periods is mentioned where applicable.

4.1. Available -> Registered
4.2. Registered -> Pending Transfer
4.3. Pending Transfer -> Registered
4.4. Registered -> Deleted
4.5. Registered -> Redemption Period
4.6. Redemption Period -> Pending Restore
4.7. Pending Restore -> Registered
4.8. Pending Restore -> Redemption Period
4.9. Redemption Period -> Pending Delete
4.10. Pending Delete -> Deleted

5. Domain Name Lifecycle - Locks
Locks may be applied to the domain name to prevent specific operations from occurring. The sponsoring Registrar may set the locks prefixed with “client”, whilst locks prefixed with “server” are added and removed by the administrator. Locks are added and removed independently, however they can be combined to facilitate the enforcement of higher processes, such as “Registrar Lock”, and outcomes required as part of UDRP proceedings. All locks are compatible with EPP RFCs.

Requests to delete the domain name are rejected.

DNS delegation information is not published for the object.

Requests to renew the object are rejected. However, auto-renew will be allowed.

Requests to transfer the domain name are rejected.

Requests to update the domain name are rejected, unless the update removes this status.
Exhibit B

Signed Mark Data File ID Number

SMD File ID: [redacted]