

Attachment 3

.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

NEC Corporation ("Registry Operator"), in connection with the execution of the Registry Agreement for the .nec TLD (the "Registry Agreement"), hereby applies for .nec 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.

Submitted by:

[REDACTED]

Position:

Senior Manager
Management Information
Systems Division
NEC Corporation

Dated:

25 August, 2014

Email:

[REDACTED]

Exhibit A

Trademark Registration

Please view the following pages for Registry Operator's Trademark Registration.

日本国特許庁
JAPAN PATENT OFFICE

次頁に記載の商標は下記の登録に係る商標と相違ないことを証明する。

It is hereby, certified that the trade mark indicated below page is the same as the trade mark registered in the Register of the Japan Patent Office.

登録年月日 1997年 5月30日
Date of Registration:

登録番号 商標登録第4005439号
Registration Number:

存続期間満了日 2017年 5月30日
Expiry Date:

商標権者 東京都港区芝5丁目7番1号
Owner(s) of Trade Mark Right: 日本電気株式会社

指定商品又は指定役務並びに商品及び役務の区分
Designated goods and/or services and class(es) of the classification of goods or services:

「別紙」

2014年 2月 3日

特許庁長官
Commissioner,
Japan Patent Office

羽藤秀雄



出証番号 出証商2014-9000058

指定商品又は指定役務並びに商品及び役務の区分
Designated goods and/or services and class(es) of the
classification of goods or services:

【法区分】

平成 3 年法

第 09 類 理化学機械器具，測定機械器具，配電用又は制御用機械器具，電池，電気磁気測定器，電線及びケーブル，写真機械器具，映画機械器具，光学機械器具，眼鏡，加工ガラス（建築用のものを除く。），救命用具，電気通信機械器具，レコード，電子応用機械器具及びその部品，オゾン発生器，電解槽，ロケット，遊園地用機械器具，回転変流機，調相機，電気アイロン，電気式ヘアカーラー，電気式ワックス磨き機，電気掃除機，電気ブザー，鉄道用信号機，乗り物の故障の警告用の三角標識，発光式又は機械式の道路標識，火災報知機，事故防護用手袋，消火器，消火栓，消火ホース用ノズル，消防車，消防艇，盗難警報器，保安用ヘルメット，防火被服，防じんマスク，防毒マスク，磁心，自動車用シガーライター，抵抗線，電極，溶接マスク，映写フィルム，スライドフィルム，スライドフィルム用マウント，録画済みビデオディスク及びビデオテープ，ガソリンステーション用装置，自動販売機，駐車場用硬貨作動式ゲート，金銭登録機，計算尺，硬貨の計数用又は選別用の機械，作業記録機，写真複写機，手動計算機，製図用又は図案用の機械器具，タイムスタンプ，タイムレコーダー，電気計算機，パンチカードシステム機械，票数計算機，ピリングマシン，郵便切手のはり付けチェック装置，ウエイトベルト，ウエットスーツ，浮き袋，エアタンク，水泳用浮き板，潜水用機械器具，レギュレーター，アーク溶接機，犬笛，家庭用テレビゲームおもちゃ，金属溶断機，検卵器，電気溶接装置，電動式扉自動開閉装置，メトロノーム

NEC

出証番号 出証商 2014-9000058

Exhibit B

TLD Registration Policies

.nec Registry Public Policy

The Registry Operator for .nec 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” .nec”. 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 “NEC 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.

The Registry Operator will make commercially reasonable efforts to protect its space from abusive uses of its domain names.

Abusive use includes, but is not limited to, the following:

- Illegal or fraudulent actions;
- Spam
- Phishing
- Pharming
- Willful distribution of malware: (Computer viruses, worms, keyloggers, and trojan horses etc)
- Botnet command and control
- Distribution of child pornography;
- Illegal Access to Other Computers or Networks
- Defamation of the Registry Operator, its businesses, employees, etc.

It is upon the Registry’s discretion to execute its following rights:

- deny, cancel or transfer any registration or transaction
- place any domain name on “lock”, “hold”, “pending cancellation” or any other status

The objective of such action may be, but is not limited to:

- protection of the Registry’s integrity and stability
- compliance with any applicable laws or regulations as well as any dispute resolution processes
- avoidance of any liability on the part of the Registry Operator or its Affiliates
- correction of mistakes made by the Registry Operator or any of the accredited Registrars it uses

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.nec).

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 .nec TLD and its policies designed to prevent any misuse, it is highly unlikely that the Registry Operator's registration and use of any .nec domain names will infringe any other company's trademark rights.

Domain Name Lifecycle

1. Domain Name Lifecycle - Registration Periods

The .nec 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 C

Signed Mark Data File ID Number

[REDACTED]