

.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

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

The TUI brand

TUI AG is currently Europe's leading travel group, with over 30 million customers trusting the company with their holiday and travel planning needs each year.

TUI AG has used its TUI trade name in commerce since the 1970s, and also began registering trademarks for the name at the same time. Now TUI AG is the registered owner of numerous TUI trademarks worldwide.

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.

.TUI qualifies as a .Brand TLD

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

- The .TUI TLD string is identical to the textual elements protectable under applicable law, of the TUI registered trademark valid under applicable law;
- The TUI trademark is recorded with, and issued a signed mark data file by the Trademark Clearinghouse.

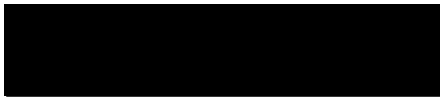
- The trademark is owned and used by Registry Operator in the ordinary course of its business in connection with the offering of goods and services claimed in the trademark registration.
- The trademark was issued to Registry Operator prior to the filing of its TLD registry application with ICANN.
- 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 **Exhibit 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:



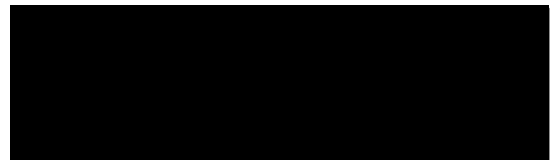
Position:

Senior Manager

Trademarks, Patents & Licences

Dated:

5.9.14



Submitted by:



Position:

Head of

Trademarks, Patents & Licences

Dated:

05.03.2014



Exhibit A

Trademark Registration

[to be attached by Registry Operator]



CERTIFICATE OF REGISTRATION

The International Bureau of the World Intellectual Property Organization (WIPO) certifies that the indications appearing in the present certificate conform to the recording made in the International Register of Marks maintained under the Madrid Agreement and Protocol.

Judith ZAHRA
Operations Division
International Trademarks Registry
Sector of Trademarks, Industrial Designs
and Geographical Indications

Geneva, November 26, 2009

1 018 332

Registration date: **March 4, 2009**

Date next payment due: **March 4, 2019**

TUI AG
Karl-Wiechert-Allee 4
30625 Hannover
(Germany).

Legal nature of the holder (legal entity) and place of organization: Aktiengesellschaft, Germany.

Name and address of the representative: Dr. Karsten Fischer,
Karl-Wiechert-Allee 4, 30625 Hannover (Germany).



Classification of figurative elements:
24.17; 26.11; 27.5; 29.1.

Colours claimed: Red.

List of goods and services - NCL(9):

- 3 Soaps; perfumery; perfumes; scented water; eau de Cologne; deodorants for personal use; potpourris (fragrances); essential oils; cosmetics; cosmetic preparations for bath; cosmetic preparations for skin care; lotions for cosmetic purposes; cosmetic creams; beauty masks; make-up preparations; lipsticks; cosmetic kits; shampoos; hair lotions; dentifrices; mouth washes, not for medical purposes; sun-tanning preparations (cosmetics); shaving preparations; after-shave lotions; boot cream; joss sticks.
- 4 Candles; Christmas tree candles; perfumed candles.
- 5 Sanitary preparations for medical purposes; dietetic sub-

- stances adapted for medical use, food for babies; plasters, materials for dressings; disinfectants; sun care preparations for pharmaceutical purposes; sunburn ointments; pharmaceutical products; pharmaceutical and veterinary preparations; medicine cases, portable, filled; emergency boxes, pockets and bags (filled).
- 6 Goods of metal included in this class; hooks of metal for clothes and pockets rails; locks of metal, other than electric; boxes of common metal; identity plates of metal, in particular luggage labels; money boxes of metal; boarding stairs of metal; towel dispensers (fixed) of metal; letter boxes of metal.
- 8 Hand-operated tools; cutlery, forks and spoons, in particular table cutlery (knives, forks and spoons) and silver plate; vegetable slicers; can openers, non-electric; egg slicers, non-electric; nutcrackers; oyster openers; non-electric cheese slicers; foundry ladles (hand tools); mortars for pounding; sugar tongs; garden tools, hand-operated; ice scraper; side arms; scissors; borers; ratchets (hand tools); crow bars; files (tools); spades (hand tools); blade sharpening instruments; screwdrivers; polishing irons (glazing tools); razors; razor cases; shaving cases; manicure and pedicure sets; depilation appliances, electric and non-electric; pincers; eyelash curlers; fireplace bellows (hand tools); lawn clippers (hand instruments); sand trap rakes.
- 9 Scientific, nautical, surveying, photographic, optical, measuring, signalling, checking and teaching apparatus and instruments; digital thermometers, not for medical purposes; barometers; temperature indicators; wireless meteorological station in essence composed of a temperature indicator, a barometer, a hygrometers as well as a indicator of date and time; data carriers, in particular magnetic data carriers, CD-ROMs, DVDs, magnetic cards, smart cards, phonograph records; exchangeable digital data storage mediums; exchangeable electronic data storage mediums; USB-sticks; data-processing apparatus and computers; apparatus for recording, transmission and reproduction of sound, images or data (included in this class); digital cameras; cameras; camcorders; tele-

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1 018 332 (continued)

- phone apparatus, in particular, mobile telephones and accessories for the above goods (included in this class); calculating machines; magnetic data carriers, in particular magnetic and video tapes, exposed films; computer software; automatic vending machines and mechanisms for coin-operated apparatus; binoculars; magnifying glasses; spectacle cases, spectacles, spectacle lenses, spectacle frames and sunglasses; optical goods; diving suits and masks; breathing apparatus for underwater swimming; decorative magnets; flat irons, electric; protective helmets for sports, in particular bicycle helmet; tachometers; mouse pads; scales; test tubes; navigation apparatus for vehicles (on-board computer); navigational instruments; satellite navigational apparatus.
- 11 Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; hair driers (dryers); cooking utensils, electric; ovens; toaster, included sandwich toasters; roasting apparatus; roasting spits; barbecues; electric raclette sets; electric fondue set; coffee machines, electric; electric kettle; water heaters; appliances for making yogurt, electric; electric waffle irons; teapot warmer; electric pressure cooking saucepans; hot plates; beer dispenser; bread machine; deep fryers, electric; microwave ovens; ice machines and apparatus; ice boxes; refrigerating containers; air cooling apparatus; refrigerating cabinets; steam facial apparatus (saunas); lamps (electric); reading lamps; chandeliers; lights, electric, for Christmas trees; Chinese lanterns; lanterns for lighting; bicycle lights; lighting apparatus for vehicles; pocket torches, electric; flares and torches for lighting; lampshade holders; lampshades; lanterns for lighting; oil lamps; light bulbs; pocket warmers; fans (air-conditioning); hot water bottles; heaters, electric for feeding bottles; foot warmers, electric or non-electric; radiators (heating); blankets, electric, not for medical purposes; hot air apparatus; hot air ovens; heat accumulators; friction lighters for igniting gas; gas lighters; petrol burners; air conditioning installations; air conditioning apparatus; water filtering apparatus; ornamental fountains; fountains; water intake apparatus; taps (faucets), in particular water taps; bath linings.
- 12 Vehicles; apparatus for locomotion by land, air or water; vehicle accessories (included in this class), in particular air pumps, rear-view mirrors; sun-blinds adapted for automobiles; baskets adapted for cycles; bells for bicycles, cycles; pedals for cycles; bicycle saddles; dress guards for bicycles, cycles; spoke clips for wheels; panniers adapted for cycles; pumps for bicycles, cycles; handle bar for bicycles, cycles; mudguards; anti-skid chains; wheelbarrows; tilting-carts; golf carts; pushchairs; parachutes; vehicle covers.
- 14 Precious metals and their alloys and goods of precious metals or plated therewith, included in this class; jewellery, precious stones; jewellery, in particular, bracelets, brooches, rings and earrings; horological and chronometric apparatus; alarm clocks; watches and watch straps; pins, included in this class; boxes, figurines (statuettes) of precious metal, chains, tie pins and clips, cuff-links; key rings (trinkets or fobs); jewellery cases; chip for shopping trolleys of metal.
- 16 Paper, cardboard and goods made from these materials included in this class, in particular nameplates, luggage labels, transfers (decalcomanias), stickers (stationery), containers for stationery, beer mats, paper and plastic packing bags, paper bags, pads of paper and writing paper; printed matter, in particular books, leaflets, brochures, newspapers and magazines; photographs, postcards; tickets, entry tickets, calendars, cards, catalogues; writing instruments, in particular pens, pencils and fountain pens; artists' materials; paint brushes; office requisites (other than furniture), in particular drawing pins, sealing stamps and inking pads; boxes for notepads; instructional and teaching material (except apparatus); cardboard, paper and plastic materials for packaging included in this class; printers' type; paper flags and pennants made of paper; adhesives for stationery purposes; table mat of paper for glasses, mugs, cups, coffee and tea pots.
- 18 Leather and imitations of leather, and goods made of these materials included in this class; trunks, attaché cases and travelling bags; briefcases; rucksacks; bags, included in this class, in particular shopper, bottle bags, camping bags, belt bags, beach bags, sports and swimming bags; pocket wallets; purses; shopping bags and net bags for shopping; travelling sets (leather ware); key cases (leather ware); wash bags; straps for trunks; saddlery; horse blankets and halters; umbrellas and parasols; walking sticks; luggage labels of leather or imitations of leather; boxes of leather or leather board.
- 20 Furniture, mirrors, picture frames; goods included in this class of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials or of plastics, in particular cases, bins and boxes; coat racks, pallets; air mattresses and air cushions, not for medical purposes; luggage labels (identity plates) not of metal; inflatable publicity objects; hand-held mirrors; chip for shopping trolleys not of metal; packaging containers of plastic.
- 21 Household or kitchen utensils and containers, in particular boxes, soapboxes, food storage jars, insulated containers; salt cellars and pepper pots, beaters, non-electric; pots; frying pans, including woks; non-electric fondue set; non-electric appliances for making yogurt; soap dispensers; soap holders; combs and sponges; brushes (except paint brushes), in particular brushes for footwear; brush-making materials; toothbrushes, including electric toothbrushes; articles for cleaning purposes; deodorizing apparatus for personal use; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware included in this class, in particular vases, decanters, flasks and glass (receptacles); works of art made of porcelain, clay or glass; fruit bowls; napkin rings; cosmetic apparatus; perfume vaporizers; shaving brushes; spectacle cleaning cloths; bottles, in particular insulating flasks, refrigerating bottles, demijohns and drinking flasks for travellers; fruit presses, non-electric, for household purposes; corkscrews; bottle openers; fitted picnic baskets, including dishes; portable cold boxes, non-electric; isothermic bags; services (dishes); coffee services; tea services; chopsticks; shoe horns; shoe trees (stretchers); coasters, not of paper and other than table linen; trivets (table utensils); table mat for glasses, mugs, cups, coffee and tea pots (table utensils), not of paper; toothpicks; toothpick holders; disposable table plates; flower-pot covers; watering cans; ice buckets; garden, polishing and cooking gloves; gloves for household purposes; baby baths, portable; baby potties for sanitary purposes; heaters for feedings bottles, non-electric; bread and cutting boards for kitchen use.
- 22 Rope, string, nets, tents, awnings, tarpaulins, sails, sacks

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- and bags included in this class; padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials; braces, not of metal, for handling; packing rope; packing string; plastic fibers (fibres) for textile use; beach shell tent; bags for washing hosiery.
- 24 Textiles and textile goods (included in this class); bed covers, bedspreads and table covers and cloths, bath and hand towels, included in this class; textile napkins and handkerchiefs; curtains of textile material; pennants and flags not of paper, printing blankets of textile material; bed clothes; labels of cloth; table mats (table linen) for carafe, bottles, glasses, mugs, cups, coffee and tea pots of textile material; shower curtains of textile or plastic.
- 25 Clothing, in particular T-shirts, trousers, gloves, shirts, blouses, money belts (clothing), belts; headgear, in particular hats, caps and shower caps; scarves, ties, overalls, raincoats, shawls, socks, headbands and jumpers, swimming costumes, bathing trunks, bathrobes; footwear, in particular sandals, bathing shoes and sports shoes; pockets for clothing; wet suits for water-skiing; aprons; masquerade costumes.
- 26 Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers and fruits; lanyard keychain; ornamental novelty badges (buttons); trouser clips for cyclists; hair bands; hair grips (slides); bows for the hair; hair ornaments; barrettes (hair-slides); needle cases; sewing boxes; brassards.
- 27 Mats; door mats; gymnastic mats; bath mats; linoleum; carpets; pedestal mat; reed mats; floor coverings; tapestry (wall hangings), not of textile.
- 28 Games, playthings; parlour games; inflatable playthings, in particular in the form of plans and animals; gymnastic and sporting articles included in this class; playing cards; models and their parts; scale models, in particular of vehicles, airplanes, railways and ships as well as accessories therefore (included in this class); golf bags, with or without wheels; golf clubs; golf gloves; divot repair tools (golf accessories); pitch forks (golf accessories); landing nets for anglers; ornaments for Christmas trees, except illumination articles and confectionery; candle holders for Christmas trees; confetti; puppets; plush toys; rattles; scooters (toys); roller skates; balls for games; puzzle.
- 29 Meat, fish, poultry and game; meat extracts; preserved, refrigerated, dried and cooked fruit and vegetables; jellies, jams; compotes; eggs, milk and milk products; edible oils and fats; meat, fish, vegetables and fruits, tinned; crystalized fruits.
- 30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (including salad dressings); spices; ice; sweets, in particular fruit and wine gums, candy, pastille and lollies; chocolate; advent calendars, Christmas stockings (filled or draped with sweets, chocolates and/or pastries); ice cream.
- 31 Agricultural, horticultural and forestry products as well as grains included in this class; living animals; fresh fruits and vegetables; seeds, live plants and natural flowers; animal foodstuffs.
- 32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
- 33 Alcoholic beverages (except beers).
- 34 Tobacco; smokers' articles in particular ashtrays for smokers; tobacco pouches; tobacco jars; cigarette cases; cigarillos; cigar cases; humidors; cigarettes; tobacco pipes; snuffboxes; pipe racks for tobacco pipes; match boxes; lighters for smokers; matches; match holders.
- 35 Advertising, including advertising on the Internet; marketing for third parties; marketing in digital networks; telemarketing; public relations; advertising and promotional services (for third parties); rental of advertising material; rental and provision of advertising space, including of advertising space on the Internet; providing of commercial and business contacts, including on the Internet; rental and provision of advertising time on communication media; direct mail advertising; distribution of samples for advertising purposes; dissemination of advertising matter; duplication of documents; publication of publicity texts; writing of publicity texts; publication of printed matters for publicity, in particular for tour operator catalogues, also in electronic form and on the Internet; market research including opinion polling and market analysis; organization of fairs and exhibitions for commercial and advertising purposes; commercial advisory services for consumer; customer acquisition and customer care by mailings; on-line advertising on a computer network; planning of advertising efforts; updating, maintenance, systemization and compilation of data in computer databases, in particular for measures of customer retention; organizational consulting regarding measures of customer retention; developing marketing activities that include the provision of bonuses and similar perks; business and organizational consultancy, including customer loyalty programs; business consultancy; business management; business administration; office functions: business organization and management advisory services; bookkeeping; hotel management for third parties; business organizational preparation of building projects as a service of a building contractor; organizational and business advice for franchise concepts; sponsorship, namely providing of advertising and promotional contracts for third parties; rental of office equipment; recruitment of office staff; providing of business addresses for advertising purposes; auctioneering services, in particular on the Internet; provision of contracts on the purchase and sale of goods (for third parties) and on the use of services by teleshopping channel; procurement of contracts for provision of services for third parties by teleshopping channel (included in this class); employment of staff for hotlines and call centre; order counter services by hotline and call centre; retail services for goods of international classes 1-34; arranging of commercial transaction for third parties, including in the context of e-commerce; commercial administration of the licensing of the goods and services of others.
- 36 Insurance; insurance brokerage; insurance consultancy; financial affairs, monetary affairs; real-estate affairs; real-estate brokers; apartment house management; development of a concept for the use of real-estate in financial regard (facility management); real estate management as well as providing, leasing and renting out of real estate (facility management); services of a building contractor, namely financial preparation of building projects; financial advice for franchise concepts; rental of offices (real estate); issuing of credit cards; issuing electronic readable customer cards with a payment feature for entering bonus and reward transactions (included in this class); issue of tokens of value; charitable fund raising; safe deposit serv-

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- ices; sponsorship in the form of financial support; electronic commerce payment services, in particular processing payments for the purchase of goods and services via an electronic communications network.
- 38 Telecommunications; electronic communication; communication of data and information by computer and means of electronic communication (telecommunications, computer, telephone, Internet and Intranet), included in this class, in particular communication of offers; telecommunications by means of platforms and portals on the Internet; entering of websites in the Internet; electronic communication by means of chat rooms, chat lines and Internet forums; providing Internet chatrooms; providing telecommunication channels for teleshopping services; broadcasting of teleshopping-programmes; renting of telecommunication equipments for hotlines and call centres; telephone services; communication of traffic information within the scope of telecommunication services; broadcasting of radio and television programmes; communication of technical information within the scope of telecommunication services; telecommunication services in Internet cafés; providing access to databases; rental of database access time (computer services).
- 39 Transport; packaging and storage of goods; transport of persons and goods, in particular, by road, rail, sea and air; porter services; transport of money and valuables; travel organization, booking and arrangement of travel, excursions and cruises; arrangement of transport services; rental of diving suits; organization, booking and arrangement of excursions, day trips and sightseeing tours; travel consultancy and escorting of travellers; rental, booking and providing of aircraft; rental, booking and providing of ships, in particular rowing and motor boats, sailing vessels and canoes, rental, booking and providing of motor vehicles, bicycles and horses; parcel delivery; organization of trips, holidays and sightseeing tours; travel agency services (included in this class), in particular consultancy and booking services for travel, providing information about travel, arrangement of transport services and travel; reservation services for travel (included in this class); information about travel on the Internet, in particular, about reservation and booking in the tourism and business travel sector (online travel agencies); delivery, dispatching and distribution of newspapers and magazines; consultation provided by telephone call centres and hotlines regarding travels, including business travels, including business travel and in the field of logistics, transport and storage; transport services, namely tracking of passenger or freight vehicles using computers or global positioning system (GPS); traffic information.
- 41 Education and continuous training, educational consultancy; teaching, in particular in the field of correspondence and language courses; entertainment; film and video film production; DVD and CD-ROM-film production; production of radio and television programs; film and video rental, film and video performances; organization of shows (impresario services); modelling for artists (entertainment); musical performances; circus performances; public entertainment; theatrical performances; arranging and conducting of concerts; ticket agency services (entertainment); organization and providing of an after school children's entertainment centre featuring educational entertainment; entertainment services, in particular holiday camp services; arranging and conducting of teaching in the field of sports and languages; health club services, in particular, providing equipment and instruction in the field of physical fitness (included in this class), providing training clubs and fitness clubs, golf courses, tennis courts, riding facilities, kindergartens (education, entertainment), cinema theatre facilities, discotheques, museum (presentation, exhibitions), amusement arcades, sports camps and sports facilities, amusement parks; rental of skin diving equipment; organization of sports competitions; organization and arrangement of cultural and sporting events; reservation services (included in this class) for sporting, scientific and cultural events; game services provided on-line from a computer network; rental of recorded data carriers (films, music, games), projector apparatus and the accessories thereof (included in this class); rental of newspapers and magazines; writing of texts, other than publicity texts; publication of printed matter (also in form of electronic media including CD-ROMs), other than publicity texts, in particular of books, magazines, newspapers; publication of printed matter in electronic form, except for publicity purposes, in particular magazines and newspapers, including in the Internet; issuing of texts, other than publicity texts, in particular of books, magazines and newspapers, including in the Internet; organization of exhibitions for cultural and teaching purposes; services of a recreation and amusement park in the education and entertainment sector; services of an interpreter and of a translator; photography; radio entertainment, television entertainment; consultation provided by telephone call centres and hotlines in the field of education, training and further training and entertainment; consultation provided by telephone call centres and hotlines in the field of reservation services for sporting, scientific and cultural events; information about entertainment and entertainment events provided via online networks and Internet.
- 42 Construction drafting, design planning and consultancy, in particular of travel agencies; services of a civil engineer and of an architect, in particular of an interior designer; services of a building contractor, namely technical preparation of building projects; creation, installation, updating, care and maintenance of computer software, in particular of software for the organization, reservation and procurement of transport services and business travel and for advertising travel on the radio and television and electronic media; computer programming for data processing and communication; rental of computer software and data processing machines; EDP consultancy; technical advice for franchise concepts; technical consultancy by call centre or hotline in the field of EDP, especially for operating instructions, support and utilization of computer databases and computer software; programming services for constructing and maintaining of Internet portals, chat rooms, chat lines and Internet forums; design and construction of homepage and website designs; creating and maintaining web sites for others; updating of websites.
- 43 Providing temporary accommodation, providing of food and drinks for guests; accommodation bureau services; providing and rental of holiday homes, holiday flats and apartments; providing room reservation and hotel reservation services, providing hotel and motel services; catering; services of boarding houses; rental of meeting rooms; bar services; providing of food and drinks for guests in restaurants; providing food and drinks in Internet cafés; consultation provided by telephone call centres and hotlines in

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the field of temporary room and board accommodation services, providing and rental of holiday homes, other accommodation services and hotel reservation as well as accommodation and catering for guests.

- 44 Services of saunas, beauty salons, sanatoriums, hairdressing salons and massage parlour; nursing (medical); public baths for hygiene purposes and Turkish baths; organisation of recreation stays for health purposes; medical assistance; convalescent homes; flower arranging; manicuring; massage; hospices; physiotherapy; nursing homes; animal grooming; dentistry.
- 45 Escorting in society (chaperoning); dating services; marriage agencies; horoscope casting; security consultancy; night guards; opening of security locks; body guarding; monitoring of burglar and security alarms; guards; home sitting; missing person investigations; clothing rental; evening dress rental; baby sitting; providing of licenses for films, television and videos, licensing of computer software (legal services); licensing of intellectual property and copyrights; licensing of franchise-concepts.

Basic application: Germany, 04.03.2009, 30 2009 013 267.4/39.

Data relating to priority under the Paris Convention: Germany, 04.03.2009, 30 2009 013 267.4/39.

Designations under the Madrid Protocol: Antigua and Barbuda, European Community, Georgia, Netherlands Antilles, Sao Tome and Principe, Sultanate of Oman, Turkey, Turkmenistan, Uzbekistan.

Designations under the Madrid Protocol by virtue of Article 9sexies: Albania, Armenia, Azerbaijan, Belarus, China, Croatia, Cuba, Kyrgyzstan, Mongolia, Montenegro, Morocco, Republic of Moldova, Russian Federation, Switzerland, Syrian Arab Republic, Ukraine.

Limitation of the list of goods and services: Georgia, Turkey. List limited to classes 9, 16, 25, 28, 35, 39, 41, 43 and 44.

Limitation of the list of goods and services: Turkmenistan, Uzbekistan.

List limited to classes 25, 35, 39, 41, 43 and 44.

Date of notification: 26.11.2009

Language of the international application: English

The process used does not allow in all cases the exact reproduction of all the different shades of colors

Exhibit B

TLD Registration Policies

[to be attached by Registry Operator]

Domain Name Registration and Use Policy for “.TUI”

I. General Principles

1. Purpose

The “.TUI” Top Level Domain (“TLD”) is established by and for the use of TUI AG (“TUI”). TUI 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 “.TUI” space.

This Policy is intended to be updated and revised regularly to reflect the needs of TUI.

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

2. Registration Policy

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

TUI may, in its sole discretion, elect to license the use of domain name registrations within the “.TUI” space to affiliated entities, such as corporate partners. In all cases, however, TUI 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 “.TUI” Domain Names

8. Acceptable Use

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

TUI intends that no domain name in the “.TUI” 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 TUI or its businesses, affiliates, employees, etc.

The IP-Legal Department of TUI will routinely monitor the use of all domain names registered in the “.TUI” space to ensure that the content displayed thereon is in the best interests of the company and its business endeavours. 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 “.TUI” 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 “.TUI” 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 “.TUI” 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

[to be provided by Registry Operator]

Marks: TUI

