

## **.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

UBS AG ("Registry Operator"), in connection with the execution of the Registry Agreement for the .UBS TLD (the "Registry Agreement"), hereby applies for .UBS 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, listed below, Specification 13 attached thereto, and all supplemental material accompanying this application is accurate and not misleading in any respect.

- The UBS AG TLD (.UBS) is identical to the textual elements protectable under applicable law of a valid registered trademark
- The UBS AG trademark is recorded with, and issued a signed mark data file by the Trademark Clearinghouse and meets all eligibility requirements.
- The UBS AG trademark is owned and used by the Registry Operator and its Affiliates in the ordinary course of Registry Operator's and its Affiliates' business in connection with the offering of any of the goods and/or services claimed in the trademark registration.
- The UBS AG trademark was issued to Registry Operator prior to the filing of its TLD registry application with ICANN.
- The UBS AG trademark is used throughout the Term continuously in the ordinary course of business of Registry Operator in connection with the offering of any of the goods and/or services identified in the trademark registration.
- The UBS AG trademark does not begin with a period or a dot.
- The UBS AG 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.
- Registry Operator has provided ICANN with an accurate and complete copy of such trademark registration. (see exhibit A).
- Only Registry Operator, its Affiliates or Trademark Licensees are registrants of domain names in the TLD and control the DNS records associated with domain names at any level in the TLD (see exhibit B).
- Registry Operator's trademark is registered within the TMCH as validated in the SMD file ID for the TLD (See Exhibit C).
- The TLD is not a Generic String TLD (as defined in Specification 11).

Registry Operator also represents that the trademark registration attached hereto as Exhibit A, the registration policies attached hereto as Exhibit B, and the SMD file ID number attached hereto as Exhibit C are all complete and accurate copies for the TLD to which this application is submitted, 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].

Submitted by:

Position:

Dated:

Email:

[REDACTED]  
Legal Counsel / Executive Director

August 13, 2014

[REDACTED]

# **Exhibit A**

**Int. Cls.: 3, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 20, 21, 24, 25, 27, 28, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45**

**Prior U.S. Cls.: 1, 2, 3, 4, 5, 6, 8, 9, 12, 13, 14, 17, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 100, 101, 102, 103, 104, 105, 106 and 107**

**Reg. No. 3,006,891**

**United States Patent and Trademark Office**

**Registered Oct. 18, 2005**

## **TRADEMARK SERVICE MARK PRINCIPAL REGISTER**

### **UBS**

UBS AG (SWITZERLAND CORPORATION)  
BAHNHOFSTRASSE 45  
CH-8001 ZURICH, SWITZERLAND

FOR: SOAPS; PERFUMERY, ETHEREAL OILS  
NAMESLY BODY OIL, ESSENTIAL OILS FOR PERSONAL USE; COSMETICS; BEAUTY CARE PRODUCTS, NAMESLY BODY AND FACE MOISTURIZING CREAMS, MASKS AND ANTI-AGING CREAMS; AND DENTIFRICES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: COMMON METALS AND THEIR ALLOYS FOR FURTHER MANUFACTURING, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: HOUSEHOLD OR KITCHEN APPLIANCES, NOT MADE OF OR COATED WITH PRECIOUS METALS NAMESLY ELECTRIC FOOD BLENDERS, ELECTRIC MIXERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FOR: HAND-OPERATED TOOLS AND IMPLEMENTS, NAMESLY HAMMERS, WRENCHES, SCREWDRIVERS, CHOPPERS, SLICERS AND SHEARS; CUTLERY, NAMESLY FORKS, SPOONS AND KNIVES; SCISSORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FOR: ELECTRONIC EQUIPMENT AND INSTRUMENTS, NAMESLY ELECTRONIC CURRENCY CONVERTERS AND AGENDAS, PAGERS AND DIGITAL PERSONAL ORGANIZERS; EQUIPMENT FOR THE RECORDING, STORING, PROCESSING, TRANSMISSION OR REPRODUCTION OF DATA, IN PARTICULAR OF SOUND, IMAGES OR TEXT, OF INFORMATION AND MESSAGES, NAMESLY COMPUTERS AND COMPUTER CABLES, DIGITAL

AUDIO TAPE PLAYERS AND RECORDERS, DIGITAL VIDEO RECORDERS AND PLAYERS, DIGITAL CAMERAS AND DIGITAL CELLULAR PHONES; MAGNETIC RECORDING DEVICES, NAMESLY MAGNETIC TAPE DRIVES; TELECOMMUNICATIONS DEVICES AND INSTALLATIONS, NAMESLY TELEPHONES, TELEPHONE SWITCHES, TELEPHONE ANSWERING MACHINES AND CALLER IDENTIFICATION BOXES; PRE-RECORDED OPTICAL, MAGNETIC AND ELECTRONIC DATA CARRIERS NAMESLY COMPUTER DISCS, OPTICAL DISCS, AUDIO TAPES, VIDEO TAPES AND DVD'S IN THE FIELD OF BANKING, INSURANCE AND FINANCIAL SERVICES; COMPUTER HARDWARE AND SOFTWARE IN THE FIELDS OF INVESTMENT BANKING, ON-LINE BANKING, INSURANCE AND FINANCIAL SERVICES, NAMESLY FOR ACCESSING FINANCIAL AND ACCOUNT INFORMATION, DATABASE MANAGEMENT, FOR TRANSACTING BANK AND INVESTMENT BUSINESS AND FOR THE TRADING OF SECURITIES, CURRENCIES, OPTIONS, FOREIGN EXCHANGE, FUTURES, FUNDS AND COMMODITIES; DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF A MAGAZINE, NEWSLETTER AND REPORTS IN THE FIELDS OF BANKING, INSURANCE, INVESTMENTS AND FINANCIAL SERVICES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: WALL, TABLE AND DESK ELECTRIC LIGHT FIXTURES AND LAMPS; OIL LAMPS; HOUSEHOLD OR KITCHEN APPLIANCES, NOT MADE OF OR COATED WITH PRECIOUS METALS, NAMESLY MICROWAVE OVENS FOR COOKING, ELECTRIC HAIR DRYERS AND ELECTRIC TOASTERS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FOR: VEHICLES, NAMELY CARS, TRUCKS, MOTORCYCLES, ALL TERRAIN VEHICLES, AND GOLF CARTS; APPARATUS FOR LOCOMOTION BY LAND, AIR, OR WATER, NAMELY TRUCKS, MOTORCYCLES, AIRPLANES, GLIDERS AND BOATS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FOR: PRECIOUS METALS AND THEIR ALLOYS AND GOODS MANUFACTURED FROM OR COATED WITH PRECIOUS METALS, NAMELY GOLD, SILVER AND PLATINUM BARS, CANDLE STICKS, JEWELRY BOXES AND LETTER OPENERS; COINS, NAMELY MONETARY, NON-MONETARY AND COLLECTIBLE COINS; PRECIOUS METAL INGOTS; JEWELRY, PRECIOUS GEMSTONES; HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS, NAMELY CLOCKS, WATCHES, CHRONOMETERS; LIGHTERS OF PRECIOUS METAL; AND CIGARETTE CASES MADE OF PRECIOUS METAL, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: MUSICAL INSTRUMENTS, IN CLASS 15 (U.S. CLS. 2, 21 AND 36).

FOR: PRINTED PRODUCTS, NAMELY BROCHURES, MAGAZINES, NEWSPAPERS, REPORTS, CATALOGUES, LISTS, MANUALS, PAMPHLETS, LEAFLETS AND FLYERS IN THE FIELD OF BANKING, FINANCE, INVESTMENT AND INSURANCE; INSTRUCTIONAL, EDUCATIONAL AND TEACHING MATERIALS WRITING PAPER, COMPUTER PAPER AND STATIONARY, NAMELY FOR BANKING, FINANCE, INVESTMENT AND INSURANCE USES; JOURNALS AND PUBLICATIONS, NAMELY FINANCIAL MAGAZINES AND ACCOUNTING BOOKS; ADVERTISING MATERIALS, NAMELY POSTERS AND PAPER BANNERS; PRINTED INSTRUCTIONAL AND TEACHING MATERIAL IN THE FIELD OF BANKING, FINANCE, INVESTMENT AND INSURANCE; PACKAGING MATERIAL, NAMELY PAPER BOXES AND BAGS; TABLE COVERS OF PAPER; DESK SETS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: LEATHER AND IMITATION LEATHER SOLD IN BULK, AND GOODS MADE FROM THESE MATERIALS, NAMELY PURSES, WALLETS, KEY CHAINS, ALL PURPOSE BAGS AND PERSONAL AGENDA COVERS; TRUNKS AND TRAVELING BAGS; UMBRELLAS, PARASOLS AND WALKING STICKS; AND TEXTILE SHOPPING BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FOR: FURNITURE; MIRRORS AS FURNITURE; PICTURE FRAMES; GOODS MADE OF WOOD, CORK, REED, CANE, WICKER, WILLOW, HORN, BONE, IVORY, WHALEBONE, TORTOISE-SHELL, AMBER, MOTHER OF PEARL, MEERSCHAUM AND SUBSTITUTES FOR ALL THESE MATERIALS, OR OF PLASTIC, NAMELY FURNITURE, PICTURE FRAMES; ADVERTISING MATERIALS, NAMELY PLASTIC BANNERS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FOR: HOUSEHOLD OR KITCHEN UTENSILS NOT MADE OR COATED WITH PRECIOUS METALS NAMELY GRATERS, SPATULAS, DRINKING FLASKS, BARWARE, NAMELY WINE BUCKET, CORKSCREWS, COCKTAIL SHAKERS, BOTTLE OPENERS, AND CONTAINERS FOR COMMERCIAL USE NOT MADE OF OR COATED WITH PRECIOUS METALS; CLEANING COMBS AND SPONGES; BRUSHES, EXCLUDING PAINTBRUSHES, NAMELY FOR SHOES AND CLEANING; CLEANING MATERIALS, NAMELY RAGS AND STEEL WOOL; AND GLASSWARE, PORCELAIN AND EARTHENWARE, NAMELY, EGGS, FIGURES AND BUSTS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FOR: CLOTH TEXTILES FOR THE MANUFACTURE OF TEXTILE GOODS NAMELY TEXTILE PLACE MATS AND NAPKINS; BED COVERS, NAMELY BED SHEETS; TABLE MATS NOT OF PAPER; ADVERTISING MATERIALS, NAMELY CLOTH BANNERS, IN CLASS 24 (U.S. CLS. 42 AND 50).

FOR: CLOTHING, NAMELY, SHIRTS, PANTS AND JACKETS; FOOTWEAR; HEADWEAR; HEADGEAR, NAMELY HATS, CAPS AND EAR MUFFS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FOR: CARPETS, RUGS, DOOR AND BATH MATS; CARPET, RUG, DOOR AND BATH MATTING, IN CLASS 27 (U.S. CLS. 19, 20, 37, 42 AND 50).

FOR: GAMES AND PLAYTHINGS, NAMELY, CARD GAMES, BOARD GAMES AND ACTION SKILL GAMES; GYMNASTIC AND SPORT ARTICLES, NAMELY, BALLS, BATS, BASKETBALL GOAL SETS, STREET HOCKEY GOAL SETS, ICE HOCKEY PUCKS, ICE HOCKEY STICKS AND SOCCER GOAL SETS; CHRISTMAS TREE DECORATIONS; PLAYING CARDS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: COFFEE, TEA, COCOA, SUGAR, RICE; BREAD; PASTRY AND CONFECTIONERY, NAMELY CAKES; PIES, COOKIES AND CANDIES; FLAVORED ICES; HONEY; AND SPICES, IN CLASS 30 (U.S. CL. 46).

FOR: BEERS; MINERAL AND CARBONATED WATERS AND OTHER NON-ALCOHOLIC DRINKS, NAMELY DRINKING WATER, SODA WATER AND CARBONATED SOFT DRINKS, LOW CALORIE SOFT DRINKS AND FLAVORED SOFT DRINKS; FRUIT DRINKS AND FRUIT JUICES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FOR: ALCOHOLIC DRINKS, EXCLUDING BEERS, NAMELY WINES, SCOTCH, VODKA, GIN, RUM, WHISKEYS AND SCHNAPPS, IN CLASS 33 (U.S. CLS. 47 AND 49).

FOR: TOBACCO; SMOKERS' ARTICLES, NAMELY PIPES, LIGHTERS OF NON PRECIOUS METALS; CIGARETTE CASES NOT OF PRECIOUS METALS, CIGAR CUTTERS, CIGAR TUBES AND ASH RE-

CEPTACLES; AND MATCHES , IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FOR: ADVERTISING AGENCY SERVICES; PROCUREMENT, NAMELY PURCHASING ENERGY, SOURCES OF ENERGY AND ENERGY BY-PRODUCTS FOR OTHERS, AND CONSULTANCY SERVICES IN CONNECTION THEREWITH; PROCUREMENT OF LONG-TERM SUPPLY CONTRACTS FOR THIRD PARTIES IN CONNECTION WITH THE PROVISION OF ENERGY, SOURCES OF ENERGY, AND ENERGY BY-PRODUCTS FOR OTHERS; RENTAL OF ADVERTISING SPACE FOR THIRD PARTIES ON THE WORLD-WIDE COMPUTER NETWORKS OR IN CONVENTIONAL MEDIA; MARKET RESEARCH; BUSINESS MARKETING CONSULTING FOR OTHERS; TELEMARKETING; TELEPHONE ANSWERING SERVICES; PUBLIC RELATIONS; ORGANIZING JOB, TRADE AND TRADE INDUSTRIAL FAIRS; ORGANIZING AND CONDUCTING EXHIBITIONS IN THE FIELDS OF ENERGY, BUSINESS ADMINISTRATION, BANKING AND FINANCIAL MATTER; PREPARATION OF BUSINESS MANAGEMENT INFORMATION ON A WIDE VARIETY OF TOPICS FOR TRADE AND INDUSTRY; PRODUCTION OF ECONOMIC FORECASTS; FINANCIAL ANALYSIS, NAMELY, ASSESSMENTS OF COSTS AND EFFICIENCY IN BUSINESS MATTERS OF OTHERS; BUSINESS CONSULTANCY SERVICES IN THE FIELD OF THE MANAGEMENT OF PRICE RISKS; STAFF RECRUITMENT; OFFICE WORK, NAMELY SECRETARIAL AND CLERICAL SERVICES; ACCOUNTING, INTERNAL AND EXTERNAL BUSINESS AUDITING; BUSINESS MANAGEMENT FOR OTHERS; PROVISION OF BUSINESS MANAGEMENT INFORMATION VIA GLOBAL COMPUTER NETWORKS; CONSULTANCY SERVICES ON THE ORGANIZATION AND MANAGEMENT OF BUSINESSES; ADMINISTRATION OF BUSINESS PAYROLL AND EMPLOYEE BENEFIT PLANS FOR OTHERS; BUSINESS CONSULTANCY SERVICES ON THE CONDUCT OF COMMERCIAL TRANSACTIONS; PROCESSING OF STATISTICAL DATA; PROCESSING AND SYSTEMATIZING OF DATA IN COMPUTER DATABASES, NAMELY COMPUTER DATABASE MANAGEMENT; E-COMMERCE SERVICES, IN PARTICULAR PROVISION OF PRODUCT INFORMATION VIA WORLD-WIDE COMPUTER OR TELEMATIC NETWORKS FOR ADVERTISING AND SALES PURPOSES; INTERNET BASED RETAIL SERVICES FOR OTHERS, NAMELY COMPUTER HARDWARE AND SOFTWARE RETAIL STORES VIA WORLD-WIDE COMPUTER NETWORKS; ART AUCTIONS; PROMOTING THE ENERGY TRADING SERVICES OF OTHERS THROUGH ON-LINE ORDERING AND CATALOGING OF THOSE ENERGY TRADING SERVICES; PROCESSING AND SYSTEMATIZING OF DATA IN COMPUTER DATABASES IN THE FIELD OF TRADING IN OIL, GAS, ELECTRICITY AND OTHER ENERGY SOURCES; MANAGEMENT AND PROCESSING OF IMAGE, AUDIO AND TEXT FILES AND INFORMATION ABOUT ENERGY; BUSINESS INFORMATION MANAGEMENT ABOUT ENERGY; BUSINESS MARKETING SERVICE FOR OTHERS IN THE FIELD OF TRADING IN ENERGY AND

SOURCES OF ENERGY; PROMOTING THE GOODS OF OTHERS IN THE FIELD OF ENERGY AND SOURCES OF ENERGY AS WELL AS PETROCHEMICAL PRODUCTS THROUGH THE DISTRIBUTION OF PRINTED AND AUDIO MATERIALS AND PROVIDING HYPERTEXT LINKS TO THE WEB SITES OF OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: INSURANCE AFFAIRS, NAMELY INSURANCE BROKERAGE; INSURANCE CONSULTATION; INSURANCE UNDERWRITING FOR ALL TYPES OF INSURANCE; FINANCIAL AFFAIRS, NAMELY FINANCIAL MANAGEMENT AND FINANCIAL ANALYSIS AND CONSULTATION; BANKING; PROVISION OF FINANCIAL INFORMATION VIA COMPUTER SYSTEMS; ELECTRONIC BANKING SERVICES VIA A WORLD-WIDE COMPUTER NETWORK; INTERACTIVE ELECTRONIC PROVISION OF FINANCIAL SERVICES, NAMELY PROVIDING ON-LINE STORED VALUE ACCOUNTS IN AN ELECTRONIC ENVIRONMENT AND BANKING SERVICES VIA GLOBAL COMPUTER NETWORKS; STOCK EXCHANGE SERVICES INCLUDING TRADING IN SECURITIES, DERIVATIVES AND CURRENCIES; MONEY LENDING; BROKER AND CONSULTANCY SERVICES IN CONNECTION WITH INSURANCE, FINANCIAL, BANKING OR REAL ESTATE MATTERS AS WELL AS CURRENCY EXCHANGE AND TRADING MATTERS, AND AGENCY SERVICES IN THE FIELD OF INSURANCE OR REAL ESTATE MATTERS AS WELL AS CURRENCY EXCHANGE; FINANCIAL CONSULTANCY SERVICES IN THE FIELD OF PAYMENT SYSTEMS; MANAGEMENT OF PROVIDENT FUNDS; FINANCIAL TRANSACTIONS, NAMELY INVESTMENT FUND TRANSFER AND TRANSACTIONS AND ELECTRONIC FUND TRANSFER; CONSULTANCY SERVICES IN THE FIELD OF FINANCIAL PLANNING AND FINANCIAL MANAGEMENT; SERVICES IN THE FIELD OF INVESTMENT AND RISK MANAGEMENT; ASSET MANAGEMENT; REAL ESTATE SERVICES, NAMELY REAL ESTATE ACQUISITION SERVICES, REAL ESTATE APPRAISAL, REAL ESTATE EQUITY SHARING, NAMELY, MANAGING AND ARRANGING FOR CO-OWNERSHIP OF REAL ESTATE; REAL ESTATE ESCROW SERVICES, REAL ESTATE INVESTMENT AND REAL ESTATE MANAGEMENT; FINANCIAL SERVICES FOR TRUSTS, NAMELY ESTATE TRUST MANAGEMENT; TRUST SERVICES, NAMELY, INVESTMENT AND TRUST COMPANY SERVICES, ESTATE PLANNING AND TRUSTEESHIP REPRESENTATIVES; EVALUATION OF FINANCIAL INVESTMENTS; BROKERAGE SERVICES IN CONNECTION WITH TRADING IN ENERGY, SOURCES OF ENERGY AND ENERGY BY-PRODUCTS; FINANCIAL SPONSORSHIP IN THE FIELDS OF CULTURAL ARTS, SPORTS AND ECONOMIC, LAW, TAX AND POLITICAL RESEARCH; CONDUCTING ELECTRONIC BANKING SERVICES AND FINANCIAL SERVICES NAMELY, MONEY LENDING SERVICES VIA GLOBAL COMPUTER NETWORKS; AND CONSULTANCY SERVICES FOR ALL THE ABOVE-LISTED SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FOR: BUILDING CONSTRUCTION; REPAIR OF BUILDINGS AND ROOFS; INSTALLATION OF OFFICE DIVIDERS, COMPUTER WORKSTATIONS AND ELECTRICAL SYSTEMS , IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FOR: TELECOMMUNICATIONS, NAMELY LOCAL AND LONG DISTANCE TRANSMISSION OF VOICE, DATA AND GRAPHICS BY MEANS OF TELEPHONE, TELEGRAPHIC, CABLE, AND SATELLITE; TELEGRAM SERVICES; ELECTRONIC, ELECTRIC AND DIGITAL TRANSMISSION OF VOICE, DATA, IMAGES, SIGNALS, AND MESSAGES; ELECTRONIC TRANSMISSION, NAMELY ON-LINE TRANSMISSION OF FINANCIAL TRANSACTION DATA; TRANSMISSION OF BUSINESS INFORMATION VIA GLOBAL COMPUTER NETWORKS; TELETXT SERVICES; VIDEOTEXT AND ELECTRONIC MAIL SERVICES; PROVISION OF MULTIPLE USER ACCESS TO THE GLOBAL COMPUTER NETWORKS, NAMELY THE INTERNET, DATABASES AND WEBSITES; PROVISION OF TELECOMMUNICATIONS CONNECTIONS TO A GLOBAL COMPUTER NETWORK FOR THE RECEIPT OF ORDERS FOR GOODS AND SERVICES BY ELECTRONIC DATA TRANSMISSION; ELECTRONIC MAIL SERVICES IN CONNECTION WITH A DATABASE, NAMELY THE RECEIPT OF MESSAGES OF ANY NATURE FROM DATABASE USERS AND FORWARDING SUCH MESSAGES TO OTHER DATABASE USERS; PROVISION OF MULTIPLE USER ACCESS VIA HYPER CONNECTIONS TO GLOBAL COMPUTER NETWORKS TO ACCESS DATA AND INFORMATION; AND CONSULTANCY SERVICES FOR ALL THE ABOVE-LISTED SERVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: STORAGE, TRANSPORT AND DISTRIBUTION OF ENERGY, OF SOURCES OF ENERGY AND OF ENERGY BY-PRODUCTS; DELIVERY SERVICES IN THE FIELD OF ENERGY, SOURCES OF ENERGY AND ENERGY BY-PRODUCTS BY AIRPLANES, TRUCKS, TRAINS AND ARMORED VANS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FOR: TREATMENT OF MATERIALS, NAMELY METAL TREATMENT, APPLYING PROTECTIVE COATING TO WOOD AND METAL AND COTTON; TREATMENT, NAMELY, MOLD PREVENTION TREATMENT TO COTTON TEXTILES, FABRICS AND CLOTHING, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FOR: EDUCATION, NAMELY CONDUCTING CLASSES, SEMINARS AND CONFERENCES IN THE FIELD OF BANKING, INSURANCE, INVESTMENTS, MANAGEMENT AND FINANCIAL SERVICES; PROVISION OF TRAINING IN THE FIELD OF BANKING, INSURANCE, INVESTMENTS, MANAGEMENT AND FINANCIAL SERVICES; ORGANIZATION AND CONDUCT OF SEMINARS AND

WORKSHOPS IN THE FIELD OF BANKING, INSURANCE, INVESTMENTS, MANAGEMENT AND FINANCIAL SERVICES; ORGANIZATION AND CONDUCT OF EXHIBITIONS FOR CULTURAL AND TRAINING PURPOSES; ENTERTAINMENT, NAMELY LIVE MUSIC PERFORMANCES, THEATRICAL PRODUCTIONS, LIVE COMEDIC PERFORMANCES, AND NOVELTY ACTS; ORGANIZING SPORTING AND CULTURAL ACTIVITIES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FOR: REAL ESTATE CLOSING SERVICES; CONSULTANCY SERVICES ON ENERGY CONSERVATION AND DEVELOPMENT OF COMPREHENSIVE ENERGY CONSERVATION PLANS FOR HOUSEHOLDS, BUSINESS AND INDUSTRY; LEGAL SERVICES, IN PARTICULAR IN RELATION TO THE ESTABLISHMENT AND MANAGEMENT OF BUSINESSES; SCIENTIFIC AND INDUSTRIAL DESIGN PRODUCT RESEARCH; CREATION OF COMPUTER PROGRAMS FOR DATA PROCESSING FOR OTHERS; COMPUTER CONSULTANCY SERVICES; PROGRAMMING OF WEBSITES FOR OTHERS; DESIGN OF DATABASES AND WEBSITES FOR OTHERS; RENTAL OF STORAGE SPACE FOR THE USE OF WEBSITES, NAMELY HOSTING THE WEBSITES OF OTHERS; INTELLECTUAL PROPERTY CONSULTATION REGARDING MANAGEMENT AND EVALUATION OF INTELLECTUAL PROPERTY RIGHTS; PROVISION OF INFORMATION ON THE SUBJECT OF COMPUTER SYSTEM DESIGN, IN CLASS 42 (U.S. CLS. 100 AND 101).

FOR: SERVICES FOR PROVIDING FOOD AND DRINK, NAMELY VIA RESTAURANTS AND CATERING SERVICES; PROVIDING TEMPORARY HOUSING ACCOMMODATION, IN CLASS 43 (U.S. CLS. 100 AND 101).

FOR: HEALTH CARE SERVICES AND BEAUTY SALON CARE FOR HUMAN BEINGS, IN CLASS 44 (U.S. CLS. 100 AND 101).

FOR: SECURITY SERVICES FOR THE PROTECTION OF PROPERTY AND INDIVIDUALS, NAMELY MONITORING SECURITY SYSTEMS, MONITORING OF COMPUTER SYSTEMS FOR SECURITY PURPOSES, MONITORING OF BURGLAR, SECURITY AND FIRE ALARMS; SECURITY GUARD SERVICES, IN CLASS 45 (U.S. CLS. 100 AND 101).

PRIORITY CLAIMED UNDER SEC. 44(D) ON SWITZERLAND APPLICATION NO. 09630/2002, FILED 11-11-2002, REG. NO. 510104, DATED 5-7-2003, EXPIRES 11-11-2012.

SER. NO. 76-512,807, FILED 5-8-2003.

YSA DEJESUS, EXAMINING ATTORNEY

## **Exhibit B**

### **TLD Registration Policies**

#### **.UBS TLD REGISTRATION POLICY**

##### **1. ELIGIBILITY**

Only UBS AG and its Affiliates (and qualifying Trademark Licensees as defined in, and in accordance with Specification 13 of the Registry Agreement ("Specification 13") where applicable) are eligible to register a Domain Name under the **.UBS** TLD. If the Registrant ceases to be eligible at any time in the future, the Registry may cancel or suspend the license to use the Domain Name immediately.

The registration of Domain Names must be approved by an authorized person(s) as nominated by the Registry ("Authorized Person") in addition to meeting all requirements under the Registry Rules.

The registration of Domain Names will be centralized and managed through the exclusive Registrar(s) selected by the Registry.

##### **2. REQUIRED CRITERIA FOR DOMAIN NAME REGISTRATION**

An application for Domain Name registration must meet all the following criteria:

- (i) availability;
  - a. the Domain Name is not already registered
  - b. it is not reserved or blocked by the Registry
- (ii) technical requirements;
  - a. a maximum of 63 characters (after its conversion into the ASCII for IDNs);
  - b. use of characters selected from the list of supported characters as nominated by the Registry;
  - c. any additional technical requirements as required by the Registry from time to time
- (iii) compliance with all requirements under the Registry Rules.

##### **3. OBLIGATION OF REGISTRANTS**

The Registrant must enter into an agreement with the Registrar for Domain Name registration under which the Registrant will be bound by the Registry Rules specified through the Registry-Registrar agreement as amended by the Registry from time to time.

The Registrant must also agree to be bound by the minimum requirements in clause 3.7.7 of 2013 ICANN Registrar Accreditation Agreement as amended from time to time ("2013 ICANN RAA").

The Registrant must represent and warrant that:

- (i) it meets, and will continue to meet, the eligibility criteria at all times and must notify the Registrar if it ceases to meet such criteria;
- (ii) the registration, renewal and use of the Domain Name does not violate any third party intellectual property rights, applicable laws or regulation;
- (iii) the registration and use of the Domain Name is made in good faith and for a lawful purpose;
- (iv) if the use of registered Domain Name is licensed to a third party,
  - a. the Registrant must have a licensing agreement with the licensee for the use of the Domain Name that is not less onerous than the obligation of the Registrant contained in the Registry Rules and otherwise complies with the requirements of Specification 13; and
  - b. where there is a breach of any provisions contained in the Registry Rules by the licensee of the Domain Name, Registry may revoke the Domain Name at its sole discretion.
- (v) it owns or otherwise has the right to provide all registration data (including personal information) for each Domain Name registered and provision of such registration data complies with all applicable data protection laws and regulations; and

- (vi) It has appropriate consent and licenses to allow for publication of registration data in the WHOIS database.

#### **4. REGISTRANT CONTACT INFORMATION**

The Registrant must provide complete and accurate contact information of the Registrant (in accordance with 2013 ICANN RAA), including but not limited to the following;

- (i) name of a company or organization (or full name of the Registrant if the Registrant is a natural person);
- (ii) registered office and principal place of business (or address of the Registrant if the Registrant is a natural person); and
- (iii) contact details of the Registrant including e-mail address and telephone number.

All Registrant contact information must be complete and accurate. Any changes to such Registrant information must be promptly notified to the Registrar, and no later than one (1) month of such change.

#### **5. REVOCATION OF DOMAIN NAMES**

The Registrant acknowledges that the Registry may revoke a Domain Name immediately at its sole discretion:

- (i) in the event the Registrant breaches any Registry Rules;
- (ii) to comply with applicable law, court order, government rule or under any dispute resolution processes;
- (iii) where such Domain Name is used for any of the following prohibited activities (Prohibited Activities):
  - a. spamming;
  - b. intellectual property and privacy violations;
  - c. obscene speech or materials;
  - d. defamatory or abusive language;
  - e. forging headers, return addresses and internet protocol addresses;
  - f. illegal or unauthorized access to other computers or networks;
  - g. distribution of internet viruses, worms, Trojan horses or other destructive activities; and
  - h. any other illegal or prohibited activities as determined by the Registry.
- (iv) in order to protect the integrity and stability of the domain name system and the Registry;
- (v) to comply with Specification 13;
- (vi) as required by ICANN Consensus Policy;
- (vii) where such Domain Name is placed under reserved names list at any time; and
- (viii) where Registrant fails to make payment to the Registrar for registration, renewal or any other relevant services.

#### **6. USE OF SECOND OR THIRD LEVEL IDNS**

In addition to meeting all required criteria for registration of domain names above, an application for an IDN Domain Name must:

- (i) comply with any additional registration policy on IDNs for each language;
- (ii) meet all technical requirement for the applicable IDN;
- (iii) comply with the IDN tables used by the Registry as amended from time to time; and
- (iv) meet any other additional technical requirements as required by the Registry.

#### **7. USE OF GEOGRAPHIC NAMES**

All two-character labels and country and territory names will be initially reserved in accordance with specification 5 of the Registry Agreement. Upon approval from ICANN and any other guidelines by applicable governments and ICANN's Governmental Advisory Committee, the Registry may release the two-character labels and country and territory names in accordance with UBS AG's response to Question 22 Geographic Names.

#### **8. RESERVED NAMES**

The Registry may place certain names in its reserved list from time to time where:



- (i) the Registry believes in its sole discretion that use of such names may pose a risk to the operational stability or integrity of the Registry;
- (ii) in accordance with ICANN's specifications contained in the Registry Agreement, guidelines or recommendations;
- (iii) there is a risk of trademark infringement or where the name otherwise may cause confusion taking into consideration the mission and purpose of the TLD; or
- (iv) the Registry in its sole discretion decides certain names to be reserved for any reason.

## **9. ALLOCATION OF DOMAIN NAME**

The Registry will register Domain Names on a first-come, first-served basis in accordance with the Registry Rules. The Registry does not provide pre-registration or reservation of Domain Names.

## **10. TERM OF REGISTRATION / RENEWAL**

### Initial term of registration:

A Domain Name can be registered for a period between one (1) to ten (10) years. Upon registration of a Domain Name, the Registrant holds a license to use the Domain Name for the registration period.

### Renewal of registration:

The term may be extended at any time for a period between one (1) to ten (10) years, provided that the total aggregate term of the Domain Name does not exceed ten (10) years at any time.

### Cancellation of registration:

The Registrant may cancel a Domain Name registration at any time by submitting its request in writing with the Registrar.

### Auto-renewal:

Upon expiry of the Domain Name, the Registry will auto-renew the Domain Name for a one year term (1) year term unless the Registrant submits its intention not to renew the Domain Name.

The Registry will implement the business rules for the renewal of Domain Names documented in appendix 7 of the .com Registry Agreement, as amended from time to time.

## **11. TRANSFER OF DOMAIN NAMES BETWEEN REGISTRANTS**

Any transfer of a Domain Name between Registrants must be approved by the Registry through the Registrar in accordance with the Registry Rules.

## **12. PRIVACY AND DATA PROTECTION**

By registering a Domain Name, the registrant authorizes the Registry to process personal information and other data required for the operation of the TLD. The Registry will only use the data for the operation of the Registry including but not limited to its internal use, communication with the Registrant or the Registrar, and provision of WHOIS look-up facility.

The Registry may only transfer the data to third parties:

- (i) with the Registrant's consent;
- (ii) in order to comply with laws, regulations or orders by a competent public authority and any Alternative Dispute Resolution (ADR) providers; or
- (iii) for a publicly available and searchable WHOIS look-up facility, in accordance with specification 4 of the Registry Agreement.

## **13. WHOIS**

The Registry provides a publicly available and searchable WHOIS look up facility, where information about the Domain Name's status (including creation and expiry dates), and registrant, administrative and the technical contact administering the Domain Name can be found, in accordance with specification 4 of the Registry Agreement.

In order to prevent misuse of the WHOIS look up facility, the Registry requires that any person submitting a WHOIS database query will be required to read and agree to the terms and conditions, which will provide that:

- (i) the WHOIS database is provided for information purposes only; and
- (ii) the user agrees not to use the WHOIS information to allow or enable the transmission of unsolicited commercial advertising or other communication via email or other methods to the Registrants.

#### **14. DISPUTE RESOLUTION**

The Registrant agrees to be bound by ICANN's Dispute Resolution Policies in respect of all disputes in connection with the Domain Name.

#### **15. COMPLIANCE WITH CONSENSUS AND TEMPORARY POLICIES**

The Registrant agrees to be bound by all applicable consensus and temporary policies as required and mandated by ICANN.

#### **16. DEFINITIONS**

**Affiliate** *has the same meaning as defined in Registry Agreement.*

**Domain Name** *means a domain name registered directly under the .UBS TLD or for which a request or application for registration has been filed with the Registry;*

**ICANN's Dispute Policy** *means the dispute policy currently known as the Uniform Domain Name Dispute Resolution Policy (UDRP) issued and as may be updated from time to time by the Internet Corporation of Assigned Names and Number (ICANN) and the Uniform Rapid Suspension (URS) (see Specification 7 of the Registry Agreement).*

**Registrar** *means an ICANN accredited registrar which enters into an exclusive Registry-Registrar agreement for the TLD, and which provides domain name registration services to Registrants;*

**Registry** *means UBS AG ("UBS")*

**Registry Agreement** *means the agreement between the Registry and ICANN;*

**Registry Rules** *mean:*

- (i) *this Registration Policy as amended by the Registry from time to time; and*
- (ii) *any rules and regulations provided and amended by the Registry from time to time.*

**Registrant** *means a natural person, company or organization who holds a Domain Name registration or who has requested or applied for the registration of a Domain Name.*