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

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

- The .WINDOWS string is identical to the textual elements of the European Union WINDOWS trademark; registration number 79681 (copy attached as Exhibit A).
- This registered trademark was issued 10 November 1998, before the 28 May 2012 filing date of the .WINDOWS registry application with ICANN.
- The WINDOWS trademark is recorded with, and has been issued a signed mark data file by, the Trademark Clearinghouse (SMD file ID attached is Exhibit C).
- Registry Operator and its Affiliates use the WINDOWS trademark in connection with Registry Operator's operating system.
- Only Registry Operator and its Affiliates or Trademark Licensees will be registrants of domain names in the .WINDOWS TLD and control the DNS records associated with domain names at any level in the .WINDOWS TLD.
- The .WINDOWS 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 complete and accurate copies of the official trademark registration, Registry Operator's registration policies for the TLD, and the SMD file ID for the TLD for 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 ███████.

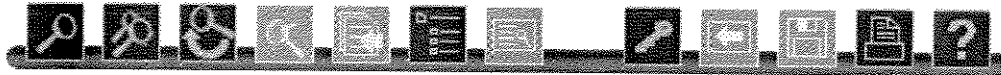Submitted by: ████████
Position: Principal Program Manager
Dated: 25 August 2014
Email: ███████████████

See attached document.

CTM-ONLINE - Detailed trade mark information

Trade mark name :	WINDOWS
Trade mark No :	000079681
Trade mark basis:	CTM
Number of results:	1 of 1

Trade mark

Filing date:	01/04/1996
Date of registration:	10/11/1998
Expiry Date:	01/04/2016
Nice Classification:	9, 16, 35 (⇨ Nice classification)
Trade mark:	Individual
Type of mark:	Word
Acquired distinctiveness:	No
Your reference:	MAA/YEJ/MICROSOFT
Status of trade mark:	CTM registered (⇨ Glossary) (⇨ History of statuses)
Filing language:	English
Second language:	German

Graphic representation

No entry for application number: 000079681.

⊞ List of goods and services

Nice Classification:	9
List of goods and services	Computers; computer software programs; computer components; computer peripherals; holograms.

Nice Classification:	16
List of goods and services	Printed publications, magazines, newspapers, newsletters, users' guides, user manuals, and books relating to computers, computer software programs, computer components, and computer peripherals.

Nice Classification:	35
List of goods and services	Organisation, preparation, and presentation of trade fairs, trade shows, and expositions including, without limitation, the display and advertising of computers, computer software, and other computer related goods.

Description

Description of the mark:	No Description

Owner

Name:	MICROSOFT CORPORATION
ID No:	35
Natural or legal person:	Legal entity
Address:	One Microsoft Way

Post code: 98052-6399
Town: Redmond,
Country: UNITED STATES
Correspondence address: MICROSOFT CORPORATION One Microsoft Way
                          Redmond, Washington 98052-6399 ESTADOS UNIDOS

Representative

Name:
ID No:
Address:
Post code:
Town:
Country:
Correspondence address:

Telephone:
Fax:
E-mail:

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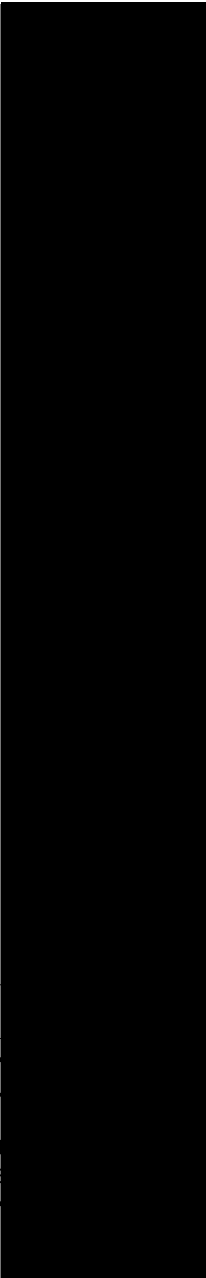**Registration number:**
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Exhibition priority

No entry for application number: 000079681

Priority

No entry for application number: 000079681.

Publication

Bulletin no.:	1998/042
Date of publication:	08/06/1998
Part:	A.1

Bulletin no.:	1999/011
Date of publication:	22/02/1999
Part:	B.2

Bulletin no.:	2006/037
Date of publication:	11/09/2006
Part:	D.1

Opposition

No entry for application number: 000079681.

Cancellation

No entry for application number: 000079681

Appeals

No entry for application number: 000079681.

Recordals

Title:	####
Sub-title:	Claim of seniority
ID No:	000157977

Title:	Representative
Sub-title:	Change of name and professional address
ID No:	001271462

Title:	Representative
Sub-title:	Change of name and professional address
ID No:	002886599

Renewals

Expiry Date:	01/04/2016
Status of renewal:	Renewed
Type of renewal:	Total

History of status (Glossary)	**Status date**
Renewed	09/04/2006
Renewal fee paid	04/04/2006
Need to renew communicated	04/09/2005

Exhibit B
TLD Registration Policies

Microsoft's
.WINDOWS Registry Registration Policy

Contents

.WINDOWS Domain Name Registration Policy

This .WINDOWS Domain Name Registration Policy sets out the eligibility criteria for .WINDOWS domain names in Microsoft's .WINDOWS registry ; this .WINDOWS Domain Name Registration Policy may be updated periodically; the current version can be found at nic.WINDOWS, and Registrant's continued registration of a .WINDOWS domain name after any such update shall constitute Registrant's acceptance of any such update.

The terms set out in this .WINDOWS Domain Name Registration Policy constitute the full agreement concerning eligibility criteria for registration of a .WINDOWS domain name. It is to be read in conjunction with the .WINDOWS Domain Name T&C's ; no other terms in any other communications from Registrant to Microsoft concerning Registrant's registration of a .WINDOWS domain name supplement or alter the terms of this .WINDOWS Domain Name Registration Policy agreement, except as expressly incorporated herein.

Any undefined capitalized term in the .WINDOWS Domain Name Registration Policy shall have the meaning set out in the ICANN Registry Agreement applicable to the .WINDOWS registry, available at [insert link here]

All communications and information under this .WINDOWS Domain Name Registration Policy shall be in English.

General/Definitions

.WINDOWS Domain Name T&Cs means the .WINDOWS Domain Name Registry Terms and Conditions which sets out the terms and conditions governing the registration and use of domain names in the .WINDOWS registry.

Microsoft means Microsoft Corporation (Microsoft), a company organized under the laws of the State of Washington, U.S.A. and located at One Microsoft Way, Redmond, WA 98052.

Microsoft Affiliate means any entity that directly or indirectly controls, is controlled by, or is under common control with Microsoft, including Microsoft (this includes Affiliates and Trademark Licensees as defined in the ICANN Registry Agreement applicable to the TLD).

Registrant means a Microsoft authorized employee of a Microsoft Affiliate seeking to initiate registration of a .WINDOWS domain name (which if allowed, means that Registrant is then a .WINDOWS domain name registrant).

Registrar means an ICANN-accredited registrar.

Registry means Microsoft as a provider of TLD registry services for the .WINDOWS Top Level Domain registry.

Registry Services Provider means the entity providing back-end technical and operational services for the day-to-day functioning of the .WINDOWS registry.

Terms used in the singular or plural are merely for convenience, and shall apply mutatis mutandis, as the context may require.

Rules of Eligibility

Domain names are only available for registration by Microsoft, Microsoft's authorized employees or a Microsoft Affiliate.

- Microsoft reserves the right to periodically verify Registrant's eligibility to maintain a .WINDOWS domain name registration, and at any time to initiate an Eligibility Reconsideration process.

- The only manner by which Registrant may challenge Registrant's (non-)eligibility to register a .WINDOWS domain name is through Microsoft's .WINDOWS Eligibility Reconsideration process described below; any determination on Registrant's (non-)eligibility to register a .WINDOWS domain name shall be made in Microsoft's sole discretion, and is not subject to any further appeal mechanism or reconsideration process.

Domain Name Registration Rules

Domain name registration in the .WINDOWS will occur pursuant to a four-step process:

(1) Eligibility Confirmation;

(2) Naming Convention Check;

(3) Acceptable Use Review; and,

(4) Registration (.WINDOWS domain name registrations shall be for one year).

Only if an attempted domain name registration is verified as meeting the .WINDOWS Domain Name Registration Rules, including the domain name being available for registration (i.e., not already registered), and only where Registrant meets the .WINDOWS Rules of Eligibility, can a .WINDOWS domain name proceed to registration/allocation. .WINDOWS domain name registrations shall at all times be bound to all applicable .WINDOWS rules and regulations including inter alia the .WINDOWS Domain Name Registration Policy and the .WINDOWS Domain Name T&C's.

(1) Eligibility Confirmation

- Only Microsoft's authorized employees of a Microsoft Affiliates may register (including any renewals) or use .WINDOWS domain names; .WINDOWS domain names may not under any circumstances be registered or used by parties other than Microsoft, Microsoft's authorized employees of a Microsoft Affiliate.

- Prior to approval/registration/renewal, all prospective domain name registrations will be verified by the Registrar and Microsoft's .WINDOWS domain name management team for compliance with the .WINDOWS Rules of Eligibility.

(2) Naming Convention Check

A [second-level] .WINDOWS domain name must meet all of the following criteria:

(a) Must be at least 1 character and no more than 63 characters long.

(b) Must not contain a hyphen at the 3rd and 4th positions (tagged domains), unless corresponding to a valid Internationalized Domain Name in ASCII encoding (for example "xn--ndk061n").

(c) Must contain only letters (a-z), numbers (0-9) and hyphens, or a combination of these.

(d) Must start and end with an alphanumeric character, not a hyphen.

(e) Must not be a Reserved Names (see below)..

(3) Acceptable Use Review

- Upon submission of a request to register a .WINDOWS domain name, or by asking Microsoft to renew a .WINDOWS domain name registration, Registrant represents and warrants that Registrant's .WINDOWS domain name registration does and will at all times comply with the .WINDOWS Domain Name Registration Policy and the .WINDOWS Domain Name T&C's .

- Prior to approval/registration/renewal, Registrant's domain name registration will be verified by [the Registrar and] Microsoft's .WINDOWS domain name management team for compliance as to Acceptable Use.

- Domain name registrations/renewals will only be permitted in the [TLD] registry where Registrant have obtained a .WINDOWS registration code from Microsoft's .WINDOWS domain name management team in advance of registration; .WINDOWS registration codes are granted subject to Microsoft's satisfaction that Registrant's registration and use of a .WINDOWS domain name will conform with the .WINDOWS Acceptable Use terms.

- Microsoft may periodically review a .WINDOWS registrant's compliance with the .WINDOWS Acceptable Use terms. Any determination by Microsoft's domain name management team as to Registrant's (non-)compliance with the .WINDOWS Domain Name Registration Policy may result in the cancellation or revocation of Registrant's .WINDOWS domain name registration.

(4) Registration

- Unless otherwise agreed in writing in advance with the Microsoft .WINDOWS registry and confirmed by the Registrar, .WINDOWS domain name registrations, and renewals, are for a period of one year.

- Provided that the .WINDOWS Eligibility Confirmation, Naming Convention Check, and Acceptable Use Review criteria are all satisfied, Microsoft's .WINDOWS domain name management team will instruct the Registrar to proceed with the registration or renewal of Registrant's .WINDOWS domain name.

- If at any point prior to the registration expiration date Registrant no longer wishes to maintain Registrant's .WINDOWS domain name registration, Registrant may submit a written (which shall include email) request to ███████████████ for Microsoft's .WINDOWS domain name management team to cancel Registrant's .WINDOWS domain name registration; in such event, Microsoft's .WINDOWS domain name management team is under no obligation to make such domain name available for future registration.

- At the conclusion of the registration period for Registrant's .WINDOWS domain name, unless Registrant has instructed Microsoft otherwise at least 30 calendar days prior to the expiration of Registrant's .WINDOWS domain name registration, we will automatically renew Registrant's .WINDOWS domain name registration; in the event Registrant's .WINDOWS domain name registration is renewed, we will collect renewal fees from Registrant.

Reserved Names

The following terms are reserved from registration:

a. terms prohibited by ICANN from availability for registration including as required by the ICANN Registry Agreement applicable to the ..WINDOWS Top Level Domain, and in particular
   1. the terms "example", "www", "rdds", and "whois" at all levels, which at Microsoft's discretion shall be withheld from registration or allocated to Microsoft
   2. the term "nic", at all levels, as this term shall be allocated to Microsoft for use in connection with the operation of the .WINDOWS Top Level Domain
b. any term reserved by Microsoft in its discretion e.g., pursuant to its business goals

Exhibit C
Signed Mark Data File ID Number

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