

## **Mitigation Measures to Avoid Confusion** (concerning 2-letter labels in general)

Deutsche Vermögensberatung Aktiengesellschaft (DVAG) is Registry Operator for the “.DVAG” TLD.

As stated in the New gTLD Application for “.DVAG”, 18(a) section C - the purpose of the TLD is as follows:

*The “.DVAG” top-level domain will enable Deutsche Vermögensberatung to communicate with all of its commercial agents in a streamlined and consistent manner, and to communicate information about the DVAG brand in single and a unified platform. The “.DVAG” top-level domain will further assist DVAG by providing a single location where clients may locate and engage authorized investment counsellors, research the many products and services offered by the company, and where commercial agents may advertise in a DVAG-endorsed, authenticated space. The “.DVAG” space will provide the company and its agents with a single, multi-functional and well-maintained forum through which to communicate to their clients and prospective consumers.*

*The TLD “.DVAG” is intended to benefit Internet users by enabling DVAG and its commercial agents to communicate under the unique nexus “.DVAG” more easily and effectively with all Internet users, and particularly with their many customers, employees and affiliates.*

*The “.DVAG” Registry Service Provider will manage the Internet space under the direct control of DVAG. This will allow the distribution and exchange of information between DVAG, their authorized commercial agents, and their relevant stakeholders by means of, but not limited to, websites, social networks, email and other technologies that will reside within the “.DVAG” domain name space.*

*DVAG envisages the TLD to follow a single-registrant model, wherein all registrations within the space are held by the DVAG company itself. DVAG’s commercial agents, appropriate corporate divisions, or other affiliated entities may apply to the Legal department of DVAG to request authorization to license such registrations for their own use. DVAG shall review such requests and, in its sole discretion, may grant such licenses on a case-by-case basis. In all cases, DVAG shall monitor the use of all “.DVAG” domain names to ensure that the content of the associated websites remains current and appropriate to the “.DVAG” space, and does not violate third parties’ rights.*

*Furthermore, all host records have to be approved by both the legal and the IT department of DVAG prior to creation.*

DVAG has for the “.DVAG” TLD executed Specification 13 to the Registry Agreement. Specification 13 already contractually requires that the DVAG will apply measures which, by their very nature, avoid confusion with the corresponding country code, namely the following:

1. “.DVAG” is identical to a qualifying registered trademark;
2. “.DVAG” is not a Generic String, as this is defined in Specification 11;
3. DVAG has developed and will implement a closed registration policy for “.DVAG” that requires that all domain names in the “.DVAG” TLD be registered ONLY by Registry Operator, its Affiliates, and its Trademark Licensees;
4. As required under the Registry Agreement, DVAG will clearly publish the “.DVAG” registration policy;

5. DVAG will conduct internal reviews at least once per calendar year to ensure continued compliance with Specification 13.

Compliance with Specification 13 prohibits the “.DVAG” TLD from registering domain names to unaffiliated third parties, and thus clearly designate to the public that the “.DVAG” TLD is a proprietary space in which all second-level domain names in the TLD are being operated by DVAG, its Affiliates and Trademark Licensees, and not anyone else for any other purpose.

By this response DVAG confirms that all registrations of two letter domain names shall comply with the requirements of Specification 13.

## **Mitigation Measures to Avoid Confusion** (concerning 2-letter labels in general)

Deutsche Vermögensberatung Aktiengesellschaft (DVAG) is Registry Operator for the “.POHL” TLD.

As stated in the New gTLD Application for “.POHL”, 18(a) section D - the purpose of the TLD is as follows:

*DVAG intends to use this new TLD space to provide interested members of the Internet community with access to information concerning its founder and the company's core values. The space will be organized in an intuitive, easy-to-navigate matter, making the information provided therein accessible to Internet visitors. Examples of some anticipated second-level uses instrumental to the structure of the TLD space, may be as follows:*

*“history.POHL”, “values.POHL”, “tradition.POHL”, “family.POHL” and “FIRSTNAME.POHL”*

*These second level registrations may be used to provide information about DVAG's values, corporate history and tradition.*

*“stiftung.POHL”*

*This domain, and others like it may be used to inform Internet users about the Anneliese Pohl Foundation, which provides funding for cancer research and the Anneliese Pohl Psychosocial Cancer Counseling Center. As indicated above, the Foundation was established by Mr. Pohl in honor of his late wife, and the German word “stiftung” means “foundation” in English.*

*“allfinanz.POHL”*

*This domain name may be used to provide in-depth information about the innovative Allfinanz “one-stop-shopping” asset management concept, and how the idea was developed.*

*Internet users will thus benefit from the new space through the easy location of information relating to DVAG's history, its illustrative founder, and the charitable endeavors connected with the company and the Pohl family. Moreover, as Mr. Pohl remains an active member of the German investment market, and as a major philanthropist, it is natural that his upcoming endeavors will be showcased within the TLD space. Internet users will find the space a natural location to search for further information concerning DVAG's corporate history and the values that underlie its success.*

*The “.POHL” TLD will be managed under the direct control of DVAG. The TLD to follow a single-registrant model, wherein all registrations within the space are held by the DVAG company itself.*

*DVAG envisages the TLD to follow a single-registrant model, wherein all registrations within the space are held by the DVAG company itself. DVAG's appropriate corporate divisions or other affiliated entities may apply to the Legal department of DVAG to request authorization to license such registrations for their own use. DVAG shall review such requests and, in its sole discretion, may grant such licenses on a case-by-case basis. In all cases, DVAG shall monitor the use of all “.POHL” domain names to ensure that the content of the associated websites remains current and appropriate to the “.POHL” space, and does not violate third parties' rights.*

For the “.POHL” TLD DVAG has applied for and been granted an exemption to the registry operator code of conduct under Specification 9 to the Registry Agreement. This code of conduct exemption already contractually requires that the DVAG will apply measures which,

by their very nature, avoid confusion with the corresponding country code, namely the following:"

- Developing and implementing a closed registration policy for “.POHL” that requires that all domain names in the TLD be registered and used by Registry Operator and its affiliates;
- Clearly publishing the registration policy on Registry Operator’s homepage for .[TLD]; and
- Enforcing of the registration policy for “[TLD] and ensuring continued compliance, including through annual recertification of “.POHL”’s qualification for an exemption to the Registry Operator Code of Conduct.

The publicly available registration and usage policy would prevent any third party from registering domains in the “.POHL” TLD. It would clearly designate to the public that “.POHL” was a proprietary space in which all second-level domains in the TLD were being operated by DVAG, and not anyone else for any other purpose.