

.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

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

Registry Operator confirms and represents to ICANN that the TLD meets each of the criteria for the TLD to be qualified as a .Brand TLD, as described in the .Brand TLD Application Process and Specification 13 attached thereto, and that all supplemental material accompanying this application is accurate and not misleading in any respect. Registry Operator also represents that the trademark registration attached hereto as Exhibit A, 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 [redacted] Opportunity Interactive GmbH [redacted]

Submitted by: [redacted]
Position: [redacted]
Dated: [redacted]
Email: Chief Financial Officer
01.09.2014

Submitted by: [redacted]
Position: Chief Business Development & Central Services Officer
Dated: 01.09.2014
Email: [redacted]

BUNDESREPUBLIK DEUTSCHLAND



URKUNDE

UBER DIE EINTRAGUNG DES WARENZEICHENS

656708



Stada



DEUTSCHES PATENTAMT

Laufende Nummer	Klasse	Aktenzeichen	Name und Wohnort des Zeicheninhabers und des Vertreters ausländischer Zeicheninhaber Geschäftsbetrieb, in welchem das Zeichen verwendet werden soll Zeit der Anmeldung, Beanspruchte Unions- oder Ausstellungsriorität: Land, Ort, Zeit Waren, für welche das Zeichen bestimmt ist	Eingetragen am *)
656708	2	St 1843	<p>Stada Gemeinschaftsunternehmen Deutscher Apotheker e.G.m.b.H., Düsseldorf, Feldstr. 73.</p> <p>Herstellung und Vertrieb pharmazeutischer Grundstoffe und Zubereitungen sowie Hilfsmittel hierzu.</p> <p>26.6.1953</p> <p>Arzneimittel, chemische Erzeugnisse für Heilzwecke und Gesundheitspflege, pharmazeutische Drogen, Pflaster, Verbandstoffe, Tier- und Pflanzenvertilgungsmittel, Entkeimungs- und Entwesungsmittel (Desinfektionsmittel), Mittel zum Frischhalten und Haltbarmachen von Lebensmitteln.) (GK. 2)</p>	27. APR. 1954

*) Der Schutz des eingetragenen Zeichens dauert 10 Jahre, die mit dem Tage beginnen, an dem die Anmeldung erfolgt.
Die Schutzdauer kann um jeweils 10 Jahre verlängert werden. (§ 9 Absatz 1 und 2 des Markengesetzes.)

13. Mai 1983

DEUTSCHES PATENTAMT

Postanschrift: Deutsches Patentamt, 8000 München 2

München, den

Fernrufdurchwahl: (0 89) 21 95-

6 590

STADA Arzneimittel AG
Abt. Warenzeichen und Patente
Stadastraße 2-18
6368 Bad Vilbel 4

Warenzeichen: 656 708-ESt I

Dienstleistungsmarke:

Inhaber: s.Adr.

Warenzeichen (Dienstleistungsmarke) und Name bei allen Eingaben und Zahlungen in deutlicher Schrift erbeten.

Ihr Zeichen: wz/verl-db

Zutreffendes ist angekreuzt oder ausgefüllt!

Betr.: Antrag auf Verlängerung der Schutzdauer vom 28.4.83

1. In der Zeichenrolle ist bei dem (den) folgenden Zeichen als Zeitpunkt der Verlängerung der Schutzdauer vermerkt worden:

656 708/5

Stada

26.6.1983

2. Die neue Schutzdauer endet zehn Jahre nach dem unter Ziffer 1. genannten Tag.

Anlage(n):

Die vervollständigte(n) Eintragungsurkunde(n) liegt (liegen) bei.

Zweitstück bei Vertretung

_____ Mehrstück(e) für Mitinhaber

Warenzeichenabteilung



K1

W 7431
Wz. E 7a
9.81

Dienstgebäude in München:

Winzerstraße 47 a/Saarstraße 5:
Warenzeichenabteilung, Markenstelle,
Gebrauchsmusterabteilung,
Gebrauchsmusterabteilungen,
Patentabteilungen 41-45.

(Postanschrift siehe oben; Annahmestelle und Nachbriefkasten nur Zweibrückenstr. 12)

Zweibrückenstraße 5-7 Breiterhof:
Urheberrechtsabteilung,
Schiedsstelle für
Arbeitnehmererfindungen.

Zweibrückenstraße 12:
Alle übrigen Fachbereiche.

Fernruf (0 89) 21 95-1
Fernschreiber 05-23 534
Konten der Zahlstelle:
Postcheckamt München 791 91-803 (BLZ 700 100 80)
Landeszentralbank München 700 010 54 (BLZ 700 000 00)

Auszug
aus der Zeichenrolle des Deutschen Patentamts

Darstellung des Zeichens

Nummer: 656708

Klasse:

Aktenzeichen:

Eingetragen am:



Name und Wohnort des Zeicheninhabers und des Vertreters ausländischer Zeicheninhaber

Geschäftsbetrieb, in dem das Zeichen verwendet werden soll

Beanspruchte Unionspriorität (Land, Zeit, Aktenzeichen) oder Ausstellungspriorität (Bezeichnung, Ort und Eröffnungstag der Ausstellung)

Tag der Anmeldung

Waren/Dienstleistungen, für die das Zeichen bestimmt ist

Beschreibung

25

656708

St 1843

Stada

~~26/6 1953. Stada-Gemeinschaftsunternehmen
Deutscher Apotheker e.G.m.b.H., Düsseldorf,
Feldstr. 23.~~

~~Geschäftsbetrieb: Herstellung und Vertrieb pharmazeutischer Grundstoffe und Zubereitungen sowie Hilfsmittel hierzu.~~

~~Waren: Arzneimittel, chemische Erzeugnisse für Heilzwecke und Gesundheitspflege, pharmazeutische Drogen, Pflaster, Verbandstoffe, Tier- und Pflanzenvertilgungsmittel, Entkeimungs- und Entwesungsmittel (Desinfektionsmittel), Mittel zum Frischhalten und Haltbarmachen von Lebensmitteln. (GK. 25)~~

53/2277

27.4.1954

54/1440

~~Hingeschrieben auf: "STADA Standardpräparate Deutscher Apotheken" e.G.m.b.H., Frankfurt/M., Goethestr. 9 (Verfg. v. 11.3.1955).~~

~~Verfg. in: 627452~~

Schutzdauer verlängert mit Wirkung vom: 26. Juni 1963

~~Verfg. in: 653940~~

~~Firma geändert in: STADA-ARZNEIMITTEL eGmbH.~~

~~Sitz: 6000 Frankfurt (Verfg. v. 11.8.1969).~~

~~Zustelladresse: 6369 Dornelweil, Stada-Str.~~

~~Zeicheninhaberin infolge Umwandlung:
STADA-ARZNEIMITTEL AG (Verfg. v. 14.1.1971).~~

~~Für „Mittel zum Frischhalten und Haltbarmachen von Lebensmitteln“ gelöscht (24.5.1973)~~

~~Klassenangaben berichtigt gem. VO zur Änderung der Warenklasseneinteilung für Warenzeichen vom 5.12.1967 (BGBl. I S. 1208 ff.).~~

~~Schutzdauer verlängert mit Wirkung vom: 26.6.1973~~

~~Jetzige Zustellanschrift: 6368 Bad Vilbel 4, Stadastr. 2-18 (Verfg. v. 5.11.1974).~~

Jetziger Sitz: 6368 Bad Vilbel 4, Stadastr. 2-18 (Vfg. v. 12.5.1980)

~~Verfg. in: 633480~~

Schutzdauer verlängert mit Wirkung vom: 26.6.1983

D.W.

Blatt 2 zu Rollen Nr. 656 708



Die Übereinstimmung der vorstehenden Angaben mit den Rolleneintragungen wird beglaubigt. Die durchgestrichenen Angaben gelten als gelöscht.

München, den 16. Mai 1983

Deutsches Patentamt

A handwritten signature in dark ink, appearing to be 'Fryda'.

Fryda
Regierungshauptsekretär

.STADA registration policies

§ 1 Preamble

STADA Arzneimittel AG is the registry operator for the top-level domain .STADA. It allows the registration of second level domain names below the TLD .STADA. The TLD .STADA will be used exclusively by STADA Arzneimittel AG and its affiliated companies, especially for the operation of websites, email communication and other DNS-based services. The domain names under the TLD .STADA are not available to the public for registration and active use. STADA Arzneimittel AG will act both as a registry operator, as well as the sole beneficiary registrant. As far as STADA Arzneimittel AG acts as the registry operator, it is hereinafter referred to as a registry operator. If STADA Arzneimittel AG acts as eligible registrant, it is referred to as registrant.

The rights and obligations of the registry operator for the operation of the registry are regulated in the contract between the registry and the Internet Corporation for Assigned Names and Numbers (ICANN) – the Registry Agreement - and is part of the registration conditions. The following statutes constitute the rights and obligations of STADA Arzneimittel AG to third parties and themselves.

§ 2 Domain registration

A domain name below the TLD .STADA can only be registered through the Registry-accredited registrars, which are concurrently accredited by ICANN.

The legal relationship between the registry operator and the registrars are governed in the "Registry Registrar Agreement", which is also subject to these policies.

§ 3 Eligibility

The right to register domain names under the TLD .STADA only belongs to STADA Arzneimittel AG. As far as the STADA Arzneimittel AG acts as registrant of domain names, it is party to the relevant registration agreement by the registrar. The registration and / or management of domain names through a trustee, so-called proxy service, is not permitted.

§ 4 Registrable characters

All characters and strings of ASCII code with 1-63 characters can be registered as a domain name. Domain names must neither start with nor end with a hyphen nor must there be hyphens in the third and fourth place. Domain names with two characters are temporarily not allowed. If at the request of the Registry at ICANN domain names with two characters will be released, these are also available for registration. Also all "Internationalized Domain Names" (all available IDN Table) can be registered. If the domain name contains special characters, the maximum length is determined in accordance with RFC 5890 and RFC 5891.

§ 5 Reserved domain names

Reserved and excluded from registration are all domain names defined in "Specification 5" to the Registry Agreement.

§ 6 Assignment of domain names

Prerequisite for applying for a domain name is the eligibility under the TLD .STADA. Moreover, the order of registration is based on the principle "first come, first served".

§ 7 Registration period

Domain names can be registered for 1 - 10 years. The registration of a .STADA domain name follows the normal gTLD life cycle.

§ 8 Registration termination of a domain name

A termination of the registration of a domain name shall be carried out by the Registrar, at the discretion of the registrant and requires no justification. If in the notice no actual calendar day on which the termination shall take place is determined, the registration of the domain name is terminated with immediate effect. With the effective date of termination, the terminated domain name is deleted.

§ 9 Transfer of a domain name

The transfer of a registered domain name to another registrant as STADA Arzneimittel AG is prohibited. Both the corporate transfer (sale of shares), as well as the transfer of the registry as an asset sale must be approved by ICANN.

§ 10 Content and use of registered domain names

STADA Arzneimittel AG operates services, especially websites and email services, which are associated or connected with a registered domain name, by itself. STADA Arzneimittel AG is entitled to authorize the use and operation of such DNS-based services to third parties. In this respect the only authorized entities are STADA Arzneimittel AG and all affiliated entities of STADA Arzneimittel AG (in particular parent, subsidiary and affiliated companies, or otherwise connected companies that the ICANN definition of "affiliate" in the Registry Agreement corresponds to). The use of registered domain names and related services is permitted only for business-related purposes of STADA Arzneimittel AG. A domain name cannot be made available for use by a third party who is not entitled to use.

§ 11 Abusive registration and / or use of a domain name

It is illegal to use a domain name, either as registrant or user to whom the domain name was left to use, abusive. Abusive is any use that is prohibited under German law. This is especially true for domain name registrations which violate trademark or name or personal rights. Examples for abusive use are, but not limited to, spamming (sending unsolicited bulk email), phishing (fraudulent data collection) and the infringing content from websites. For obvious abusive registration or use the registry operator is entitled to delete the domain name, without prior consultation of the user.

§ 12 Dispute procedures

The registry operator 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 .STADA domain names hereby agree to be bound by all applicable domain name dispute policies, as outlined in this Registration Policy.

These dispute mechanisms include, but are not limited to:

- the Trademark Post-Delegation Dispute Resolution Procedure (Trademark “PDDRP”);
- the Uniform Rapid Suspension system (“URS”); and
- the Uniform Domain Name Dispute Resolution Policy (“UDRP”).

§ 13 Whois

The registry operator maintains a publicly accessible database in which all data of the registrant of a domain name in accordance with the Specification 4 and 10 of the Registry Agreement and the RFC 3912 will be published. This includes the specification of the registrant of the domain name with name, postal address, email, phone and fax, the appointment of an Admin C, Tech C and optionally a zone manager who is published, with details in the Whois database. Admin C, Tech C and Zone Manager can be specified using the contact details of the company for which they are employed. To prevent misuse of the Whois database, the registry operator will secure access to Whois data via a CAPTCHA code and limit the access through the number of query requests per IP address, or otherwise.

§ 14 Applicable law and jurisdiction

All disputes in connection with the registration and use of domain names German law is applicable, unless a non-judicial dispute resolution process is prejudicial. If after a decision in a non-judicial dispute resolution procedure the ordinary courts are open, German law is applicable. Jurisdiction for all disputes arising from the registration and / or use of a domain name is Bad Vilbel.

.STADA Acceptable Use and Anti-Abuse Policies

STADA Arzneimittel AG (“registry operator”) is committed to the stable and secure operation of .STADA. Abusive use of domain names creates security and stability issues for registries, registrars and registrants – as well as for Internet users. Therefore registry operator requires that registrants for .STADA domain names adhere to this Acceptable Use and Anti-Abuse Policy (“AUP”).

Registry operator will address abusive behavior in .STADA consistent with this AUP. Registry operator provides an abuse point of contact through the e-mail address (██████████) posted on the registry operator website found at www.nic.stada.

Violations of the registry operator policies would be treated as abuse. .STADA domain names shall not be used to transmit, distribute, disseminate, publish or store any information that is in violation of any applicable law or regulation or is defamatory, abusive, obscene, indecent, or harassing, or that threatens or encourages injury to persons or property or infringement of the lawful rights of any party. Specifically, the following are deemed, without limitation, as violations:

1. **Spamming.** The use of electronic messaging systems to send unsolicited bulk messages. The term applies to e-mail spam and similar abuses such as instant messaging spam, mobile messaging spam, and the spamming of web sites and Internet forums. Unsolicited emails advertising legitimate and illegitimate products, services, and / or charitable requests and requests for assistance are also considered as spam.
2. **Phishing (and various forms of identity theft).** Fraudulent web services and applications meant to represent and / or confuse or mislead Internet users into believing they represent services or products for nefarious purposes, such as illegally gaining login credentials to actual legitimate services.
3. **Pharming and DNS Hijacking.** Redirection of DNS traffic from legitimate and intended destinations, by compromising the integrity of the relevant DNS systems. This leads unsuspecting Internet users to fraudulent web services and applications for nefarious purposes, such as illegally gaining login credentials to actual legitimate services.
4. **Distribution of Viruses or Malware.** Most typically the result of a security compromised web service where the perpetrator has installed a virus or software meant to infect computers attempting to use the web service in turn (“Malware”). Infected computers are then security compromised for various nefarious purposes such as gaining stored security credentials or personal identity information such as credit card data. Additionally compromised computers can sometimes be remotely controlled to inflict harm on other internet services.
5. **Child Pornography.** Child pornography refers to images or films (also known as child abuse images) and, in some cases, writings depicting sexually explicit activities involving a minor.
6. **Hacking.** Hacking constitutes illegally accessing computers, accounts, or networks belonging to another party, or attempting to penetrate security measures of other individuals. Also includes any activity that might be used as a precursor to an attempted system penetration.
7. **Using fast flux techniques.** A methodology for hiding multiple source computers delivering malware, phishing or other harmful services behind a single domain hostname, by rapidly rotating associated IP addresses of the sources computers through related rapid DNS changes. This is typically done at DNS zones delegated below the level of a TLD DNS zone.
8. **Running botnet command and control operations.** A Botnet is a significant coordinated net of compromised (sometimes tens of thousands) computers running software services to enact various forms of harm – ranging from unsanctioned spam to placing undue transaction traffic on valid computer services such as DNS or web services. Command and control refers to a smaller number of computers that issue or distribute subsequent commands to the Botnet. Compromised botnet computers will periodically check in with a command and control computer that hides behind a list of date triggered, rotating domain registrations, which are pre-loaded in the compromised computer during its last check-in.
9. **Illegal Pharmaceutical Distribution.** Distribution and promotion of drugs, locally within a nation or overseas, without prescription and appropriate licenses as required in the country of distribution are termed illegal.

10. **Other Violations.** Other violations that will be expressly prohibited under the registry operator policies, include:

- Maintaining inaccurate contact details on the WHOIS
- Network attacks
- Libelous or defamatory content adjudicated by a competent court of law
- Illegal Adult/Pornographic content
- Content that violates any privacy right
- Internet relay chat servers (“IRCs”) IRC bots
- Distribution of malicious tools promoting or facilitating hacking, unsolicited bulk emails or SMS, fake anti-malware products, phishing kits, unauthorized data banks violating individual privacy rights

Reservation of Rights

The registry operator expressly reserves the right to deny, cancel, suspend, lock or transfer any domain name registration that it deems necessary in its discretion: (i) to protect the integrity and stability of the registry operator; (ii) to comply with any applicable laws, government rules or requirements, requests of law enforcement; (iii) in the event a domain name is used in violation of these policies and any other policies regarding .STADA, (iv) domain name use is abusive or violates this AUP, or third parties rights or acceptable use policies, including but not limited to the infringement of any copyright or trademark; and (v) in compliance with any dispute resolution process, or to avoid any liability, civil or criminal, on the part of registry operator and its affiliates, licensors subsidiaries, officers, directors and employees.

.STADA WHOIS Policy

Policy

1. STADA Arzneimittel AG ("registry operator") will provide to the public a thick searchable WHOIS database both accessible on port 43 as well as on port 80 (http) as required in Specification 4 of the Registry Agreement.
2. The registry operator may, from time to time as determined at its complete discretion, impose certain limits on the amount of simultaneous and/or consecutive port 43 and/or port 80 requests.

Rules

1. Registrars are required to ensure that the actual Registrant data fields, as required in the WHOIS database, is obtained from the Registrant and Registrar must collect and maintain accurate records of such data.
2. Registrars must provide any competent authority which has provided a competent and legitimate request which has been properly verified and authenticated by the Registrar, with the actual WHOIS data.
4. The Registrar shall notify the Registrant that even where a domain name is removed from the root zone, the domain name record may still appear in the WHOIS database for 24 hours.
5. The registry operator may perform a bi-annual review of a random sampling of domain names to test the accuracy and authenticity of the WHOIS information. If errors or missing information exists, notice shall be forwarded to the relevant Registrar, who shall be required to address these deficiencies with the relevant Registrants within 20 days.
6. The registry operator will comply with all the security, WHOIS, and privacy requirements required by ICANN whether in the Consensus or Temporary Policies (as defined in the Registry Agreement) and imposed by a competent legislative authority in Germany who has jurisdiction over the registry operator.
7. Registrants shall put forth any request for any changes, updates, and/or corrections to WHOIS information to the Registrar of the Registrant. The Registrar shall verify and authenticate the request and make the appropriate changes within 10 days of successful authentication and verification of the request.
8. By submitted a WHOIS query, the requestor agrees that he/she will use the information obtained through the WHOIS search for lawful purposes only and that he/she will at no time now or in the future:
 - a. allow, enable, solicit, and/or encourage the transmission of mass unsolicited commercial advertising or solicitations via direct mail, electronic mail, or by telephone;
 - b. breach any applicable data and privacy protection acts; and
 - c. utilize and/or enable high volume, automated, and/or electronic processes querying the WHOIS database.
9. Any and all data provided through the WHOIS search is provided "as is" and without any representation and/or warranty as to its accuracy. The registry operator shall in no circumstances be responsible and/or be liable for any reliance on any information provided through the WHOIS search.
10. Disclosure of contact data is restricted because of EU Data Protection legislation. The contact details for certain Domain Names may be restricted and the information can also be obtained through the registry operator Special Access Request at whois.nic.stada.
11. All copyright in the WHOIS information, the WHOIS database, and any WHOIS datasets are explicitly reserved.
12. It is strictly prohibited to combine, collect, and/or compile any information that is obtained from this WHOIS service.