Domain Name Registration and Use Policy for ".EMERCK"

I. General principles

1. Purpose

The ".EMERCK" Top Level Domain ("TLD") is established by and for the use of the Merck KGaA, Darmstadt, Germany the Registry Operator for the TLD space. Merck KGaA, Darmstadt, Germany will, with the advice and assistance of the Registry Service Provider, Afilias Limited, and relevant governmental bodies, develop, maintain and enforce effective TLD management strategies to manage the ".EMERCK" space.

This Policy is intended to be updated and revised regularly to reflect the needs of Merck KGaA, Darmstadt, Germany and its TLD.

The registration of domain names within the ".EMERCK" TLD shall be restricted to Merck KGaA, Darmstadt, Germany itself, thus following a single-registrant model. Merck KGaA, Darmstadt, Germany may, in its sole discretion, elect to license the use of registrations within this space to, inter alia, authorized corporate divisions, employees or other affiliated entities.

2. Registration Policy

As indicated above, the ".EMERCK" space will follow a single-registrant model. Thus, Merck KGaA, Darmstadt, Germany shall be the only entity eligible to register domain names within the ".EMERCK" 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, Specification 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, except 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, including, but not limited to, the following:

• The label "EXAMPLE" shall be reserved at the second level and at all other levels within the TLD at which Registry Operator makes registrations.

• Two-character labels. All two-character labels shall be initially reserved. The reservation of a two-character label string may be released to the extent that Registry Operator reaches agreement with the government and country-code manager. The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.

• Second-Level Reservations for Registry Operations. The following names are reserved for use in connection with the operation of the registry for the TLD: NIC, WWW, IRIS and WHOIS.

• The List of Reserved Names shall be compiled by Merck KGaA, Darmstadt, Germany and will be publicly posted online. Merck KGaA, Darmstadt, Germany reserves the right to include new names in the list of reserved names.

Country and Territory Names

The country and territory names contained in the following internationally recognized lists shall be initially reserved at the second level and at all other levels within the TLD at which the Registry Operator provides for registrations:

• the short form (in English) of all country and territory names contained on the ISO3166-1 list, as updated from time to time, including the European Union, which is exceptionally reserved on the ISO 3166-1 list, and its scope extended in August 1999 to any application needing to represent the name European Union

• the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and • the list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names; provided, that the reservation of specific country and territory names may be released to the extent that Registry Operator reaches agreement with the applicable government(s), provided, further, that Registry Operator may also propose release of these reservations, subject to review by ICANN's Governmental Advisory Committee and approval by ICANN.

However, Merck KGaA, Darmstadt, Germany may propose the release of any reservations, subject to review by ICANN's Governmental Advisory Committee and approval by ICANN (if applicable).

5. Name Collisions

If any ".EMERCK" 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 ".EMERCK" 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

Merck KGaA, Darmstadt, Germany may, in its sole discretion, elect to license the use of domain name registrations within the ".EMERCK" space to, inter alia, authorized corporate divisions, employees or other affiliated entities. In all cases, however, Merck KGaA, Darmstadt, Germany 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 ".EMERCK" Domain Names

8. Acceptable Use

The ".EMERCK" space is intended to function as Merck KGaA, Darmstadt, Germany's online corporate branding platform, and as such the registrations therein should generally support the goals and mission of the organization.

Merck KGaA, Darmstadt, Germany intends that no domain name in the ".EMERCK" 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 Merck KGaA, Darmstadt, Germany or its businesses, affiliates, brokers, employees, etc.

Merck KGaA, Darmstadt, Germany will routinely monitor the use of all domain names registered in the ".EMERCK" space to ensure that the content displayed thereon is in the best interests of the company and its business endeavors. 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 ".EMERCK" 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 ".EMERCK" 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 ".EMERCK" 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").