



The Internet Corporation for Assigned Names and Numbers

21 January 2015

Merck & Co., Inc.
Attn: Ms. Rashi Rai (primary contact)
Associate Director
One Merck Drive
Whitehouse Station, New Jersey
08889 United States

Merck KGaA
Attn: Mr. Torsten Bettinger (primary contact)
Bettinger Schneider Schramm
Partner
Mittenwalder Strasse 42
Munich
81377 Germany

Dear Ms. Rai and Mr. Bettinger:

Thank you for your responses to ICANN's letter dated 11 December 2014 regarding your respective applications for .MERCK. These letters will soon be posted on the New gTLD correspondence page (<http://newgtlds.icann.org/en/program-status/correspondence>).

We would like to clarify one point that may have been misunderstood. My letter requesting your input was not related to the ongoing Independent Review proceedings initiated by Merck KGaA, which is currently underway. The Independent Review proceeding continues to advance as scheduled, and ICANN remains committed to adhering to its Bylaws and being accountable to the Internet community.

Please note that applications related to the Independent Review proceeding initiated by Merck KGaA are currently on hold. These include Merck & Co's applications for .MERCKMSD (application ID 1-1704-28482) and .MERCK (application IDs 1-1702-28003 and 1-1702-73085), and Merck KGaA's application for .MERCK (application ID 1-980-7217). ICANN continues to encourage Merck KGaA and Merck & Co., Inc., as with all applicants in contention, to work toward "reach[ing] a settlement or agreement among themselves that

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resolves the contention.”¹ Please let us know if there is anything we can do to assist in this regard.

We appreciate your continued participation in the New gTLD Program and ICANN’s multi-stakeholder process. If we choose to take the issue referenced in my 11 December 2014 letter to the NGPC for consideration, we will inform you of this decision. Should you have additional questions or concerns, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Akram Atallah", is written in a cursive style.

Akram Atallah
ICANN
President, Global Domains Division

¹ Section 4.1.13 of the Applicant Guidebook (<http://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>)