

ICANN gTLD Auctions Bidder Designation Form

This form must be completed by the Qualified Applicant.

BIDDER DESIGNATION

Please identify the entity that will represent this application in the ICANN gTLD Auction as the Bidder. The Auction Rules permit an entity other than the Qualified Applicant to be the Bidder. If different, then the Bidder will be considered a “Designated Bidder”. The Bidder must be the entity that owns the bank account, which will be used to submit the Bidding Deposit and subsequent winning payment if applicable. If designating a bidder, both the Qualified Applicant and the Designated Bidder must execute the Bidder Agreement.

Qualified Applicant Name: _____

Application ID: _____

Applied for gTLD String: _____

Bidder / Designated Bidder Entity Name: _____

If designating an entity other than the Qualified Applicant as the Bidder for the ICANN gTLD Auctions, the Qualified Applicant must sign below to confirm it authorizes the Designated Bidder to bid on its behalf and represent its interests in the relevant gTLD Auction.

Name of Authorized Representative

Title of Representative

Authorized Signature

Date

Additional guidance for completing this form:

Note 1: The Bidder Designation form must be completed by the Qualified Applicant for each applied for gTLD string that will participate in a contention set resolution Auction (i.e application by application basis). For example, if bids will be placed on four Contention Sets in a given auction (as specified in the “Intent to Auction” notice of ICANN), the Qualified Applicant will complete and submit four Bidder Designation forms, one form for each such Contention Set.

Note 2: The Bidder must be the Entity which owns the bank account which is used to submit Deposits, make Payments and receive Refunds. The Bidder will appoint a principal point of contact who will designate up to two authorized individuals to perform the bidding in a contention set resolution Auction on behalf of the Bidder.

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The Bidder must complete this form. Refer to additional guidance below on page 4.

BIDDER IDENTIFICATION

Qualified Applicant Name: _____

Application ID: _____

Applied for gTLD String: _____

Bidder Entity Name: _____

APPOINTMENT OF PRINCIPAL POINT OF CONTACT OF BIDDER ENTITY

Please provide the following information:

Name: _____

Phone: _____

Email (to be used in Auction): _____

Fax: _____

The Principal Point of Contact is the person designated by the Bidder Entity with the following responsibilities: acts as primary contact of Bidder Entity; responsible for all communication & coordination with Power Auctions; performs account set up of Bidder Entity & validates each Contention Set using specific token; provides details of Bidder Entity including bank / wire information of Bidder Entity; enters Deposit Amount(s) for each Contention Set; provides contact information of Authorized Individuals (Primary Point of Contact can also be an Authorized Individual); receives auction results and instructs Power Auctions regarding refunds and rollovers.

BIDDER ENTITY BANK INFORMATION

Please provide the Bidder's bank information. This information will be used to establish the Auction Bank Account, Power Auctions System Accounts, and to identify where deposit refunds will be returned. A Bidder may represent multiple applications participating in an auction event. Power Auctions will establish an Auction Bank Account and credentials to the Power Auctions LLC systems for each Bidder and Bank Account combination. Thus a single set of credentials may be issued if the same Bidder & Bank account are identified for multiple applications. This

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may be more convenient for some Qualified Applicants and Designated Bidders. Please see the Additional Guidance & Examples below for more information.

Account Name/ Account Holder Name: _____

Account Number: _____

Bank Name: _____

Bank ABA Number: _____

Bank Address: _____

INFORMATION REQUIRED BY ESCROW AGENT FOR DUE DILIGENCE PROCESS

Please complete the items identified and sign below. In certain circumstances, additional information may be required.

Bidder (Entity Name): _____

TIN*: _____

Street Address:** _____

_____ **City:** _____

State/Province: _____ **Postal Code:** _____ **Country:** _____

Phone : _____ **Fax (Optional):** _____

eMail _____

** Tax Identification Number*

If TIN has been applied for please attach copy of filed application. Non-U.S. entities that do not have a U.S. government taxpayer or government identification number must submit government-issued documentation certifying the existence of the business or enterprise.

***Business street address, the address for the principal place of business, local office or other physical location, P.O. Box address is not acceptable*

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For Bidder Entities that are privately held, please provide the full names of those serving on the Board of Directors as well as one of the following uncertified documents- (please circle or highlight which has been provided)

- Certificate or Articles of Incorporation
- Government-issued business license
- Certificate of Good Standing (issued within the last 6 months)

Name of Authorized Representative

Title of Representative

Authorized Signature

Date

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Additional Guidance for completing this form:

- 1) *The Bidder must be the Entity which owns the bank account which is used to submit Deposits, make Payments and receive Refunds.*
- 2) *The Bidder form must be completed for each applied for gTLD string in a contention set resolution Auction.. For example, if a Bidder will place bids on four Contention Sets in a given auction (as specified in the “Intent to Auction” notice of ICANN), the Bidder will complete and submit four Bidder forms, one form for each such Contention Set.*
- 3) *In the event the Bidder is bidding on more than one Contention Set the Bidder may want to provide the same bank details for each Contention Set. This will enable the Auction Manager to create a single Auction Bank Account for the Bidder where Deposits will be held for all of these Contention Sets.*
- 4) *If more than one Contention Set is associated with the same bank account, the Bidder will be able to bid for all of these Contention Sets with the same login credentials. If the Bidder specifies multiple bank accounts, the Bidder will receive multiple sets of login credentials for the Auction.*

Examples to assist the Bidder in completing the Bidder form:

The following examples are provided to illustrate the guidelines actual refund amounts are pursuant to the Auction Rules and Bidder Agreement:

Example 1:

Suppose Qualified Applicant ABC Co receives an “Intent to Auction” notice for four of its applications (boat, window, chair and app). ABC Co is also the Bidder in this example. The ABC Co specifies the same bank account for all four Contention Sets and submits deposits for all four Contention Sets of \$1,000,000 each (total Deposit is \$4,000,000). Suppose ABC Co wins “chair” for \$3,500,000. In this situation ABC Co will receive a refund of \$500,000 as the Deposits of all the Contention Sets are applied to the Winning Price.

Example 2:

Suppose Qualified Applicant XYZ Co receives an “Intent to Auction” notice for four of its applications (boat, window, pencil, and mirror). XYZ Co is a holding company of Acme Corporation. XYZ Co designates Acme Corporation as the Designated Bidder. The bank account information provided for each Contention Set must correspond to Acme Corporation. The same bank account information is specified for all four Contention Sets. Acme Corporation submits deposits for all four Contention Sets of \$1,000,000 each (total Deposit is \$4,000,000). Suppose Acme Corporation wins “boat” for \$2,000,000 and “pencil” for \$2,800,000. In this example Acme Corporation owes \$800,000; the Deposits of all the Contention Sets are applied to the Winning Price.

Example 3:

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Suppose Qualified Applicant LMN Co receives an “Intent to Auction” notice for four of its applications (boat, app, pencil and mirror). LMN Co is the Bidder for “app”, “pencil” and “mirror”. LMN Co designates an affiliate company, Hamilton Inc., as the Designated Bidder for “boat”. The bank account information for “app”, “pencil” and “mirror” will be the same and is associated with LMN Co. The bank account information for “boat” is different and is associated with Hamilton Inc. Suppose each Contention Set has a Deposit of \$1,000,000. Two sets of credentials are distributed, one set will be used to bid for “app”, “pencil” and “mirror” and the other set for “boat”. LMN Co wins “app” for \$10,000,000. In this example LMN Co owes \$7,000,000. Hamilton Inc. did not win “boat” and receives a refund of \$1,000,000. The Deposit of Hamilton Inc. is not applied to the balance owed by LMN Co.

Example 4:

Suppose Qualified Applicant RST Co receives an “Intent to Auction” notice for four of its applications (“boat”, “app”, “water” and “wind”). RST Co is the Bidder for all four Contention Sets. In this example the Bidder wants to keep track of the funds for each Contention Set separately. Therefore the bank account information will be different for each of these Contention Sets. Suppose each Contention Set has a Deposit of \$1,000,000. Four sets of login credentials are provided even though the person placing the bids is the same for each of the Contention Sets. The person placing the bids must log in separately for each of these Contention Sets to place bids. In this example, RST Co wins “water” for \$2,900,000. A refund of \$1,000,000 is sent to the bank account associated with “boat”, a refund of \$1,000,000 is sent to the bank account associated with “app” and a refund \$1,000,000 is sent to the bank account associated with “wind”. RST Co owes \$1,900,000 for “water”. The Deposits of “boat, app and wind” are not applied to the Winning Price of \$1,900,000.