

GAC Early Warning – Submittal__Navy-IN-53893

Application ID:	1-1255-53893
Entity/Applicant Name:	United TLD Holdco Ltd.
String:	navy
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

United TLD Holdco, a private domain name holding company is seeking to have the exclusive use of the gTLD “navy”.

National governments have sovereign powers to raise and maintain armed forces within their territories. In India, the words associated with the armed forces are protected by national legislation.

Applications for strings directly associated with navy have the potential to:-

- Mislead end users that a registrant is associated with national navy;
- Negatively impact on the reputation of the national navy; and
- Cause irreparable harm to the security and stability of the nation.

Reason/Rationale for the Warning – This will be posted publicly:

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National governments have exclusively powers to raise and maintain navies within their territories. This is a sovereign function.

National governments have sovereign powers to raise and maintain armed forces within their territories. In India, the words associated with the armed forces are protected by national legislation.

The applied for string has the potential to:-

- Mislead end-users that a registrant is associated with national navy
- Negatively impact on the reputation of national navy; and
- Cause irreparable harm to the security and stability of the nation.

We cannot see mitigating circumstances under which the applicant can address the security and stability concerns that would apply, not only to India, but to every nation in the world.

Allowing sovereign functions in the exclusive hands of foreign corporations whose motivations are unknown, and whose jurisdictions are not accessible for national government should NOT be allowed to happen by ICANN.

Possible Remediation steps for Applicant – This will be posted publicly:

The applicant should withdraw their application based on the information provided above.

The sensitive nature of the gTLD, and the continued opportunity for abuse, misrepresentation and reputation makes remediation very difficult.

Further Notes from GAC Member(s) (Optional) – This will be posted publicly:

INFORMATION FOR APPLICANTS

About GAC Early Warning

The GAC Early Warning is a notice only. It is not a formal objection, nor does it directly lead to a process that can result in rejection of the application. However, a GAC Early Warning should be taken seriously as it raises the likelihood that the application could be the subject of GAC Advice on New gTLDs or of a formal objection at a later stage in the process. Refer to section 1.1.2.4 of the Applicant Guidebook (<http://newgtlds.icann.org/en/applicants/agb>) for more information on GAC Early Warning.

Instructions if you receive the Early Warning

ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.

Asking questions about your GAC Early Warning

If you have questions or need clarification about your GAC Early Warning, please contact gacearlywarning@gac.icann.org. As highlighted above, ICANN strongly encourages you to contact gacearlywarning@gac.icann.org as soon as practicable regarding the issues identified in the Early Warning.

Continuing with your application

If you choose to continue with the application, then the “Applicant’s Response” section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to gacearlywarning@gac.icann.org. If your remediation steps involve submitting requests for changes to your application, see the change request process at <http://newgtlds.icann.org/en/applicants/customer-service/change-requests>.

In the absence of a response, ICANN will continue to process the application as submitted.

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Withdrawing your application

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response: