

## GAC Early Warning – Submittal Indians-IN-78414

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<b>Application ID:</b>	1-1308-78414
<b>Entity/Applicant Name:</b>	Reliance Industries Limited
<b>String:</b>	indians
<b>Early Warning Issue Date:</b>	20 November 2012

### Early Warning Description – This will be posted publicly:

Reliance India is seeking the use of gTLD 'Indian'. The term Indian is primarily used to describe anything related to Indian; its people, culture, product etc. An exclusive right granted to a private company could be against the public interest of the Indian community.

The Government of India wishes to express its objection to the application submitted by Reliance Industries Limited. This gTLD domain should be managed by the government of India for the interest of all members of the community including private companies.

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

The relationship between the Indian and the community it represents is obvious and can be demonstrated as follows:-

Indian is the distinctive term used to reflect any feature/product of India. The label Indian is associated with many products/services produced in India only. The word Indians is used extensively to represent the products and services such as Indian Software industry, Indian cuisine etc.

According to Indian trade mark legislation the designation 'Indian' denotes geographical region in relation to goods and services.

For the above reasons the word Indian and the management of the corresponding gTLD belong to the Indian community as a whole and should not be considered by a single private entity.

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

1. The applicant should demonstrate how they can work closely with the Indian government to establish how the “.indians” gTLD will not disadvantage the 1.2 billion Indians in the country.
2. The applicant should collaborate with the Indian government and the multi-stakeholder community and re-establish the “.indians” gTLD as a TLD in the public interest of all Indians, and not solely for the benefit of the applicant.

### **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

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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](mailto:gacearlywarning@gac.icann.org). As highlighted above, ICANN strongly encourages you to contact [gacearlywarning@gac.icann.org](mailto: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](mailto: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.

#### **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.

<b>For questions please contact: <a href="mailto:gacearlywarning@gac.icann.org">gacearlywarning@gac.icann.org</a></b>
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**Applicant Response:**

