

GAC Early Warning – Submittal GOVIDN-HK-94344

Application ID:	1-1658-94344
Entity/Applicant Name:	Net-Chinese Co., Ltd.
String:	政府
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

GAC Member(s) to indicate a description of the Early Warning being filed

The “.政府” application is problematic and should not proceed.

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

GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.

The proposed gTLD “.政府” is the Chinese equivalent of “.gov”. In sections 18(a) and 18(b) of the application, the applicant stated that “.政府” is “an Internationalized Top Level Domain Name in Chinese to serve the Chinese-speaking people, places and communities around the world” and is “innovative to create a one-shop show room, where all the official websites of governments around the world can be accessed by visitors with Chinese backgrounds”.

We have the following concerns:

- (a) **Confusion.** All governments have websites created under their own country code top-level domains, e.g. “.gov.hk”. The proposed “.政府” gTLD without a jurisdiction identifier would cause confusion. The governments of all jurisdictions are clearly represented and delineated by their ccTLD. Putting the word “gov” as a second level domain name under ccTLD is appropriate and unambiguous. As the arrangement of “.gov.ccTLD” is adopted by practically all governments, there is no need for “.政府” as a separate TLD for all governments. Where necessary and practicable, governments can introduce internationalized domain names using their own official language. In the case

of Hong Kong, government websites are bilingual in both English and Chinese, with domain name ending “.gov.hk” and “.政府.香港” respectively. The proposed “.政府” gTLD is unnecessary. Moreover, as it does not show what is the government in question, it creates ambiguity.

Furthermore, at present, the TLD “.gov” is used by the US Government. Many US government websites are frequented by the Chinese communities in the States as well as Chinese visitors from abroad. Given that “.政府” is the exact Chinese translation of “.gov”, websites with the “.政府” TLD would be perceived as the Chinese parallel of “.gov” websites on similar subjects, a confusion that owners of “.gov” websites would fret.

- (b) **Verification.** It appears that the application fails to spell out the verification arrangement for registrations for the proposed “.政府” TLD.

In most places, “.gov” websites are subject to stringent verification. For instance, in Hong Kong, all “.gov.hk” or “.政府.香港” domain names are approved for use by the government. We believe that this is also the arrangement with other governments. It is not apparent from the application how the applicant can ascertain the government status of proposed registrations. Moreover, it is not vested with the authority or mandate to endorse claims of government status on behalf of all governments. Given that “.政府” is in Chinese, other governments not using the language may find it difficult to process any claim that a body is a government body in their country.

- (c) **Cyber Safety.** Government websites are often vulnerable to online fraud or abuse. Combating fake websites requires identity verification, which can be easily done if the domain names are approved by the government concerned. However, to most governments, “.政府” is couched in a foreign language, making it difficult for them to discover, identify and tackle fake websites that claim to be their government websites, creating loopholes for abuse and even criminal activities to spread fraudulent information or intrude personal privacy.

Finally, we do not agree that the gTLD “.政府” proposal is not community-based, as claimed in section 19 of the application. As stated in the application, the proposed gTLD is for use by the government community around the world. Hence, it is community-based, and as such should have secured the endorsement of the government community in accordance with Section 1.2.3 of ICANN’s gTLD

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Applicant Guidebook. Indeed, it would create even more confusion if the proposed gTLD is not community-based and can be used liberally by bodies outside the government community.

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

GAC Member(s) to identify possible remediation steps to be taken by the applicant

- ~~The applicant for the string tries to address the concerns raised by the Early Warning~~
- The applicant should withdraw their application based on the information provided above

The applicant should withdraw the “.政府” application.

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.

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: