

GAC Early Warning – Submittal_ Islam-IN-23459

Application ID:	1-2130-23450
Entity/Applicant Name:	Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
String:	islam
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

Asia Green IT System is seeking to have exclusive use of the gTLD 'islam'. There is no plan in the application to address the needs of the approximately 120 million Muslims in India.

Without strong and proper procedures to curb the wrong use of this gTLD, there exists a very high potential to stoke tensions and negatively affect the well-being of millions of Muslims and non-Muslims in India.

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

The word islam is closely associated with the sentiments of millions of Muslims residing in India. Under Indian Trade Mark Act Section 9(2) clearly mentions that a mark shall not be registered if it contains or comprises of any matter likely to hurt the religion susceptibilities of any class or section of the citizens of India.

The applicant intends to run the ".islam" gTLD on an exclusive basis, without any regard to the diverse and wide-ranging needs of India's 120 million plus Muslims.

As a result, and based on the provisions of the Indian Trade Mark Act, we believe that the gTLD string "islam" should be set aside by ICANN.

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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 and misrepresentation makes remediation 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.

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:

