

GAC Early Warning – Submittal Hotel-FR-36568

 **Application ID:** 1-248-36568

Entity/Applicant Name: Despegar Online SRL

String: Hotel

Early Warning Issue Date: 20 November 2012

Early Warning Description:

The French government is not opposed to the creation of generic extensions on Internet like hotel or “hotels” (and to any translation of these terms in another foreign languages, for example “hoteles” in Spanish or “hoteis “in Portuguese), but suggests that these extensions be only reserved to hotel businesses, in order to guarantee a clear information to the customer. The quality of an accurate information for the customer and a large choice of hotel accommodation must be guaranteed to the customer. For the French authorities, this issue represents a significant economic stake. France is the first world tourism destination, with 81 million tourists having visited the country in 2011, and tourism business represents 7 % of the French GDP. The hotel industry represents a yearly turnover of 15 billion euros. The quality of hotel accommodation is a crucial parameter for tourists when they chose a country to visit and is part of the image of France as a top tourism destination in the world. Each hotel business should have the right, guaranteed by ICANN, to use the term “hotel” as generic top level domain (“gTLD”) for promoting its commercial market strategy, and this right should be only reserved to the suppliers of hotel services.

Reason/Rationale for the Warning:

In France, as well as in many other countries, the majority of hotel businesses are ranked according to a number of “stars” being function of the quality the services offered to the customer. In France, the way this ranking is delivered by the tourism agency “Atout France”, is organized by the legal provisions of the tourism code . With the term “hotel” connected to a quality ranking, the customer is well informed on the genuine quality of hotel services. In this context, the term “hotel” or any correlated generic extension on internet (“gTLD”), should be reserved (through for example the process of “a closed registry”), to businesses offering themselves hotel services in order to avoid any confusion in the

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customers' mind. The guarantee of a clear information of the customer on hotel accommodation services is the best way to promote tourism industry, not only in France but also in the whole world, through a fair competition of hotel businesses. Behind the term hotel as a generic denomination ("gTLD,"), any customer in the world must have the guarantee that will be directly connected to an hotel.

Supporting Countries (Optional):

Possible Remediation:

Further Notes from GAC (Optional):

Instructions for Applicant

ICANN strongly encourages that the applicant work with relevant parties as soon as possible to address the concern voiced in the GAC Early Warning.

Upon receipt of this GAC Early Warning, the applicant has 21 calendar days to inform the GAC and ICANN, through the TLD Application System (TAS), of its decision to either withdraw or continue with the application. If the applicant does not notify the GAC and ICANN within 21 days of receiving the GAC Early Warning of its decision. The application will not move forward with the evaluation process.

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Asking questions about your GAC EW

If you have questions or need clarification about your GAC Early Warning, please contact {TBD}. As highlighted above, ICANN strongly encourages applicant's to contact {TBD} as soon as practical to ensure you are able to move to the next steps within the 21 day allotted time period.

Continuing with your application

If the applicant chooses to continue then they must complete the "Applicant's Response" section below notifying the GAC of intended actions, including the expected completion date, and remit their response to *{need to define where this will be sent}* within 21 days. Separately, the applicant must indicate in TAS its intention to continue with their application.

To complete these tasks the applicant must perform the following steps:

1. Log into TAS
2. Open the GAC Early Warning task
3. Click on the "Continue" button
4. Separately, submit the GAC EW with the completed "Applicant Response" section to {TBD }

Withdrawing your application

Applicants choosing to withdraw must notify ICANN and the GAC within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000).

To receive the 80% refund, within 21-days the applicant must perform the following steps:

1. Log into TAS
2. Open the GAC Early Warning task
3. Click on the "Withdraw" button

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

Applicant Response:

Applicant Decision

Remediate

Withdraw Application

Proceed With Application