

GAC Early Warning – Submittal Shangrila-CN-76333

Application ID:	1-940-76333
Entity/Applicant Name:	Shangri-La International Hotel Management Limited
String:	SHANGRILA
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

Shangrila(香格里拉 in Chinese) is a county which located in the northwest of Yunnan province of the People's Republic of China. Shangrila County is a geographic entity, which really exists. "Shangrila" as "香格里拉" english spelling form, its attribute is equivalent to "香格里拉".

The Chinese Government does not support the "Shangrila" request for a TLD at this stage.

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.

Shangrila County, located in the northwest of Yunnan province in China, is a part of the Diqing Tibetan autonomous region. In 2001, with the approval of the State Council, the government of Yunnan province changed its original name "ZhongDian County" with "Shangrila County".

Since then, as a county name "Shangrila" is gradually known by people all over the world. The natural geographical environment characteristic of Shangrila County such as snow-capped mountains, canyons, meadow, and climate and so on, is exactly the same as the description of Shangrila in the novel "The Lost Horizon", which was written by a famous British writer James Hilton. Meanwhile, "Shangri-la" is also a sustenance of good wishes, which means "man and nature could be together in harmony way, there is no struggle or dissension. SHANGRILA as "香格里拉" English spelling form, its attribute is equivalent to "香格里拉".

The main reasons that we request to issue the early warning includes: Firstly, the word "SHANGRILA" shall not be used as generic top-level domain without the authorization of relevant departments of China. Secondly, as a county name "SHANGRILA" is protected by the trademark law of CHINA, individuals and organizations shall not be arbitrarily to use it with any registration.

Once "SHANGRILA" is applied as a generic top-level domain, it will undoubtedly cause the encroachment of brand names upon geographic names in this case.

The Chinese Government opposes any individuals and organizations use "SHANGRI-LA" or "SHANGRILA" as a Generic top-level Domain at this stage.

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Supporting GAC Members (Optional):

I agree to include the supporting GAC members in the publication of this Early Warning

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 should withdraw their application based on the information provided above

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

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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: