

GAC Early Warning – Submittal Vin-LU-23177

Application ID: 1-1538-23177

Entity/Applicant Name: Holly Shadow, LLC

String: .vin

Early Warning Issue Date: 20 November 2012

Early Warning Description:

The string relates to a product defined by the EU regulation.

Reason/Rationale for the Warning:

Regarding the tld .vin, Luxembourg is of the opinion that a too lax use of this tld may have adverse consequences for the wine market of the EU Member States. In addition, we want to point out that by annex XIb of Council regulation (CE) n°1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) wine is defined as “the product obtained exclusively from the total or partial alcoholic fermentation of fresh grapes, whether or not crushed, or of grape must”. A very strict framework of oenological practices and labelling rules add to this definition. Any product that does not comply with these rules cannot be marketed under the denomination “wine” or “vin” in French.

Moreover, one should be reminded that the recognition and the protection of geographical indication in the wine sector are also the object of a specific regulatory framework in the CMO regulation.

Hence, for the award of the tld .vin it is important to have strict rules verifying a close relation with the wine.

Supporting Countries (Optional):

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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.

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.

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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

TMLDirectRemediate

**TMLDirectWithdraw Application
Application**

TMLDirectProceed With