

# GAC Advice Response Form for Applicants



The Governmental Advisory Committee (GAC) has issued advice to the ICANN Board of Directors regarding New gTLD applications. Please see Section IV, Annex I, and Annex II of the [GAC Beijing Communiqué](#) for the full list of advice on individual strings, categories of strings, and strings that may warrant further GAC consideration.

Respondents should use this form to ensure their responses are appropriately tracked and routed to the ICANN Board for their consideration. Complete this form and submit it as an attachment to the ICANN Customer Service Center via your [CSC Portal](#) with the Subject, "[Application ID] Response to GAC Advice" (for example "1-111-11111 Response to GAC Advice"). All GAC Advice Responses must be received no later than 23:59:59 UTC on 10-May-2013.

## Respondent:

Applicant Name	PRIMER NIVEL S.A.
Application ID	1-917-16797
Applied for TLD (string)	LEGAL

## Response:

Dear members of the Board,

The following comments refer to the document submitted by (GAC) to the ICANN Board dated 11 April 2013. This advice may be considered to affect our application for the tld .LEGAL.

First of all, we would like to state that the document produced by the GAC, and that has been considered as the GAC Advice of the new gTLD program, is not clear. Questions arise about the actual matters that the GAC wants treated as GAC advice as per Module 3.1 of the applicant guidebook, and the actual possibility of considering those matters as GAC Advice. We do not consider that sections b, f and g of the document submitted by the GAC can constitute GAC advice. Having said that, we would like to comment specifically on the "Safeguard Advice for New gTLDs" included in the document delivered by the GAC.

The Safeguard Advice is a policy initiative that is not consistent with the GAC Advice as stated in module 1.1.2.7 of the Applicant Guidebook. This initiative does not respect the proper Policy Development Process, fundamental to the whole organization. Furthermore, we think that the advices could represent major changes to rules and structure of the actual new gTLD program. These changes would be devastating for the actual program and would challenge the rules and principles over which the new gTLD projects have been constructed.

The document submitted by the GAC should not change the actual new gTLD program as the GAC Advice was never created for that purpose. If the board considers that there are reasons to kickstart a community process, this should be treated as an independent matter from the actual new gTLD program, applicable to later rounds.

We will respect, and if necessary, act upon any decision made by the Board regarding the document.

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