

To the courteous attention of Dr Steve Crocker, Chair of the ICANN Board
Mr Cherine Chalaby, Chair of the new gTLD Program Committee Board
Mr Fadi Chehadé, CEO of ICANN
Mr Akram Atallah, COO of ICANN
In copy: Ms Heather Dryden, Chair of the Governmental Advisory Committee

Brussels, 23 April 2013

Object: EFOW's reaction to the GAC's communiqué on 11 April 2013 in Beijing

Dear Madam, dear Sirs,

EFOW, the European Federation of Origin Wines, a Brussels based-organisation representing PDO (Protected Designation of Origin) and PGI (Protected Geographical Indication) wines towards European and international institutions, would like to contribute to the open debate launched by the ICANN Board regarding the Governmental Advisory Committee's (GAC) Communiqué of 11 April¹.

In light of our serious concerns regarding the protection of wines with a Geographical Indication (GI), clearly expressed in a letter to the ICANN Board on 12 March and published on the new gTLD correspondence page at <http://newgtlds.icann.org/en/program-status/correspondence/curbastro-to-crocker-et-al-12mar13-en.pdf>, EFOW would like to bring its' **support to the position expressed by the GAC's Communiqué in Beijing concerning the strings ".wine" and ".vin"**.

EFOW believes that the **management of the possible new Internet domains ".wine" and ".vin" is a very sensible issue which must be further examined by the GAC in Durban in July**. We would like to underline that EFOW is not opposed to the attribution of new gTLDs. Nevertheless, given the prejudice that these two strings may cause to the Intellectual Property Rights (IPRs) of GI wines, the **ICANN Board must take into consideration the request of the GAC and must not proceed beyond Initial Evaluation with the examination of the 4 applications it has received**.

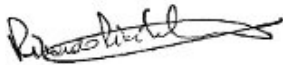
Moreover, EFOW calls for the strings ".wine" and ".vin" **to be included in Annex I "Safeguards on New gTLDs"**. In fact, only their inclusion in that chapter will allow for an adequate respect of GI wines IPRs - as established by article 23 of the WTO TRIPs Agreement on trade-related aspects of IPRs - and to guarantee consumer protection. More specifically, ICANN should develop a procedure that ensures that GI names cannot be reserved by third parties and enables organisations responsible for the protection of GIs to oppose the reservation of a domain name that consists of or contains the name of a GI through a procedure, e.g. an alternative dispute resolution (ADR).

¹ <http://bcove.me/nizq38rg>

We believe it to be necessary for ICANN to take into account the opinions of professional organisations and governments. On the contrary it would risk discrediting this major change in the development of the Internet.

We thank you in advance for taking into consideration our observations and would welcome an open discussion on this specific issue.

Yours faithfully,



Riccardo Ricci Curbastro
President of EFOW