



17th St. & Constitution Avenue N.W.  
Washington, D.C. 20006  
United States of America

## Organization of American States

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CITEL/CA. 161/13

November 15, 2013

Mr. Steve Crocker  
Chair  
ICANN  
[steve@shinkuro.com](mailto:steve@shinkuro.com)

w/c: Cherine Chalaby  
Chair of the Board  
[cherine.chalaby@icann.org](mailto:cherine.chalaby@icann.org)

Dear Mr. Crocker

The Secretariat of the Inter-American Telecommunication Commission (CITEL) of the Organization of American States (OAS) attaches to this communication Resolution PCC.I/RES. 218 (XXIII-13) "SAFEGUARDS IN THE NEW gTLD PROGRAM FOR GEOGRAPHICAL INDICATIONS" approved at the XXIII meeting of the Permanent Consultative Committee I: Telecommunications/Information and Communication Technologies (PCC.I) that was held in Mendoza, Argentina, October 8 to 11, 2013.

Please contact us should you need any clarification or further information.

Sincerely,

Clovis Baptista  
CITEL Executive Secretary



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### PCC.I/RES. 218 (XXIII-13)<sup>1</sup>

#### SAFEGUARDS IN THE NEW GTLD PROGRAM FOR GEOGRAPHICAL INDICATIONS

The XXIII Meeting of the Permanent Consultative Committee I: Telecommunications/Information and Communication Technologies (PCC.I),

#### CONSIDERING:

- a) That in paragraph 64 of the Tunis Agenda, the need is recognized for further development of, and strengthened co-operation among, stakeholders for public policies for generic top-level domains (gTLD) names;
- b) That it is a mandate of PCC.I to promote and encourage the development and universalization of information and communication technologies (ICTs) and the new telecommunication/ICT services arising from them as tools to promote economic, social, and cultural development;
- c) That it is the mandate of the Rapporteurship on Internet issues to focus on the study of governmental policies and experiences related to ccTLD, gTLD and IP address block management including a comparative analysis of these experiences to identify the “Best Practice” cases in the countries of the Region, and also aspects relevant to Internet development, working closely with the Internet technical community;
- d) That by Decision PCC.I/DEC.96 (XV-09), the CITEI Secretariat is instructed to initiate conversations with the Chair of the Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) so that CITEI be granted membership as observer to such Committee;
- e) That international agreements exist that define and contain provisions applicable to geographical indications, such as the Paris Convention for the Protection of Intellectual Property of the World Intellectual Property Organization; as well as the Agreement on Trade-Related Aspects of Intellectual Property Rights, of the World Trade Organization;
- f) That in the Declaration of the Fourth Ministerial Conference on the Information Society in Latin America and the Caribbean, held in Montevideo, Uruguay, in April 2013, signed by 15 countries of the region, it was resolved to

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<sup>1</sup> CCP.I-TIC/doc. 3062/13 rev.2



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reject any attempt to appropriate, without the consent of the respective countries of the region, the denominations “amazon” and “patagonia” in any language, or any other generic top-level domain (gTLD) names referring to geographical, historical, cultural or natural names, which should be preserved as part of the heritage and cultural identity of the countries of the region;

g) That in that Declaration, it was resolved to strengthen the coordination of the countries of the region and other relevant stakeholders and their participation in forums on Internet governance;

h) That the enlargement of gTLD space affords major opportunities for innovation, trade, and content creation in indigenous languages and alphabets, among other things, rendering it essential to guarantee consumer and company protection;

i) That on June 20, 2011, the Board of Directors of ICANN adopted a Resolution authorizing the ICANN President and CEO to implement the new gTLD Program, including the 30 May 2011 version of the Applicant Guidebook;

j) That during the first round of applications for new gTLD, applications were submitted for strings, such as “.wine” and “.vin”, that will require special safeguards to protect the rights of users, companies, and the public interest in general,

### **BEARING IN MIND:**

a) The advice of the Governmental Advisory Committee (GAC) of ICANN, in its Communiqués arising from ICANN Meetings Nos. 46 and 47, held, respectively, in Beijing, China, and Durban, South Africa, especially their references to the strings “.wine” and “.vin”, which are available at <https://gacweb.icann.org/display/gacweb/Governmental+Advisory+Committee>;

b) The communication of September 9, 2013 sent by the Chair of the ICANN GAC to the Chair of the ICANN Board of Directors, available at: <http://www.icann.org/en/news/correspondence/dryden-to-crocker-09sep13-en>,

### **RECOGNIZING:**

That subparagraph 9.3 of the Affirmation of Commitments between the United States of America Department of Commerce and the Internet Corporation for Assigned Names and Numbers (ICANN) will ensure that as it contemplates expanding the top-level domain space, the various issues that are involved (including competition, consumer protection, security, stability and resiliency,



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malicious abuse issues, sovereignty concerns and rights protection) will be adequately addressed prior to implementation,

### **RESOLVES:**

1. To inform the ICANN Board of Directors that the Member States of OAS/CITEL consider that the treatment of geographical indications warrants profound and in-depth analysis in the current and future rounds of the new gTLD Program, primarily for wine and spirits, consistent with the treatment of intellectual property rights, especially for the current applications for the “.wine” and “.vin” strings.
2. To invite the OAS/CITEL Member States to participate actively in the meetings of the ICANN Governmental Advisory Committee (GAC)

### **INSTRUCTS THE EXECUTIVE SECRETARY OF CITEL:**

To forward this Resolution to the Chair of the ICANN Board of Directors and to the ICANN CEO within fifteen (15) calendar days from the close of the XXIII Meeting of PCC.I.