Dr Stephen Crocker  
Chair, ICANN Board  
12025 Waterfront Drive, Suite 300  
Los Angeles CA 90094-2536  
USA

Dear Dr Crocker

Australian Government Position on .wine and .vin

I am writing to inform you that I have written to the relevant applicants to remind them of the Australian Government’s position that the safeguards which were outlined in the GAC’s Beijing Communiqué, and agreed by the Board, are appropriate and sufficient to address the potential for misuse of terms related to geographical indications (GIs) in the .wine and .vin new gTLDs.

As you are aware, the Australian Government considers that international issues relating to GIs are more appropriately addressed within the World Intellectual Property Organization and the World Trade Organization. I have reminded applicants of the Australian Government’s position on this point.

For the purposes of transparency, I have enclosed a copy of these letters for the Board’s information.

Yours sincerely

Keith Besgrove  
First Assistant Secretary  
Digital Services  
Department of Communications  
20 June 2014
Dear Mr Kane

Your application for .wine

Further to the Australian Government’s letters of July 2013 and May 2014, I am writing again in relation to your application for .wine. As you are aware, the Australian Government is of the view that the existing safeguards that were outlined in the GAC’s Beijing Communiqué and agreed by ICANN’s Board are appropriate and sufficient to address the potential for misuse of terms related to geographical indications (GIs) in the .wine and .vin new gTLDs.

I understand that the 60 day period that the NGPC allowed for negotiation in its Resolution of 4 April 2014 has now passed, and that the NGPC has also denied all Reconsideration Requests. As a result, the Australian Government sees no impediment to your application for .wine proceeding without further delay.

I have recently been made aware of proposals being put forward for consideration by registries, to create and extend protection to a new concept described as ‘distinctive signs’. I want to emphasise that the Australian Government considers that international issues relating to GIs are more appropriately addressed within the World Intellectual Property Organization (WIPO) and the World Trade Organization. It would be inappropriate and a serious concern if registries were to attempt a de facto “redesign” of the internationally agreed settings – or, lacking the relevant expertise, would fail to apply these correctly in the design of a purported rights protection mechanism.

The issue of GIs in domain names has been proposed as a topic for discussion in the WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT). Without prejudice to any outcome, WIPO has the requisite expertise and a broad base for consultation appropriate to a complex intellectual property issue such as this.
For the purposes of transparency, I have copied this letter to the GAC Chair and my GAC colleagues.

Yours sincerely

Keith Besgrove
First Assistant Secretary
Digital Services
Department of Communications
June 2014
Daniel Schindler
155 108th Avenue NE, Suite 510
Bellevue WA 98004
UNITED STATES

By Email: hollyshadow@donuts.co

Dear Mr Schindler

Your application for .vin

Further to the Australian Government’s letters of July 2013 and May 2014, I am writing again in relation to your application for .vin. As you are aware, the Australian Government is of the view that the existing safeguards that were outlined in the GAC’s Beijing Communiqué and agreed by ICANN’s Board are appropriate and sufficient to address the potential for misuse of terms related to geographical indications (GIs) in the .wine and .vin new gTLDs.

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Keith Besgrove
First Assistant Secretary
Digital Services
Department of Communications
18 June 2014
Dear Mr Schindler,

Your application for .wine

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Yours sincerely

Keith Besgrove
First Assistant Secretary
Digital Services
Department of Communications
18 June 2014
Geir Andreas Rasmussen  
6A Queensway  
Gibraltar  
GX11 1AA, GI

By Email: icantas40@famousfourmedia.com

Dear Mr Rasmussen

**Your application for .wine**

Further to the Australian Government's letters of July 2013 and May 2014, I am writing again in relation to your application for .wine. As you are aware, the Australian Government is of the view that the existing safeguards that were outlined in the GAC’s Beijing Communiqué and agreed by ICANN’s Board are appropriate and sufficient to address the potential for misuse of terms related to geographical indications (GIs) in the .wine and .vin new gTLDs.

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Digital Services
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18 June 2014