



The Internet Corporation for Assigned Names and Numbers

June 21, 2014

The Honorable Keith Besgrove
First Assistant Secretary Digital Services
Australian Government, Department of Communications
GPO Box 2154
Canberra ACT 2601 Australia

Dear Assistant Secretary Besgrove,

Thank you for your letter of 8 May 2014 regarding the applications for the .VIN and .WINE new gTLDs. We appreciate your continued willingness to participate actively in the difficult dialogue concerning appropriate safeguards for new gTLDs. We acknowledge your view that these applications should proceed in the absence of additional safeguard protections for Geographical Indications (GIs). We also note the views expressed by other governmental organizations in support of additional safeguard protections for GIs (see e.g., 17 June 2014 letter from the European Commission; 17 June 2014 letter from the Government of Spain; 18 June 2014 letter from the Government of France; 18 June 2014 letter from the Government of Portugal; and 21 May 2014 letter from the United States Government). That the Governmental Advisory Committee did not reach consensus on the issue of additional safeguards reflects the conflicting opinions on this issue.

As you know, on 4 April 2013, the New gTLD Program Committee published resolution 2014.04.04.NG03 directing the President and CEO, or his designee, to not commence the contracting process for the applications for .WINE and .VIN for 60 days from the date of publication of these resolutions in order to provide additional time for the relevant impacted parties to negotiate, which they are encouraged to do.

(<https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-04-04-en>) The sixty-day period expired on 3 June 2014.

On 8, 9 and 18 April 2014, the European Commission, the governments of France, Italy, Luxembourg, Portugal, Spain, Switzerland and the United Kingdom, and five Geographical Indication Organizations filed 13 Reconsideration Requests asking the NGPC to reconsider one or more of the five NGPC Resolutions addressing GAC advice on the applications of .VIN and .WINE. In its 6 June 2014 decision, the NGPC agreed with the Board Governance Committee's conclusion that there was no evidence that the Board's actions in adopting the Resolutions support reconsideration. (<https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-06-06-en>).

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As noted above, the 60-day waiting period before contracting could commence has expired and the Board reconsideration requests have all been denied. Consistent with the NGPC resolutions cited above, ICANN has continued with the processing of the .VIN and .WINE applications. Of course, should the GAC be in a position to provide any additional advice on this issue, we would welcome it. Similarly, should governments succeed in resolving these issues in other global trade fora such as the WTO that, too, will be taken into account.

We hope this information is helpful. Again, thank you for your active engagement in ICANN in these important issues. Such participation and full dialogue is at the heart of the multistakeholder approach and we sincerely appreciate all the detailed input received.

Sincerely,

A handwritten signature in black ink, which appears to read "Stephen D. Crocker".

Stephen D. Crocker
Chair, ICANN Board of Directors

cc Heather Dryden
cc Cherine Chalaby