



**Australian Government**  
**Department of Communications**

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

A handwritten signature in black ink, appearing to read 'Keith Besgrove', written over the typed name.

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



**Australian Government**  

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**Department of Communications**

John Kane  
2 La Touche House  
IFSC, Dublin  
1, IE

By Email: [jkane@afilias.info](mailto:jkane@afilias.info)

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.

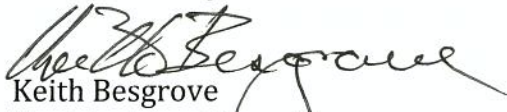
I understand that the 60 day period that the NGPC allowed for negotiation in its Resolution of 4 April 2014 has now passed, and that the NGPC has also denied all Reconsideration Requests. As a result, the Australian Government sees no impediment to your application for .wine proceeding without further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

A handwritten signature in black ink, appearing to read "Keith Besgrove". The signature is fluid and cursive, with a large loop at the end.

Keith Besgrove  
First Assistant Secretary  
Digital Services  
Department of Communications

18 June 2014



**Australian Government**  
**Department of Communications**

Daniel Schindler  
155 108<sup>th</sup> Avenue NE, Suite 510  
Bellevue WA 98004  
UNITED STATES

By Email: [hollyshadow@donuts.co](mailto: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.

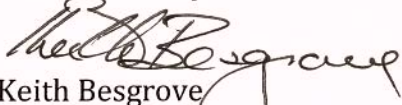
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Keith Besgrove  
First Assistant Secretary  
Digital Services  
Department of Communications

18 June 2014



Australian Government  
Department of Communications

Daniel Schindler  
155 108<sup>th</sup> Avenue NE, Suite 510  
Bellevue WA 98004  
UNITED STATES

By Email: junestation@donuts.co

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Keith Besgrove  
First Assistant Secretary  
Digital Services  
Department of Communications  
18 June 2014



**Australian Government**  

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**Department of Communications**

Geir Andreas Rasmussen  
6A Queensway  
Gibraltar  
GX11 1AA, GI

By Email: [icantas40@famousfourmedia.com](mailto:icantas40@famousfourmedia.com)

Dear Mr Rasmussen

**Your application for .wine**

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Keith Besgrove

First Assistant Secretary

Digital Services

Department of Communications

18 June 2014