



**EUROPEAN COMMISSION**

## **STATEMENT**

Brussels, 5 April 2014

### **European Commission reaction to ICANN/NGPC decision on wine domain names**

The European Commission welcomes the decision by ICANN's **new generic top-level domain (gTLD)** program Committee ("NGPC") **to put on hold the applications for .wine and .vin and its encouragement to applicants to negotiate. This should allow** rights holders of geographical indications and the wine industry to successfully conclude on the matter with the applicants for the new generic Top-Level Domain names ".vin" and ".wine" (<http://www.icann.org/en/groups/board/documents/resolutions-new-gtld-04apr14-en.htm><http://www.icann.org/en/groups/board/documents/resolutions-new-gtld-04apr14-en.htm>).

The latest NGPC decision follows the strong advice on this matter in the Governmental Advisory Committee's Communiqué from the ICANN Singapore meeting on 27 March, which was drawn up at the instigation of the European Commission and Member States.

The Commission believes that this postponement is the right one, as Geographical Indications for wine must be protected from domain name claims that put at risk the viability and integrity of this important sector.

We note that the postponement is only for two months, so it is essential that applicants negotiate in good faith towards an agreeable solution and in full compliance with the recommendations set forth in the legal expert advice sought by the NGPC, in particular on the need for the managers of wine-related Top-Level Domains to put in place precautionary measures for wine Geographic Indications.

The European Commission will continue to monitor this situation closely to ensure that the matter is resolved satisfactorily. In that regard we also welcome the NGPC recommendation to the ICANN Board to "consider the larger implications of legally complex and politically sensitive issues such as those raised by GAC members, including whether ICANN is the proper venue in which to resolve these issues, or whether there are venues or forums better suited to address concerns such as those raised by GAC members in relation to the .WINE and .VIN applications".

This reflects ICANN's obligation to ensure that the global public interest is safeguarded in the implementation of the new gTLD Program and to promote viable solutions that balance the rights of different stakeholders. The new gTLDs ".wine" and ".vin" cannot be opened until the rights and interests of wine producers and consumers worldwide are duly protected. If ICANN wants to demonstrate that the multi-stakeholder approach to Internet Governance can work for all, its decisions have to protect the common good and not simply favour purely commercial decisions or the highest bidders.

## **Background**

The Internet Corporation for Assigned Names and Numbers (ICANN) decided last year to open up a range of commercial domain names (like .com or .eu) in order to expand the capacity of the internet. The process effectively allows a first come first served approach to designation of domain names. Unfortunately this has sometimes led to unfortunate circumstances for economically and culturally sensitive domain names.

In the case of .wine and .vin there is a real fear that web users could be misled by sites which bear the name of a well-known wine geographical indication (GI), but which in fact have no legitimate relationship with that product.

Since the beginning of the internal market for goods in the EU, the Commission has cooperated with Members States to ensure that products originating in the territory of a particular country, region or locality where their quality, reputation or other characteristic are linked to this geographical origin are protected.

The Commission wants to make sure that the rules that apply offline are properly respected in the digital world.

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