



## Parliamentary questions

11 February 2014

E-001415-14

Question for written answer  
to the Commission

Rule 117

Christine De Veyrac (PPE) , Dominique Vlasto (PPE)

### ► Subject: Protection of geographical indications for European wine

Answer(s)

In June 2011, the Internet Corporation for Assigned Names and Numbers (ICANN), the body charged with managing domain names on the Internet, decided to launch a programme aimed at increasing the number of domain names, envisaging in particular the marketing of the domains .vin and .wine.

As the domain name .wine has been filed by three countries (United States, Ireland and Gibraltar) and that of .vin has been filed by a company of the European Union, the European wine industry is particularly worried about this development, as no protection of geographical indications is guaranteed, especially since the applicant companies have announced their intention to put these domain names up for auction.

Specifically, wine producers may be forced to buy back their domain names, with there being no regard for a well-established tradition and reputation, characterised by the geographical indication, and no respect for intellectual property rights, which they possess on principle.

The meeting of the leaders of ICANN in Buenos Aires, in November 2013, did not resolve the question of the protection of geographical indications.

On 31 January this year, the United States reminded ICANN of their wish to assign the domains .vin and .wine without control.

For its part, the European Commission indicated to ICANN, on 3 February, its desire to protect European intellectual property rights, warning that ICANN would go beyond its mandate if it were to give a decision on an assignment of the domain names without condition.

If ICANN were to pronounce itself against the arguments of the European Commission, what would be the Union's recourse in order to protect European geographical indications?

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## Parliamentary questions

4 April 2014

E-001415/2014

### Answer given by Ms Kroes on behalf of the Commission

The Honourable Members of Parliament raise a question on an important issue. Since the launch of ICANN's new gTLD<sup>(1)</sup> programme, the Commission, in close cooperation with EU Member States, has been actively pursuing a set of safeguards regarding domain names that could negatively impact on public policy or infringe national laws (including EC law). In doing this we have been partially successful.

The gTLDs .wine and .vin have been heavily debated in the Government Advisory Committee GAC and through a concerted effort with EU Member States the Commission has taken a strong stance to ICANN saying that these strings should not be delegated and the applicants and interested parties should be encouraged to continue their negotiations with a view to reach an agreement on the matter. The Commission regularly informed the European Parliament through the inter-Parliamentary Committee on Wine.

With a recent decision of 22 March 2014 the ICANN Board, as the Honourable Members of Parliament suggest, has taken a decision to delegate the strings without proper safeguards. They thus ignore the advice from many stakeholders. The first action point the Commission has taken is to challenge the Board on procedural grounds and ask them to review their decision. This was supported by the (GAC) in its communiqué of 27 March 2014. Further action at political level or legal level will depend on the content and process of the Board's review. It is clear to the Commission that any law offline also applies online. The Commission, EU Member States and interested stakeholders will pursue any mean open to them with any reasonable chance of success, ranging from political action towards the US government to legal action in EU and/or US Courts.

<sup>(1)</sup> generic Top Level Domain names.

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