

**EFOW, the European Federation of Origin Wines** ([www.efow.eu](http://www.efow.eu)), wishes to express its strong regret and concern regarding the conclusions presented in the Initial Report of the WIPO–ICA UDRP Review Project Team. The recommendation that the potential expansion of the Uniform Domain Name Dispute Resolution Policy (UDRP) to include Geographical Indications (GIs) should not be considered in ICANN's upcoming Phase 2 Review represents a serious missed opportunity.

This decision undermines efforts to modernise the UDRP, align it with international intellectual property law, and ensure fair and equal treatment for all Intellectual Property (IP) right holders in the digital space.

GIs are internationally recognised intellectual property rights, protected under multilateral, regional, and national legal frameworks. Notably, they benefit from legal protection under the WTO TRIPS Agreement (Articles 22–24) and are at the core of the WIPO-administered Geneva Act of the Lisbon Agreement. WIPO's own Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications regularly engages in developing GI-related legal norms and policies.

**It is therefore paradoxical and disappointing that GIs, acknowledged as IP rights under international law and within WIPO's own legal instruments, are excluded from the scope of the UDRP.**

Currently, only trademark holders are eligible to use the UDRP to act against abusive domain name registrations. Yet, GIs, despite their IP status, are denied access to this procedure, even when their names are misused, imitated, or cybersquatted. This exclusion has several serious implications:

- **It creates unjustified discrimination** between holders of equivalent intellectual property rights. GIs, like trademarks, are legitimate IP titles; denying them equal procedural remedies contradicts the principle of non-discrimination.
- **With the rapid growth of e-commerce**, the risk of online abuse and misappropriation of GIs is increasing dramatically. Domain names misusing GI terms can easily mislead consumers, damage legitimate producers, and erode the economic value and reputation of GIs.
- **In the absence of access to the UDRP**, GI holders are left with only one option: pursuing lengthy, costly legal actions, often in foreign jurisdictions. This is not a realistic or accessible solution for the vast majority of GI producers, particularly small-scale rural operators.
- **The UDRP was designed as a fast, simple, and affordable remedy.** By excluding GIs, it leaves a gap in the global IP enforcement framework, one that is growing ever more problematic as digital trade expands.

It is deeply concerning that the UDRP Review Team has not only rejected the inclusion of GIs, but has also recommended that this issue **not even be considered** in ICANN's Phase 2 Review. This effectively silences GI stakeholders and blocks any further dialogue on the matter, despite the increasing importance of these rights in global commerce and IP policy.

**EFOW strongly urges ICANN and WIPO to revisit this recommendation and ensure that GI holders are not systemically excluded from effective digital enforcement tools.** In particular, we call for:

- The inclusion of GIs as a subject of discussion in ICANN's Phase 2 Review of the UDRP;
- Formal recognition of GIs as IP rights eligible for protection under the UDRP;
- A transparent and inclusive consultation process that involves GI stakeholders—such as producer groups, competent public authorities, and international organisations.

GIs are not just legal rights: they support rural livelihoods, preserve cultural heritage, ensure food authenticity, and protect consumers. These values must not be dismissed in the digital era.

EFOW remains fully committed to working with WIPO, ICANN, and other stakeholders to ensure that all forms of intellectual property, including geographical indications, benefit from a fair, modern, and effective enforcement system, both offline and online.