



The Internet Corporation for Assigned Names and Numbers

22 November 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Bashar Al-Abdulhadi  
KuwaitNET General Trading Co. (IANA ID# 835)  
Kuwait Free Trade Zone Plot 22B, Al-Arjan Building B Office 6  
Shuwaikh 15463  
Kuwait

Email: [ceo@kuwaitnet.net](mailto:ceo@kuwaitnet.net)  
Fax: 965 4810026

**RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT**

Dear Mr. Al-Abdulhadi,

Please be advised that as of 22 November 2013, KuwaitNET General Trading Co. ("KuwaitNET") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 7 December 2009 ("RAA"). These breaches result from:

1. KuwaitNET's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:
  - a. Failure to provide documents and information as required by the terms of Section 3.14; and
  - b. Failure to maintain records relating to KuwaitNET's dealings with Registry Operator(s) and Registered Name Holders and to make such records available to ICANN for inspection, pursuant to Sections 3.4.2 and 3.4.3 of the RAA.
2. KuwaitNET's failure to pay past due accreditation fees pursuant to Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches.

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ICANN requests that KuwaitNET cure the breaches by 17 December 2013, 15 working days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase, by:
  - a. Contacting [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
  - b. Completing the RFI and providing all supporting documentation through the Site.
  
2. Pay all past due accreditation fees of \$1,000.00.

If KuwaitNET fails to timely cure the breaches and provide the information requested, ICANN may commence the termination process.

If you have questions or require assistance, please contact Owen Smigelski at [owen.smigelski@icann.org](mailto:owen.smigelski@icann.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad".

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



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## ATTACHMENT

### Failure to Provide Documents and Information for Audit and to Make Records Relating to Registered Name Holders Available to ICANN

Section 3.14 of the RAA requires KuwaitNET, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by KuwaitNET necessary to demonstrate compliance with the terms of this Agreement. Section 3.4.2 of the RAA requires KuwaitNET to maintain registration data and records relating to its dealings with Registered Name Holders and with the Registry Operator(s) for every domain name under KuwaitNET's management. Section 3.4.3 of the RAA requires KuwaitNET to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 1 October 2013 ICANN sent KuwaitNET three notices regarding the requirements of ICANN's Audit Program. To date, KuwaitNET has not responded to any Audit Program communication and has not contacted ICANN regarding the Audit Program.

### Failure to Pay Accreditation Fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. KuwaitNET owes ICANN \$1,000.00 in past due accreditation fees, in breach of Section 3.9 of the RAA.

### Chronology:

Date of Notice	Deadline for Response	Details
1 Oct 2013	N/A	ICANN sent all Registrars and Registries a Pre-Audit Notification Letter with Dates of future Notifications. This letter was immediately published on icann.org
14 Oct 2013	4 Nov 2013	ICANN sent 1 <sup>st</sup> Notice via email to <a href="mailto:ceo@kuwaitnet.net">ceo@kuwaitnet.net</a> . In addition, the notice was faxed to: 965 4810026. No response received.



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Date of Notice	Deadline for Response	Details
4 Nov 2013	10 Nov 2013	ICANN sent 2 <sup>nd</sup> Notice via email to <a href="mailto:ceo@kuwaitnet.net">ceo@kuwaitnet.net</a> . In addition, the notice was faxed to: 965 4810026. No response received.
11 Nov 2013	18 Nov 2013	ICANN sent 3 <sup>rd</sup> (FINAL) Notice via email to <a href="mailto:ceo@kuwaitnet.net">ceo@kuwaitnet.net</a> . In addition, the notice was faxed to: 965 4810026. No response received.
11 Nov 2013	N/A	ICANN attempted to call Registrar at 965-2257060 but was neither able to reach it nor leave a message, as phone line had a constant busy signal.
<b>Other:</b> 18 Nov 2013	N/A	ICANN notes that registrar never logged on within <a href="http://compliance.icann.org">compliance.icann.org</a> tool.