



The Internet Corporation for Assigned Names and Numbers

10 October 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Sharon Cao  
Todaynic.com, Inc. (IANA #697)  
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China

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Fax: +86 756 2282526

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

Dear Ms. Cao,

Please be advised that as of 10 October 2014, Todaynic.com, Inc. ("Todaynic") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 16 January 2014 ("RAA"). These breaches result from:

1. Todaynic's failure to take reasonable and prompt steps to investigate and respond appropriately to reports of abuse, and to maintain and provide records to ICANN that are related to such reports, as required by Section 3.18 of the RAA; and
2. Todaynic's failure to maintain and make available registration data and records available upon request by ICANN, as required by Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

In addition, Todaynic has been deemed noncompliant in the following areas:

1. Failure to provide a link to ICANN's Registrant Educational Information webpage, as required by Section 3.16 of the RAA;

Los Angeles  
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• Washington

<http://icann.org>



2. Failure to publish the full name and position of all officers of the registrar on Todaynic's website, as required by Section 3.17 and the Registrar Information Specification ("RIS") of the RAA;
3. Failure to clearly display on Todaynic's website, and include a link in its registration agreement, to its of renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP");
4. Failure to provide a description on Todaynic's website or in its registration agreement of methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP; and
5. Failure to timely pay past due accreditation fees in the amount of \$7,627.76, as required by Section 3.9 of the RAA.

ICANN requests that Todaynic cure the breaches by 31 October 2014, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide information and records demonstrating that Todaynic took reasonable and prompt steps to investigate and respond appropriately to the report of abuse associated with the Abuse compliance notices in the chronology below. This includes copies of Todaynic's correspondence with the abuse reporter and with the Registered Name Holder(s) ("RNHs") of the domain names in the abuse report while investigating the report of abuse (including dates, times, means of inquiries and telephone numbers, e-mail addresses, and postal address used) and the steps your registrar took to address the abuse report;
2. Clearly display a link to ICANN's Registrant Educational Information webpage on Todaynic's website;
3. Publish on Todaynic's website the full name and position of all officers of Todaynic;
4. Clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Todaynic's website and provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in the Todaynic registration agreement;
5. Provide a description of methods used to deliver pre- and post-expiration notifications on Todaynic's website, and include a description of its notification methods or a link to the



applicable page(s) on its website where this information is available in Todaynic's registration agreements; and

6. Pay all past due accreditation fees of \$7,627.76.

If Todaynic fails to timely cure the breaches and provide the information requested by 31 October 2014, ICANN may commence the RAA 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



## ATTACHMENT

### Failure to take reasonable and prompt steps to investigate and respond to reports of abuse

Section 3.18.1 of the RAA requires registrars to take reasonable and prompt steps to investigate and respond appropriately to any reports of abuse. Section 3.18.3 of the RAA requires registrars to (a) document receipt and response for all abuse reports, (b) maintain the records related to abuse reports, and (c) provide such records to ICANN upon reasonable notice. Todaynic's failure to respond to the abuse report, and to provide ICANN with records demonstrating investigation and response to the abuse report, is a breach of Section 3.18 of the RAA.

### Failure to retain registered name holder and registration data and failure to make such data available for inspection and copying

Sections 3.4.2 and 3.4.3 of the RAA requires registrars to maintain RNH and registration data, and to make those records available to ICANN upon reasonable notice. Todaynic's failure to provide the requested registration records and data related to the compliance notices detailed in the chronology below is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

### Failure to display a link to ICANN's Registrant Education Information Webpage

Section 3.16 of the RAA requires registrars to clearly display a link on its website to ICANN's Registrant Educational Information webpage. Todaynic's failure to provide a link to ICANN's Registrant Educational Information webpage on its website is a breach of Section 3.16 of the RAA.

### Failure to publish the full name and position of all officers on registrar's website

Section 3.17 of the RAA requires registrars to provide to ICANN and maintain accurate and current information as specified in the RIS of the RAA. In addition, a registrar must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. Todaynic's failure to publish the full name and position of all its officers on its website is a breach of Section 3.17 of the RAA and the RIS.

### Failure to clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website

Section 4.1 of the ERRP requires registrars to make their renewal fees, post-expiration renewal fees (if different) and redemption/restore fees reasonably available to RNHs and prospective RNHs at the time of registration of a gTLD name. At a minimum, these fees must be clearly displayed on the



registrar's website and a link to these fees must be included in the registrar's registration agreements. Todaynic's failure to provide a link or clearly display these fees is a breach of Section 4.1 of the ERRP.

Failure to describe on its websites (if used) the methods used to deliver pre- and post-expiration notifications

Section 4.2 of the ERRP requires registrars to describe on their websites (if used), and include a description of its notification methods or a link to the applicable page(s) on its website where this information is available in their registration agreements, the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Todaynic's failure to describe these notifications on the website and in its registration agreement is a breach of Section 4.2 of the ERRP.

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. Todaynic owes ICANN \$7,627.76 in past due accreditation fees, in breach of Section 3.9 of the RAA.

**Chronology:**

Date of Notice	Deadline for Response	Details
20-Aug-2014	27-Aug-2014	ICANN sent 1st compliance notice via email to <a href="mailto:info@todaynic.com">info@todaynic.com</a> .
21-Aug-2014	N/A	Email from Registrar ( <a href="mailto:support@eragnet.com">support@eragnet.com</a> ) acknowledging receipt of 1st compliance notice.
29-Aug-2014	N/A	ICANN sent follow-up notice via email to ( <a href="mailto:support@eragnet.com">support@eragnet.com</a> ).
4-Sep-2014	11-Sep-2014	ICANN sent 2nd compliance notice via email to <a href="mailto:info@todaynic.com">info@todaynic.com</a> and <a href="mailto:support@eragnet.com">support@eragnet.com</a> .



Date of Notice	Deadline for Response	Details
5-Sep-2014	N/A	Email from Registrar ( <a href="mailto:support@eranet.com">support@eranet.com</a> ) insufficient to demonstrate compliance.
10-Sep-2014	N/A	Email from Registrar ( <a href="mailto:support@eranet.com">support@eranet.com</a> ) insufficient to demonstrate compliance.
10-Sep-2014	11-Sep-2014	ICANN sent follow-up notice via email to <a href="mailto:info@todaynic.com">info@todaynic.com</a> and <a href="mailto:support@eranet.com">support@eranet.com</a> .
11-Sep-2014	N/A	ICANN called Primary Contact at +86 756 3810566. ICANN provided Primary Contact with complaint details. Primary Contact requested more time to complete investigation.
11-Sep-2014	N/A	Email from Registrar ( <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> ) requesting more time to complete investigation.
12-Sep-2014	19-Sep-2014	ICANN sent a follow-up notice via email to <a href="mailto:info@todaynic.com">info@todaynic.com</a> , <a href="mailto:support@eranet.com">support@eranet.com</a> and <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> granting extension.
19-Sep-2014	N/A	Email from Registrar ( <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> ) insufficient to demonstrate compliance.
19-Sep-2014	19-Sep-2014	ICANN sent a follow-up notice via email to <a href="mailto:info@todaynic.com">info@todaynic.com</a> , <a href="mailto:support@eranet.com">support@eranet.com</a> , and <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> .
22-Sep-2014	N/A	Email from Registrar ( <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> ) insufficient to demonstrate compliance.
22-Sep-2014	29-Sep-2014	ICANN sent 3rd compliance notice via email to <a href="mailto:info@todaynic.com">info@todaynic.com</a> , <a href="mailto:support@eranet.com">support@eranet.com</a> , and <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> .
22-Sep-2014	N/A	ICANN sent 3rd compliance notice via fax to +86 756 2282526. Fax successful.



Date of Notice	Deadline for Response	Details
26-Sep-2014	N/A	ICANN called Primary Contact at +86 756 3810566. ICANN spoke with Registrar representative and provided complaint details.
29-Sep-2014	N/A	Email from Registrar ( <a href="mailto:sharon@now.net.cn">sharon@now.net.cn</a> ) insufficient to demonstrate compliance.
2-Oct-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
10-Oct-2014	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation.