



The Internet Corporation for Assigned Names and Numbers

8 May 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

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

Dear Mr. Lin,

Please be advised that as of 8 May 2014, Bizcn.com (“Bizcn”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 16 September 2013 (“RAA”). These breaches result from:

1. Failure to take reasonable steps to investigate and correct claimed Whois inaccuracies, as required by Section 3.7.8 of the RAA;
2. Failure to verify or re-verify the email addresses of the Registered Name Holder (“RNH”) of the domains <rapetube.org> and <onlinepharmacy4.org> as required by Section 4 of the Whois Accuracy Program Specification;
3. Failure to maintain registration records as required by Section 3.4.2 of the RAA; and
4. Failure to make registration records available upon request by ICANN, as required by Section 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

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

1. Failure to display a link to ICANN's Registrant Educational Information webpage, as required by Section 3.16 of the RAA;
2. Failure to provide a description on Bizcn's website 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");
3. Failure to provide a description on Bizcn's website of methods used to deliver pre- and post-expiration notifications on registrar's website, as required by Section 4.2 of the ERRP; and
4. Failure to display the correct ICANN logo on Registrar's website, as required by the Logo License Appendix of the RAA.

#### Additional Considerations

Since January 2014, the monthly Whois inaccuracy complaints based on domain registration for Bizcn has rapidly increased. Furthermore, in March 2014, Whois inaccuracy complaints for Bizcn were 18% of the total Whois inaccuracy complaints received by ICANN.

By 29 May 2014, ICANN requests that Bizcn provide the following information: 1) a root cause analysis; 2) an action plan to address the core issues leading to the increased level of Whois inaccuracies for domains sponsored by Bizcn 3) an action plan to ensure that the issues do not reoccur. The plan shall include a timeline, milestones, and targets to reduce Whois inaccuracies for Bizcn.

ICANN requests that Bizcn cure the breaches by 29 May 2014, 21 days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that Bizcn took reasonable steps to investigate and reasonable steps to correct the Whois inaccuracy claims concerning the domains <rapetube.org> and <onlinepharmacy4.org>. This includes copies of Bizcn's correspondence with the RNHs while investigating the Whois inaccuracy claims (including dates and times and means of inquiries, telephone numbers, e-mail addresses, and postal addresses used);
2. Provide records demonstrating that Bizcn verified or re-verified correct the email addresses of the RNHs of the domains <rapetube.org> and <onlinepharmacy4.org>;



3. Clearly display a link to display a link to ICANN's Registrant Educational Information webpage, on Bizcn's website;
4. Clearly display a link to renewal fees, post-expiration renewal fees (if different), and redemption/restore fees on Bizcn's website;
5. Provide a description of methods used to deliver pre- and post-expiration notifications on Bizcn's website; and
6. Display the correct ICANN logo on Bizcn's website in accordance with the Logo License Appendix of the RAA.

If Bizcn fails to timely cure the breaches and provide the information requested by 29 May 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", is written over a light blue circular watermark that contains the ICANN logo.

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



## ATTACHMENT

### Failure to take reasonable steps to investigate and correct Whois inaccuracies

Section 3.7.8 of the RAA requires registrars, upon notification of a claimed inaccuracy in the contact information associated with a registered name sponsored by registrar, to take reasonable steps to investigate the claimed inaccuracy. In the event registrar learns of inaccurate contact information associated with a registered name it sponsors, the registrar shall take reasonable steps to correct that inaccuracy.

Bizcn suspended the domains <onlinepharmacy4.org> and <rapetube.org> in response to alleged Whois inaccuracy complaints from ICANN. ICANN was notified that the suspension of the domain names was removed although the Whois data remained the same in the alleged Whois inaccuracy complaints. As detailed in the chronology below, ICANN sent Bizcn multiple notices requesting documents and information regarding the Whois inaccuracy complaints. The responses from Bizcn were insufficient and demonstrated that Bizcn failed to take reasonable steps to investigate and reasonable steps to correct the claimed inaccuracy is a breach of Section 3.7.8.

### Failure to verify or re-verify the email address of the RNH

Section 4 of the Whois Accuracy Specification of the 2013 RAA requires registrars to verify or re-verify, as applicable, the email address(es) if a registrar has any information suggesting that the contact information specified is incorrect. The registrar is required to receive an affirmative response from the RNH, manually verify the information, or suspend the domain name.

Although Bizcn provided copies of email correspondence with the RNH, the correspondence predated the Whois inaccuracy complaint, was from an email address that appears invalid from information available to ICANN, or contained inaccurate or false information, in violation of Section 4 of the 2013 RAA's Whois Accuracy Program Specification.

### 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 registered name holder and registration data, and to make those records available to ICANN upon reasonable notice. ICANN requested that Bizcn make registration records available to ICANN concerning the domain names <onlinepharmacy4.org> and <rapetube.org>. Bizcn's failure to provide the requested registration records 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 to ICANN's Registrant Educational Information webpage on Bizcn's website. Bizcn's website does not provide a link to ICANN's Registrant Educational Information webpage in breach of Section 3.16 of the RAA.

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 registered name holders and prospective registered name holders 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. Bizcn's website does not provide a link or clearly display these fees in breach of Section 4.1 of the ERRP.

Failure to describe on their 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) the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. The website of Bizcn does not describe these notifications in breach of Section 4.2 of the ERRP.

Failure to display correct ICANN-Accredited Registrar logo

The Logo License Appendix of the RAA requires registrars, if displaying the ICANN-Accredited Registrar Logo, to use the logo displayed in the appendix. Bizcn's use of a modified version of the ICANN-Accredited Registrar Logo is a violation of the Logo License Appendix of the RAA.

**Chronology:**

**TICKET ID: ETB-640-80234 < onlinepharmacy4.org >**

| Date of Notice | Deadline for Response | Details  |
|----------------|-----------------------|--|
| 1-Apr-2014     | 8-Apr-2014            | ICANN sent 1st compliance notice via email to <a href="mailto:contact@bizcn.com">contact@bizcn.com</a> . No response received from |

| Date of Notice | Deadline for Response | Details  |
|----------------|-----------------------|--|
|                |                       | Registrar.   |
| 9-Apr-2014     | 16-Apr-2014           | ICANN sent 2nd compliance notice via email to <a href="mailto:contact@bizcn.com">contact@bizcn.com</a> .   |
| 10-Apr-2014    | N/A                   | Registrar reported to ICANN that the domain name was suspended again due to non-response to a registrar inquiry, however Registrar did not provide the requested documents and information.  |
| 14-Apr-2014    | N/A                   | ICANN called Primary Contact at +86 592 217 9560. Spoke to representative who was requested to provide further documentation and information.  |
| 17-Apr-2014    | N/A                   | Registrar provided ICANN copies of correspondence between the reseller and the updated email address in the Whois data, however Registrar did not provide correspondence with the email address of the RNH at the time of Whois inaccuracy complaint.  |
| 17-Apr-2014    | 24-Apr-2014           | ICANN sent 3rd compliance notice via email to <a href="mailto:contact@bizcn.com">contact@bizcn.com</a> .   |
| 17-Apr-2014    | 24-Apr-2014           | ICANN faxed 3rd compliance notice to +86 592 217 9606. Fax successful.   |
| 18-Apr-2014    | N/A                   | Registrar provided copies of correspondence between the reseller and registrant for the specified time frame confirming the telephone number was accurate, however the telephone number was unreachable. The email address used by the registrant does not appear to be a valid functioning email address based upon |

| Date of Notice | Deadline for Response | Details   |
|----------------|-----------------------|---|
|                |                       | information available to ICANN.   |
| 23-Apr-2014    | 25-Apr-2014           | ICANN sent a follow-up notice detailing concerns with Registrar's response, and requesting additional documents and information to validate the Registrar's response. |
| 23-Apr-2014    | N/A                   | ICANN made call to Primary Contact at +86 592 217 9560. Spoke to representative who was requested to provide further documentation and information.                   |
| 25-Apr-2014    | N/A                   | ICANN conducted check to determine other areas of noncompliance.  |
| 8-May-2014     | N/A                   | ICANN has not received the requested documentation from Registrar.  |

TICKET ID: NSW-764-25783 <rapetube.org>

**Chronology:**

| Date of Notice | Deadline for Response | Details  |
|----------------|-----------------------|--|
| 24-Mar-2014    | 31-Mar-2014           | ICANN sent 1st compliance notice via email to <a href="mailto:contact@bizcn.com">contact@bizcn.com</a> . No response received from Registrar.  |
| 1-Apr-2014     | 8-Apr-2014            | ICANN sent 2nd compliance notice via email to <a href="mailto:contact@bizcn.com">contact@bizcn.com</a> .   |
| 2-Apr-2014     | N/A                   | Registrar reported to ICANN that the Whois data was confirmed accurate by the registrant. The response from the registrant predated the Whois inaccuracy complaint by 6 months and the Whois |

| Date of Notice | Deadline for Response | Details   |
|----------------|-----------------------|---|
|                |                       | data still appeared inaccurate according to information available to ICANN.   |
| 2-Apr-2014     | 8-Apr-2014            | ICANN sent a follow-up notice to the registrar clarifying the issues with the copies of correspondence provided, and requested further documents and information.   |
| 7-Apr-2014     | N/A                   | ICANN called Primary Contact at +86 592 217 9560. No answer.  |
| 8-Apr-2014     | N/A                   | ICANN called Primary Contact at +86 592 217 9560. Spoke to representative who was requested to review and respond to the follow-up notice.  |
| 8-Apr-2014     | N/A                   | Registrar reported to ICANN that the domain name was suspended again due to non-response to a registrar inquiry, however the requested documents were not provided.   |
| 9-Apr-2014     | 16-Apr-2014           | ICANN sent 3rd compliance notice via email to <a href="mailto:contact@bizcn.com">contact@bizcn.com</a> .  |
| 9-Apr-2014     | 16-Apr-2014           | ICANN faxed 3rd compliance notice to +86 592 217 9606. Fax successful.  |
| 10-Apr-2014    | N/A                   | Registrar again reported to ICANN that the domain name was suspended again due to non-response to a registrar inquiry, however the requested documents were not provided.   |
| 14-Apr-2014    | N/A                   | ICANN called Primary Contact at +86 592 217 9560. Spoke to representative who was requested to provide further documentation and information.   |
| 17-Apr-2014    | N/A                   | Registrar provided copies of correspondence between the reseller and registrant confirming the telephone number was accurate, however the telephone number was unreachable. The email address used by the registrant does not appear to be a valid functioning email address based upon |



| Date of Notice | Deadline for Response | Details   |
|----------------|-----------------------|---|
|                |                       | information available to ICANN.   |
| 17-Apr-2014    | 24-Apr-2014           | ICANN sent a follow-up notice detailing concerns with registrar's response, and requesting additional documents and information to validate the Registrar's response.   |
| 18-Apr-2014    | N/A                   | Registrar provided copies of correspondence between the reseller and registrant. The response included the same email address that was still invalid according to information available to ICANN, and included a copy of a government identification card to confirm the registrant's address. According to information available to ICANN, the identification card did not conform to any current or previous form of government identification for that jurisdiction. |
| 23-Apr-2014    | 25-Apr-2014           | ICANN sent a follow-up notice detailing concerns with registrar's response, and requesting additional documents and information to validate the Registrar's response.   |
| 23-Apr-2014    | N/A                   | ICANN made final call to Primary Contact at +86 592 217 9560. Spoke to representative who was requested to provide further documentation and information.   |
| 25-Apr-2014    | N/A                   | ICANN conducted check to determine other areas of noncompliance.  |
| 8-May-2014     | N/A                   | ICANN has not received the requested documentation from Registrar.  |