



The Internet Corporation for Assigned Names and Numbers

7 August 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Mr. John He
Xin Net Technology Corporation (Registrar ID # 120)
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Technological Development Zone
Beijing 100176
China

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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. He,

Please be advised that as of 7 August 2013, Xin Net Technology Corporation (“Xin Net”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 16 September 2009 (“RAA”). This breach results from:

- Repeated failure to escrow gTLD registration data pursuant to Section 3.6 of the RAA.

Please refer to the attachment for details regarding this breach.

ICANN requests that Xin Net cure this breach by 28 August 2013, 15 working days from the date of this letter, by taking the following action:

- Deposit gTLD registration data on a weekly basis to Iron Mountain Intellectual Property Management, Inc. (“Iron Mountain”) and ensure the deposits meet the required specifications.

If Xin Net fails to timely cure this breach and deposit the required data beginning 28 August 2013, ICANN may commence the RAA termination process.



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If you have questions or require assistance, please contact Owen Smigelski at owen.smigelski@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad". The signature is fluid and cursive, with the first letter "M" being particularly large and stylized.

Maguy Serad
Vice President
Contractual Compliance

cc: John O. Jeffrey, General Counsel and Secretary



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ATTACHMENT

Failure to Escrow gTLD Registration Data

Section 3.6 of the RAA requires registrars to submit electronic copy of the database described in Subsection 3.4.1 of the RAA to ICANN, or at registrar's expense, to a reputable escrow agent mutually approved by the registrar and ICANN. Registrars shall submit the data on a schedule, under the terms, and in a format specified by ICANN.

ICANN's records show that Xin Net is required to escrow data with Iron Mountain on a weekly basis. However, based on the reports provided by Iron Mountain, since February 2013 Xin Net failed to make data deposits that comply with the requirements of ICANN's data escrow specifications.

Xin Net's repeated failure to comply with ICANN's data escrow specifications constitutes a breach of Section 3.6 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
19-Feb-13	26-Feb-13	ICANN sent a compliance notice via e-mail to admin1@xinnet.com regarding Registrar's failure to make full weekly deposits. No response received.
26-Feb-13	N/A	ICANN initiated a conference call with Registrar to discuss data escrow noncompliance. ICANN provided clarification and agreed to discuss the matter further via subsequent conference calls.



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Date of Notice	Deadline for Response	Details
1-Mar-13	N/A	ICANN initiated a 2nd conference call with Registrar and provided the Registrar the Data Escrow Specification in Mandarin. ICANN agreed to allow the Registrar to go through the data escrow on-boarding process again with Iron Mountain.
7-Mar-13	N/A	Registrar provided an update regarding the RDE issues addressed during the conference call on 1 March 2013 and stated all RDE modifications were completed by 14 March 2013.
20-Mar-13	N/A	Registrar provided an update stating escrow deposits were made, but were not successful due to technical issues which were being addressed with Iron Mountain.
Mar-13	N/A	During the month of March, ICANN received copies of several communications exchanged between Xin Net and Iron Mountain related to the technical issues that Xin Net was not able to solve.
30-Apr-13	7-May-13	ICANN sent Registrar a follow-up e-mail regarding its failure to make successful deposits as required by the RDE specifications.
Apr-13	N/A	During the month of April, ICANN received copies of several communications exchanged between Xin Net and Iron Mountain related to the technical issues that Xin Net was not able to solve.



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Date of Notice	Deadline for Response	Details
7-May-13	N/A	ICANN initiated a 3rd conference call with Registrar to address its continued failure to make successful full weekly deposits.
24-May-13	10-Jun-13	ICANN sent a follow-up e-mail to Registrar at admin1@xinnet.com regarding Registrar's continued failure to make a valid full deposit as required by the RAA and RDE specifications. The Registrar was also advised that if the data escrow issue was not resolved by 10 June 2013, ICANN would proceed with escalated compliance action.
May-13	N/A	During the month of May, ICANN received copies of several communications exchanged between Xin Net and Iron Mountain related to the technical issues that Xin Net was not able to solve.
17-Jun-13	24-Jun-13	ICANN sent a 1st compliance notice via e-mail to admin1@xinnet.com. No response received.
25-Jun-13	2-Jul-13	ICANN sent 2nd compliance notice via e-mail to admin1@xinnet.com.
25-Jun-13	N/A	ICANN called Registrar at + 86 186 0111 9862. Primary Contact, John He, stated that he is in communication with Iron Mountain to resolve all RDE issues.



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Date of Notice	Deadline for Response	Details
Jun-13	N/A	During the month of June, ICANN received copies of several communications exchanged between Xin Net and Iron Mountain related to the technical issues that Xin Net was not able to solve.
7-Jul-13	12-Jul-13	ICANN sent a follow- up e-mail to Registrar requesting documentation to verify correction of all RDE issues and the resolution date.
16-Jul-13	23-Jul-13	ICANN sent 3rd compliance notice via e-mail to admin1@xinnet.com.
16-Jul-13	N/A	ICANN sent 3rd compliance notice via fax to Registrar at +861087127010. Fax successfully transmitted.
16-Jul-13	N/A	ICANN called Registrar at + 86 186 0111 9862. Primary Contact, John He, stated that the full deposit was made and the RDE issues were resolved.
17-Jul-13	N/A	Registrar responded to 3 rd compliance notice stating daily deposits from 9-14 July 2013 were successful. However, technical issues prevented the full data deposit. Full deposit scheduled on 22 July 2013.
22-Jul-13	N/A	Registrar responded stating that it was in compliance with the data escrow requirements. Iron Mountain informed the Registrar and ICANN that there were still technical issues preventing the deposits from being successful.



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Date of Notice	Deadline for Response	Details
24-Jul-13	N/A	ICANN sent a follow-up e-mail to Registrar concerning its invalid deposits and reiterated the ICANN specification requirements.
24-Jul-13	N/A	Registrar responded asking for an extension to correct the outstanding issues. Full data deposit scheduled on 29 July 2013.
Jul-13	N/A	During the month of July, ICANN received copies of several communications exchanged between Xin Net and Iron Mountain related to the technical issues that Xin Net was not able to solve.
1-Aug-13	N/A	ICANN received confirmation from Iron Mountain that Xin Net made a deposit. However, the deposit was deemed invalid.
Aug-13	N/A	During the month of August, ICANN received copies of several communications exchanged between Xin Net and Iron Mountain related to the technical issues that Xin Net was not able to solve.