



10 May 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Pamela Hill
USA Webhost, Inc. (IANA #439)
5 Bragdon Lane
Kennebunk, Maine 04043

E-mail: phill@usacsp.com
Fax Number: +1 207 467 9007

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Ms. Hill:

Please be advised that as of 10 May 2013, USA Webhost, Inc. ("USA Webhost") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 24 October 2011 ("RAA"). These breaches result from:

- Failure to provide documents and information requested pursuant to an ICANN audit, as required by Section 3.14 of the RAA;
- Failure to maintain registration records, as required by Section 3.4.2 of the RAA;
- Failure to make registration records available upon request by ICANN, as required by Section 3.4.3 of the RAA; and
- Failure to provide all required Whois data elements, as required by Section 3.3.1 of the RAA;

Please refer to the attachment for details regarding these breaches. ICANN requests that USA Webhost cure these breaches by 3 June 2013, 15 working days from the date of this letter, by taking the following actions:

1. Provide proof that USA Webhost is maintaining required accounting records concerning its Registered Name Holders. Concerning payments received, a query or log listing the domain name, date, time, amount, and IP/customer ID for

Washington, DC	1101 New York Avenue, NW, Suite 930	Washington, DC 20005	USA	T +1 202 570 7240	F +1 202 789 0104
Los Angeles	12025 Waterfront Drive, Suite 300	Los Angeles, CA 90994	USA	T +1 310 823 9358	F +1 310 823 8649
Brussels	6 Rond Point Schuman, Bt. 5	B-1040 Brussels	BELGIUM	T +32 2 234 7870	F +32 2 234 7848

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the most recent payment received for the domains (as previously referenced in the audit report) is sufficient to demonstrate compliance. ICANN requests that USA Webhost provide data for the list of domain names in ICANN's audit email notice to USA Webhost dated 26 April 2013 or you can contact ICANN at complianceaudit@icann.org to obtain the list; and

2. Provide proof that USA Webhost is providing all required Whois data elements, including USA Webhost's identity, for all active registered names sponsored by USA Webhost. For a list of the domain names for which ICANN found that USA Webhost was not providing Whois data regarding its identity, please refer to ICANN's audit email notice to USA Webhost dated 26 April 2013 or you can contact ICANN at complianceaudit@icann.org to obtain the list.

If USA Webhost fails to timely cure these breaches by 3 June 2013, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Stacy Burnette at stacy.burnette@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Maguy Serad", is written in a cursive style.

Maguy Serad
Vice President
Contractual Compliance

c: John O. Jeffrey, General Counsel and Secretary



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ATTACHMENT

1. Failure to Timely Respond to Audit Requests for Documents and Information

Section 3.3 of the RAA requires registrars to timely provide documents and information requested by ICANN as part of a contractual compliance audit.

ICANN sent USA Webhost three notices regarding requests for documents and information pursuant to an ICANN audit and two reminder notices. Although an extension of time to respond to ICANN's audit request was granted to USA Webhost, to date, USA Webhost has not provided sufficient information to remediate all of the audit deficiencies communicated to USA Webhost.

2. Failure to Retain Registered Name Holder and Registration Data and Failure to Make Such Data Available to ICANN

Section 3.4.2 of the RAA requires USA Webhost 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 USA Webhost's management. Section 3.4.3 of the RAA requires USA Webhost to make those records and data available to ICANN, upon reasonable notice.

As detailed in the chronology below, USA Webhost failed to respond to ICANN's audit requests that included requests to provide records of the accounts of Registered Name Holders, including dates and amounts of all payments and refunds. USA Webhost's failure to provide requested registration records constitutes a breach of Sections 3.4.2 and 3.4.3 of the RAA.

3. Failure to Provide Required Whois Data Elements

Section 3.3.1 of the RAA requires USA Webhost to provide an interactive web page and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by USA Webhost. This provision further states that the data accessible must consist of specific elements, including the identity of the registrar.



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As part of an audit, ICANN found that USA Webhost was not providing Whois data regarding its identity for some of the domain names it manages. ICANN informed USA Webhost of its findings and requested that USA Webhost provide Whois data regarding its identity, as required by Section 3.3.1 of the RAA. As set forth in the chronology, USA Webhost received three compliance notices and two reminder notices regarding ICANN's request that USA Webhost address the Whois data matter. To date, USA Webhost has not addressed the Whois data matter. USA Webhost's failure to provide all of the required Whois data elements constitutes a breach of Section 3.3.1 of the RAA.

Chronology

Date of Notice	Deadline for Response	Details
29 Mar 13	19 April 13	ICANN sent 1 st Notice via e-mail to phill@usacsp.com (primary contact). Registrar did not respond.
19 April 13	26 April 13	ICANN sent 2 nd Notice via e-mail to phill@usacsp.com .
22 April 13	N/A	ICANN left a voicemail reminder for Pam Hill, primary contact, at +1 207 467 8330 indicating how USA Webhost can remediate its deficiencies.
22 April 13	N/A	ICANN followed-up the voicemail with a reminder e-mail to phill@usacsp.com indicating how the deficiencies can be remediated.
26 April 13	06 May 13	ICANN sent 3 rd Notice via email to phill@usacsp.com . Registrar did not respond.
03 May 13	N/A	ICANN received an email from Eric Brunner-Williams (public contact) that included a remediation plan. No proof of compliance was submitted to ICANN to remediate or address the deficiencies noted by ICANN.



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Date of Notice	Deadline for Response	Details
03 May 13	N/A	ICANN responded to Mr. Eric Brunner-Williams and advised that an extension had been granted to USA Webhost to 6 May 2013. The registrar was urged to address all of the outstanding deficiencies by 6 May 2013.
06 May 13	N/A	No correspondence received from USA Webhost.