

### The Internet Corporation for Assigned Names and Numbers

7 August 2014

### TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

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

Dear Mr. Jeong,

Please be advised that as of 7 August 2014, Dotname Korea Corp. ("Dotname Korea") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 5 June 2014 ("RAA"). These breaches result from:

- 1. Dotname Korea's failure to take reasonable steps to investigate and correct claimed Whois inaccuracies, as required by Section 3.7.8 of the RAA;
- 2. Dotname Korea's failure to maintain registration data and records as required by Section 3.4.2 of the RAA; and
- 3. Dotname Korea's failure to make registration data and records available upon request by ICANN, as required by Section 3.4.3 of the RAA; and
- 4. Failure to validate and verify Whois contact information, as required by Sections 2 and 4 of the Whois Accuracy Program Specification.

Please refer to the attachment for details regarding these breaches.



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

Failure to pay past due accreditation fees, as required by Section 3.9 of the RAA.

## **Additional Considerations**

Dotname Korea received a notice of breach on 17 July 2014 ("Breach 1"). Dotname Korea is collaborating with ICANN regarding the issues identified in Breach 1, however as of 7 August 2014 all breaches are not cured. The following items in Breach 1 must be cured by the extended cure deadline of 14 August 2014:

- 1. Provide records demonstrating that Dotname Korea took reasonable steps to investigate and correct the Whois inaccuracy claims concerning the domain name <designers-itbag.net>. This includes copies of Dotname Korea's correspondence with the registrant while investigating the Whois inaccuracy claims (including dates, times, means of inquiries and telephone numbers, e-mail addresses and postal addresses used);
- Failure to provide domain name data in the specified response format, as required by Section 1.4 of the Registration Data Directory Service (Whois) Specification of the RAA ("Whois Specification");
- 3. Failure to provide a link to Registrant's Rights and Responsibilities, as required by Section 3.16 of the RAA;
- Failure to publish the full names, contact information, and positions of all officers on Dotname Korea's website, as required by Section 3.17 and the Registrar Information Specification of the RAA;
- 5. Failure to provide a description on Dotname Korea'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");
- 6. Failure to provide a description on Dotname Korea'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
- 7. Failure to display the correct ICANN logo on Registrar's website, as required by the Logo License Appendix of the RAA.



Furthermore, to cure this notice of breach dated 7 August 2014 ("Breach 2"), ICANN requests that Dotname Korea has adequate systems and processes to ensure compliance with the 2013 RAA, including the requirements of the Whois Accuracy Program Specification

ICANN requests that Dotname Korea cure the breaches by 28 August 2014, 21 calendar days from the date of this letter, by taking the following actions:

- Provide records demonstrating that Dotname Korea took reasonable steps to investigate and correct the Whois inaccuracy claims concerning the domain name <sszz.com>. This includes (a) copies of Dotname Korea's correspondence with the registrant while investigating the Whois inaccuracy claims (including dates and times and means of inquiries, telephone numbers, e-mail addresses, and postal addresses used), and (b) the steps Dotname Korea took to verify and validate the updated information;
- 2. Provide ICANN with corrective and preventative action(s), including implementation dates and milestones, to demonstrate that Dotname Korea's systems and processes comply with the requirements of the 2013 RAA; and
- 3. Pay all past due accreditation fees of \$1,000.00.

If Dotname Korea fails to timely cure the breaches and provide the information requested by 28 August 2014, ICANN may commence the RAA termination process.

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

Sincerely,

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 a registrar, to take reasonable steps to investigate the claimed inaccuracy. In the event the registrar learns of inaccurate contact information associated with a registered name it sponsors, the registrar shall take reasonable steps to correct that inaccuracy.

ICANN sent three compliance notices to Dotname Korea concerning a Whois inaccuracy report for the domain name <sszz.com> and requested Dotname Korea demonstrate that it took reasonable steps to investigate the Whois inaccuracy claims. Dotname Korea's failure to provide the documentation demonstrating the reasonable steps it took to investigate and correct the alleged Whois inaccuracy is a breach of Section 3.7.8 of the RAA.

# Failure to validate and verify the changed Whois fields

Section 1 of the Whois Accuracy Specification of the 2013 RAA requires registrars to validate that required fields, including telephone numbers, postal addresses and email addresses, are in a standard format or template, as well as verify the email address of the registrant by receiving an affirmative response to an email sent to the registrant's email address.

Section 2 of the Whois Accuracy Specification of the 2013 RAA requires registrars to perform validation and verification, as set forth in Section 1 of the Whois Accuracy Specification, if a registrar receives changes to any Whois contact information, whether or not contact information was previously verified or validated. The registrar is required to (1) receive an affirmative response from the registrant, (2) manually verify the information, or (3) suspend the domain name.

Section 4 of the Whois Accuracy Specification of the 2013 RAA requires registrars to perform validation and verification, as set forth in Section 1 of the Whois Accuracy Specification, if a registrar has any information suggesting that the contact information specified in the Whois is incorrect. The registrar must also (1) verify (or re-verify) the registrant's email address by sending an email (and receiving an affirmative response), (2) manually verify the information, or (3) suspend the domain name.

Dotname Korea's failure to respond or provide documents demonstrating the validation and verification is a breach of the Whois Accuracy Specification of the RAA.



<u>Failure to retain registered name holder and registration data and failure to make such data available</u> 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. Dotname Korea'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 Pay Accreditation Fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. Dotname Korea 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
20-Jun-2014	14-Jul-2014	ICANN sent 1st compliance notice via email to <a href="mailto:lsy7611@gmail.com">lsy7611@gmail.com</a> . No response received from Registrar.
15-Jul-2014	22-Jul-2014	ICANN sent 2nd compliance notice via email to <a href="mailto:lsy7611@gmail.com">lsy7611@gmail.com</a> and <a href="mailto:suvt313@dotname.co.kr">suvt313@dotname.co.kr</a> . No response received from Registrar.
23-Jul-2014	N/A	ICANN called Primary Contact's mobile at [REDACTED] (in Korean), who confirmed receipt of the 2nd Notice concerning the domain name, and advised ICANN that a response would be provided immediately. Upon Registrar request, ICANN sent Registrar Primary Contact Update Form information via email to <a href="mailto:domaindoc@dotname.co.kr">domaindoc@dotname.co.kr</a> .
24-Jul-2014	31-Jul-2014	ICANN sent 3rd compliance notice via email to lsy7611@gmail.com, suvt313@dotname.co.kr, and domaindoc@dotname.co.kr.
24-Jul-2014	N/A	ICANN faxed 3rd compliance notice to +82-50-4985-9800. Fax unsuccessful.



Date of Notice	Deadline for Response	Details
25-Jul-2014	N/A	Email from Registrar (domaindoc@dotname.co.kr) with a partial response. Registrar indicated an additional response would be sent to ICANN by 28 July 2014. No follow up response from Registrar received.
30-Jul-2014	N/A	ICANN called Primary Contact at +82-70-7090-0826. No answer. No option to leave a voicemail. ICANN then called Primary Contact's mobile at [REDACTED]. Left a detailed voicemail in Korean.
31-Jul-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
7-Aug-2014	N/A	Email from Registrar with incomplete response. To date, ICANN has not received the requested information.