



The Internet Corporation for Assigned Names and Numbers

4 December 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Gal Moran  
Black Ice Domains, Inc. (IANA #1017)  
3 Shimon Finkel Street  
Tel Aviv  
Israel

Email: [admin@blackicedomains.com](mailto:admin@blackicedomains.com)  
Fax: +972 3644 6425

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

Dear Mr. Moran,

Please be advised that as of 4 December 2014, Black Ice Domains, Inc. ("Black Ice") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 18 January 2011 ("RAA"). These breaches result from:

1. Black Ice's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:
  - a. Failure to provide documents and information, as required by Section 3.14 of the RAA; and
  - b. Failure to maintain and make available to ICANN registration data and records available upon request by ICANN, as required by Sections 3.4.2 and 3.4.3 of the RAA.
2. Black Ice's failure to timely pay past due accreditation fees in the amount of \$5,342.96, as required by Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches.

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<http://icann.org>



### Additional Concerns

ICANN issued Black Ice a notice of breach on 9 September 2014, and requested certain actions by Black Ice. As of 4 December 2014, the following actions are still required:

1. Clearly display a link to renewal fees, post-expiration renewal fees (if different), and redemption/restore fees on Black Ice's website; and
2. Provide a description of methods used to deliver pre- and post-expiration notifications on Black Ice's website

ICANN requests that Black Ice cure all outstanding breaches by 26 December 2014, 15 working days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase, by:
  - a. Contacting [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
  - b. Completing the RFI and providing all supporting documentation through the Site;
2. Clearly display a link to renewal fees, post-expiration renewal fees (if different), and redemption/restore fees on Black Ice's website;
3. Provide a description of methods used to deliver pre- and post-expiration notifications on Black Ice's website; and
4. Pay all past due and currently due accreditation fees of \$5,729.38.

If Black Ice fails to timely cure the breaches and provide the information requested by 26 December 2014, ICANN may commence the termination process.

Please see the concurrent Notice of Suspension being sent to Black Ice and take steps necessary to resolve the issues identified in the Notice of Suspension to maintain your registrar's accreditation with ICANN.



Gal Moran  
Black Ice Domains, Inc.

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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". The signature is fluid and cursive.

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



## ATTACHMENT

### Failure to provide documents and information for audit

Section 3.14 of the RAA requires Black Ice, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by Black Ice necessary to demonstrate compliance with the terms of the RAA.

As detailed in the chronology below ICANN sent Black Ice multiple notices regarding the requirements of ICANN's Audit Program. Black Ice's failure to respond to and provide the requested documents and information in response to the audit is a breach of Section 3.14 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 registered name holder and registration data, and to make those records available to ICANN upon reasonable notice. Black Ice's failure to provide the requested registration records and data related to the notices detailed in the chronologies below is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

### Failure to make renewal fees, post-expiration renewal fees (if different), and redemption/restore fees reasonable available to Registered Name Holders (RNHs) and prospective RNHs

Section 4.1 of the ERRP requires registrars to make their 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. Black Ice's website does not provide a link or clearly display renewal fees, post-expiration renewal fees (if different), or redemption/restore 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 the methods used to deliver pre- and post-expiration notifications. Black Ice's website does not provide a description of such methods, in breach of Section 4.2 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. Black Ice owes ICANN \$5,342.96 in past due accreditation fees, in breach of Section 3.9 of the RAA. Black Ice additionally owes \$386.42 in currently due accreditation fees, due 10 December 2014.

**Chronology:**

Date of Notice	Deadline for Response	Details
6-Oct-2014	N/A	ICANN sent all Registrars and Registries a Pre-Audit Notification Letter with Dates of future Notifications. This letter was immediately published on icann.org.
20-Oct-2014	11-Nov-2014	ICANN sent 1st notice via email to <a href="mailto:admin@blackicedomains.com">admin@blackicedomains.com</a> . No response received from Registrar.
20-Oct-2014	N/A	ICANN sent 1st notice via fax to +972 3644 6425. Fax unsuccessful.
11-Nov-2014	18-Nov-2014	ICANN sent 2nd notice via email to <a href="mailto:admin@blackicedomains.com">admin@blackicedomains.com</a> . No response received from Registrar.
11-Nov-2014	N/A	ICANN sent 2nd notice via fax to +972 3644 6425. Fax unsuccessful.
11-Nov-2014	N/A	ICANN called Primary Contact at +972 3644 8424. Registrar representative requested ICANN call Primary Contact at mobile number. ICANN called Primary Contact mobile number at [MOBILE REDACTED]. No answer and no ability to leave message.



Date of Notice	Deadline for Response	Details
18-Nov-2014	24-Nov-2014	ICANN sent 3rd notice via email to <a href="mailto:admin@blackicedomains.com">admin@blackicedomains.com</a> . No response received from Registrar.
18-Nov-2014	N/A	ICANN sent 3rd notice via fax to +972 3644 6425. Fax unsuccessful.
18-Nov-2014	N/A	ICANN called Primary Contact at +972 3644 8424. No answer and no ability to leave message. ICANN called Primary Contact mobile number at [MOBILE REDACTED]. No answer and no ability to leave message.
20-Nov-2014	N/A	ICANN called Primary Contact at +972 3644 8424. No answer and no ability to leave message. ICANN called Primary Contact mobile number at [MOBILE REDACTED]. Primary Contact requested additional time to obtain information. ICANN requested that Registrar immediately provide the requested information. Following the call, ICANN sent a follow-up notice via email to <a href="mailto:admin@blackicedomains.com">admin@blackicedomains.com</a> and provided Registrar with a list of items required for submission. No response received from Registrar.
24-Nov-2014	N/A	ICANN called Primary Contact at +972 3644 8424. Registrar committed to provide the requested information by 25 November 2014. No response received from Registrar.
4-Dec-2014	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and has not logged into the ICANN Compliance Site.