



10 July 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Ms. Purna Poojara
Tirupati Domains and Hosting Pvt. Ltd. (IANA# 1500)
303 Saraogi Apartments, Kanakia Road,
Near Police Station Mira Road (E)
Thane, Maharashtra 401107
India

Email: prerna@tirupatidomains.in
Fax Number: +91 22 28114508

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Ms. Poojara,

Please be advised that as of 10 July 2013, Tirupati Domains and Hosting Pvt. Ltd. ("Tirupati Domains") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 31 March 2010 ("RAA"). These breaches result from:

- Failure to communicate the implementation date for a UDRP panel decision to the parties, the dispute resolution provider and ICANN, pursuant to Paragraph 16(a) of the UDRP Rules;
- Failure to implement a UDRP panel decision, pursuant to Paragraph 4k of the UDRP; and
- Failure to maintain and make available to ICANN registration records relating to dealings with the Registered Name Holder, pursuant to Sections 3.4.2 and 3.4.3 of the RAA.

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In addition, Tirupati Domains has been deemed noncompliant in the following area:

- Failure to pay past due accreditation fees, pursuant to Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches. ICANN requests that Tirupati Domains cure these breaches by 31 July 2013, 15 working days from the date of this letter, by taking the following actions:

1. Immediately communicate the date that Tirupati Domains will implement the UDRP panel decision regarding the domain name < johnhancockinvestments.com> to the parties, the dispute resolution provider and ICANN; or provide ICANN with the documentation Tirupati Domains received demonstrating that the respondent filed a lawsuit against the complainant in a jurisdiction to which the complainant submitted;
2. Implement the UDRP panel decision regarding the domain name < johnhancockinvestments.com>, unless Tirupati Domains provides ICANN with documentation demonstrating that the respondent filed a lawsuit against the complainant;
3. Provide ICANN with the registration records concerning the domain name <johnhancockinvestments.com> for the period 1 April 2013 to present; and
4. Pay all past due accreditation fees in the amount of \$2,461.60. Please see the enclosed customer statement for details.

If Tirupati Domains fails to timely cure these breaches and provide the information requested by 31 July 2013, ICANN may commence the RAA termination process.



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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".

Maguy Serad
Vice President, Contractual Compliance

c: John O. Jeffrey, General Counsel and Secretary
Enclosure: Customer Statement



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ATTACHMENT

1. Failure to Communicate the Implementation Date for a UDRP Panel Decision

Rule 16(a) requires registrars to, “immediately communicate to each Party, the Provider and ICANN the date for the implementation of the decision in accordance with the Policy.” This rule places an affirmative obligation on registrars to communicate how they intend to implement UDRP panel decisions in every case.

After repeated requests from ICANN, Tirupati Domains failed to provide records demonstrating that it communicated to each party, the dispute resolution provider and ICANN the date for the implementation of the panel decision regarding the domain name <johnhancockinvestments.com>. Tirupati Domains’ failure to demonstrate compliance constitutes a breach of Paragraph 16(a) of the UDRP Rules.

2. Failure to Implement a UDRP Panel Decision

Paragraph 4(k) of the UDRP requires registrars to implement a UDRP decision unless it receives official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) within ten business days, after the Provider rendered the decision, that the respondent has commenced a lawsuit against the complainant. The respondent must have commenced the lawsuit in a jurisdiction to which the complainant has submitted under UDRP provision 3(b)(xiii) of the Rules of Procedure.

Absent timely receipt of documentation that the respondent commenced a lawsuit against the complainant, Tirupati Domains had an obligation to implement the panel decision in the UDRP matter concerning the domain name <johnhancockinvestments.com>. As of the date of this notice, Tirupati Domains has not implemented the panel decision. Therefore, Tirupati Domains is in violation of Paragraph 4(k) of the UDRP.



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3. Failure to Retain Registered Name Holder and Registration Data and Failure to Make Such Data Available for Inspection and Copying

Section 3.4 of the RAA requires registrars to maintain Registered Name Holder and registration data and make those records available to ICANN upon reasonable notice. ICANN requested that Tirupati Domains provide copies of registration data and written communications concerning the domain name <johnhancockinvestments.com>. Tirupati Domains' repeated failure to provide ICANN with the requested information constitutes a breach of Sections 3.4.2 and 3.4.3 of the RAA.

4. 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. Tirupati Domains currently owes ICANN \$2,461.60 in past due accreditation fees.

Tirupati Domains failed to comply with its obligation to timely pay accreditation fees and this failure constitutes a breach of Section 3.9 of the RAA.

Chronology

Date of Notice	Deadline for Response	Details
7 Jun 13	14 Jun 13	ICANN sent first compliance notice via e-mail to prerna@tirupatidomains.in . No response received, Decision not implemented.
17 Jun 13	24 Jun 13	ICANN sent second compliance notice via e-mail to prerna@tirupatidomains.in . No response received, Decision not implemented.
20 Jun 13	N/A	ICANN called registrar via telephone at +91 22 28114502. No answer and no ability to leave message.



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Date of Notice	Deadline for Response	Details
25 Jun 13	2 Jul 13	ICANN sent third compliance notice via e-mail to prerna@tirupatidomains.in . No response received, Decision not implemented.
25 Jun 13	2 Jul 13	ICANN attempted twice to fax notice to registrar at +91 22 28114508. Both attempts unsuccessful.
26 Jun 13	N/A	ICANN called registrar via telephone at +91 22 28114502. No answer and no ability to leave message.
27 Jun 13	N/A	ICANN called registrar via telephone at +91 22 28114502. Spoke with Customer Service and was informed primary contact was not available. Left domain name with representative, and notified representative that notice will be resent.
27 Jun 13	02 Jul 2013	ICANN resent third notice via e-mail to prerna@tirupatidomains.in and domains@tirupatidomains.in . No response received, Decision not implemented.