



The Internet Corporation for Assigned Names and Numbers

4 June 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Arthur Protsenko
Internet Service Registrar, Inc. (IANA #823)
11325 Random Hills Rd Suite 360 Fairfax,
VA 22030

Email: icann@artefactcorp.com
Fax: +1 703 280 1570

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Protsenko,

Please be advised that as of 4 June 2014, Internet Service Registrar, Inc. (“ISRegistrar”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 13 September 2009 (“RAA”). This breach results from:

- Failure to escrow gTLD registration data, as required by Section 3.6 of the RAA

Please refer to the attachment for details regarding this breach.

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

1. Failure 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 Registrar for each TLD in which it is accredited, in violation of Section 3.3.1 of the RAA; and
2. Failure to timely pay past due accreditation fees in the amount of \$3,094.97, as required by Section 3.9 of the RAA.

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ICANN requests that ISRegistrar cure the breaches by 25 June 2014, 15 working days from the date of this letter, by taking the following actions:

1. 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;
2. 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 Registrar for each TLD in which it is accredited in accordance with Section 3.3.1 of the RAA; and
3. Pay past due accreditation fees in the amount of \$3,094.97.

If ISRegistrar fails to timely cure the breaches and provide the information requested by 25 June 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,

A handwritten signature in blue ink, appearing to read "M Serad", is written over a light blue circular watermark.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



ATTACHMENT

Failure to escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit electronic copy of the database described in Section 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.

As detailed in the chronology, ICANN sent ISRegistrar multiple compliance notices concerning missed data escrow deposits. ICANN's records show that ISRegistrar is required to escrow data with Iron Mountain on a weekly basis. However, based on the reports provided by Iron Mountain, since March 2014 ISRegistrar failed to make data deposits that comply with the requirements of ICANN's data escrow specifications. ISRegistrar's failure to comply with ICANN's data escrow specifications constitutes a breach of Section 3.6 of the RAA.

Failure to provide an interactive web page and a port 43 Whois service

Section 3.3.1 of the RAA requires registrars 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 the registrar. ISRegistrar's failure to provide an interactive web page and port 43 Whois service is a breach of Section 3.3.1 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. ISRegistrar owes ICANN \$3,094.97 in past due accreditation fees, in breach of Section 3.9 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
27---Mar---2014	3---Apr---2014	ICANN sent 1st compliance notice via email to icann@artefactcorp.com . No response received from Registrar.



Date of Notice	Deadline for Response	Details
7--Apr--2014	14--Apr--2014	ICANN sent 2nd compliance notice via email to icann@artefactcorp.com . No response received from Registrar.
14--Apr--2014	N/A	ICANN called Primary Contact at +1 202 677 2304. Phone was answered by voice recording, stating "The person you are calling cannot accept calls at this time. We are sorry for any inconvenience this may cause," followed by a busy signal. ICANN called Primary Contact's mobile at (REDACTED). Left voicemail. ICANN called Primary Contact alternate phone at (REDACTED). Left voicemail.
18--Apr--2014	25--Apr--2014	ICANN sent 3rd compliance notice via email to icann@artefactcorp.com . No response received from Registrar.
18--Apr--2014	N/A	The 3rd compliance notice was faxed to +1 703 280 1570. Fax was unsuccessful.
5--May--2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
19--May--2014	N/A	ICANN called Primary Contact at +1 202 677 2304. Left voice mail message. ICANN called Primary Contact's mobile at (REDACTED). Left voice mail message.
19--May--2014	23--May--2014	ICANN sent follow-up notice via email to icann@artefactcorp.com . No response received from Registrar.
2--June--2014	N/A	ICANN conducted compliance checks for other areas of noncompliance.
4--June--2014	N/A	Registrar has not resumed data escrow deposits, and issue remains unresolved.