

The Internet Corporation for Assigned Names and Numbers

2 February 2016

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Luis Ramirez MOBILE.CO DOMAINS CORP. (IANA #1015) 2300 W. Sahara Ave. Suite 800 Las Vegas NV 89102 **United States**

Email: luis.ramirez@corp.mobile.co Fax: +1 866 611 1767

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Ramirez,

Please be advised that as of 2 February 2016, MOBILE.CO DOMAINS CORP. ("Mobile.co") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 30 July 2015 ("RAA"). These breaches result from:

1. Mobile.co's failure to escrow gTLD registration data, as required by Section 3.6 of the RAA.

Please refer to the attachment for details regarding these breaches.

In addition, Mobile.co has been deemed noncompliant in the following areas:

1. Mobile.co's failure to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Mobile.co for each top-level domain ("TLD") in which it is accredited, as required by Section 3.3.1 of the RAA; and

Washington

Istanbul



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2. Mobile.co's failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

ICANN requests that Mobile.co cures these breaches by 23 February 2016, 21 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 that the deposits meet the required specifications;
- 2. Provide an interactive webpage and a port 43 Whois service providing free public querybased access to up-to-date data concerning all active registered names sponsored by Mobile.co for each TLD in which it is accredited; and
- 3. Pay all past due accreditation fees.

If Mobile.co fails to timely cure the breaches and provide the information requested by 23 February 2016, ICANN may commence the RAA termination process.

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

Sincerely,

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 an electronic copy of the data described in Sections 3.4.1.2 through 3.4.1.5 of the RAA to ICANN, or at the 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. Mobile.co's failure to deposit gTLD registration data with Iron Mountain or a reputable escrow agent is a breach of Section 3.6 of the RAA.

Failure to provide an interactive webpage and port 43 Whois service

Section 3.3.1 of the RAA requires registrars to provide an interactive webpage 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. Mobile.co's failure to provide an interactive webpage 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. Mobile.co owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
22-Dec-2015	7-Jan-2016	ICANN sent 1st compliance notice via email to <u>luis.ramirez@corp.mobile.co</u> and <u>frank@domaincocoon.com.</u> No response received from Registrar.
8-Jan-2016	15-Jan-2016	ICANN sent 2nd compliance notice via email to <u>luis.ramirez@corp.mobile.co</u> . No response received from Registrar.



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Date of Notice	Deadline for Response	Details
13-Jan-2016	N/A	ICANN called Primary Contact at +1 602 561 9329. ICANN provider Registrar representative with complaint details.
19-Jan-2016	26-Jan-2016	ICANN sent 3rd compliance notice via email to <u>luis.ramirez@corp.mobile.co</u> .
19-Jan-2016	N/A	ICANN sent 3rd compliance notice via fax to +1 866 611 1767. Fax unsuccessful.
21-Jan-2016	N/A	ICANN called Primary Contact at +1 602 561 9329. ICANN provided Registrar representative with complaint details.
25-Jan-2016	N/A	Email from Registrar (<u>luis.ramirez@corp.mobile.co</u>) insufficient to demonstrate compliance.
27-Jan-2016	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
2-Feb-2016	N/A	To date, the issues remain unresolved.