



The Internet Corporation for Assigned Names and Numbers

16 September 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Ricardo Thierry  
GKG.NET, INC. (IANA #93)  
302 N. Bryan Ave  
Bryan TX 77803  
United States

Email: ricardo@gkg.net  
Fax: +1 979 314 7130

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

Dear Mr. Thierry,

Please be advised that as of 16 September 2014, GKG.NET, INC. ("GKG") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 28 July 2010 ("RAA"). This breach results from:

- Failure to provide a description on GKG'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");

Please refer to the attachment for details regarding this breach.

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

1. Failure to provide a description on GKG'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
2. Failure to pay past due accreditation fees, pursuant to Section 3.9 of the RAA.

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ICANN requests that GKG cure the breaches by 7 October 2014, 15 business days from the date of this letter, by taking the following actions:

1. Clearly display a link to renewal fees, post-expiration renewal fees (if different), and redemption/restore fees on GKG's website and provide a link to the renewal fees, post-expiration renewal fees (if different), and redemption/restore fees in the GKG's registration agreement;
2. Provide a description of methods used to deliver pre- and post-expiration notifications on GKG's website, and include a description of its notification methods or a link to the applicable page(s) on its website where this information is available in GKG's registration agreements; and
3. Pay all past due accreditation fees of \$9,194.86.

If GKG fails to timely cure the breaches and provide the information requested by 7 October 2014, ICANN may commence the RAA termination process.

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", 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 clearly display a link to renewal fees, post-expiration renewal fees (if different), and redemption/restore fees on registrar's website

Section 4.1 of the ERRP requires registrars to make their renewal fees, post-expiration renewal fees (if different), and redemption/restore fees reasonably available to registered name holders and prospective registered name holders at the time of registration of a gTLD name. At a minimum, these fees must be clearly displayed on the registrar's website and a link to these fees must be included in the registrar's registration agreements.

As detailed in the chronology below, ICANN sent GKG multiple compliance notices regarding its renewal notices and posting of renewal fees on its website and registration agreement. GKG's failure to provide a link or clearly display these fees is a 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 (if used) the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. GKG's failure to describe these notifications on its website is a breach of Section 4.2 of the 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. GKG owes ICANN \$9,194.86 in past due accreditation fees, in breach of Section 3.9 of the RAA.

### **Chronology:**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
4-Jul-2014	11-Jul-2014	ICANN sent 1st compliance notice via email to <a href="mailto:ricardo@gkg.net">ricardo@gkg.net</a> . No response received from Registrar.
16-Jul-2014	23-Jul-2014	ICANN sent 2nd compliance notice via email to <a href="mailto:ricardo@gkg.net">ricardo@gkg.net</a> .



Date of Notice	Deadline for Response	Details
17-Jul-2014	N/A	Email from Registrar ( <a href="mailto:support@rt.gkg.net">support@rt.gkg.net</a> ) insufficient to demonstrate compliance.
21-Jul-2014	23-Jul-2014	ICANN sent follow up notice via email to <a href="mailto:ricardo@gkg.net">ricardo@gkg.net</a> , identifying outstanding items required to demonstrate compliance.
23-Jul-2014	N/A	ICANN called Primary Contact at +1 979 710 5060. Spoke to support contact because Primary Contact was not available. Registrar acknowledged areas of noncompliance and that Registrar would respond to ICANN with plan to remediate.
23-Jul-2014	N/A	Email from Registrar ( <a href="mailto:support@rt.gkg.net">support@rt.gkg.net</a> ) confirming deficiencies and that they would be resolved by end of week.
30-Jul-2014	4-Aug-2014	ICANN sent follow up notice via email to <a href="mailto:ricardo@gkg.net">ricardo@gkg.net</a> . No response received from Registrar.
8-Aug-14	N/A	ICANN called Primary Contact at +1 979 710 5060. Left message to respond to the notice.
21-Aug-2014	28-Aug-2014	ICANN sent 3rd compliance notice via email to <a href="mailto:ricardo@gkg.net">ricardo@gkg.net</a> . No response received from registrar
21-Aug-2014	N/A	ICANN sent 3rd compliance notice via fax to +1 979 314 7130. Fax successful.
27-Aug-2014	N/A	ICANN called Primary Contact's mobile number at [MOBILE REDACTED]. No answer. Unable to leave a message. ICANN called Primary Contact at +1 979 710 5060. Left message to respond to the notice.
1-Sept-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance



Date of Notice	Deadline for Response	Details
16-Sept-2014	N/A	No response received from Registrar, and issues remain unresolved.