



The Internet Corporation for Assigned Names and Numbers

11 June 2015

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Virtual Registrar, Inc. (IANA #958)
P.O. Box 778
Zwolle 8000 AT
Netherlands

Email: administratie@it-ernity.nl
Fax: +31 88 00 749 98

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Virtual Registrar, Inc.,

Please be advised that as of 11 June 2015 Virtual Registrar, Inc. (“Virtual Registrar”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 27 July 2010 (“RAA”). These breaches result from:

1. Virtual Registrar’s failure to take reasonable steps to investigate and correct claimed Whois inaccuracies regarding the domain names <anti-addiction.net>, <ed-america.com>, <edtabs-solution.biz> and <genericmedstonorth.biz>, as required by Section 3.7.8 of the RAA; and
2. Virtual Registrar’s failure to maintain and make available to ICANN registration data and records relating to dealings with the Registered Name Holders (“RNHs”) of the domain names <anti-addiction.net>, <ed-america.com>, <edtabs-solution.biz> and <genericmedstonorth.biz>, as required by Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

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

1. Failure to provide a link on Virtual Registrar’s website to ICANN’s registrant rights and responsibilities webpage, as required by Section 3.15 of the RAA;

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2. Failure to provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Virtual Registrar for each top-level domain ("TLD") in which it is accredited, as required by Section 3.3.1 of the RAA;
3. Failure to escrow gTLD registration data, as required by Section 3.6 of the RAA;
4. Failure to display Virtual Registrar's deletion and auto-renewal policies on Virtual Registrar's website, as required by Section 3.7.5.5 of the RAA;
5. Failure to designate a primary contact for notifications, as required by Section 5.11 of the RAA;
6. Failure to clearly display on Virtual Registrar's website, and include a link in its registration agreement, to its 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");
7. Failure to provide a description on Virtual Registrar's website or in its registration agreement of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP; and
8. Failure to display the correct ICANN logo on Virtual Registrar's website, as required by the Logo License Appendix of the RAA.

ICANN requests that Virtual Registrar cure these breaches by 2 July 2015, 15 business days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that Virtual Registrar took reasonable steps to investigate and, where applicable, correct the Whois inaccuracy concerning the domain names <anti-addiction.net>, <ed-america.com>, <edtabs-solution.biz> and <genericmedstonorth.biz>. This includes copies of Virtual Registrar's correspondence with the RNH(s) while investigating the Whois inaccuracy claims (including dates, times, means of inquiries, telephone numbers, e-mail addresses and postal addresses used);
2. Clearly display a link to ICANN's registrant rights and responsibilities webpage on Virtual Registrar's website;



3. Provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Virtual Registrar for each TLD in which it is accredited;
4. 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;
5. Publish Virtual Registrar's deletion and auto-renewal policies details on Virtual Registrar's website;
6. Provide ICANN with written notification of updated contact information, including designation of a primary contact for receipt of notifications, in accordance with Section 5.11 of the RAA;
7. Clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Virtual Registrar's website and provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in Virtual Registrar's registration agreement;
8. Provide a description of the methods used to deliver pre- and post-expiration notifications on Virtual Registrar'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 Virtual Registrar's registration agreements; and
9. Display the correct ICANN logo on Virtual Registrar's website in accordance with the Logo License Appendix of the RAA, or remove the ICANN logo from Virtual Registrar's website.

If Virtual Registrar fails to timely cure the breaches and provide the information requested by 2 July 2015, 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". The signature is fluid and cursive, written in a professional style.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



ATTACHMENT

Failure to take reasonable steps to investigate and correct Whois inaccuracy

Section 3.7.8 of the RAA requires registrars, upon notification of a claimed inaccuracy in the contact information associated with a registered name sponsored by a registrar, to take reasonable steps to investigate the claimed inaccuracy. In the event the registrar learns of inaccurate contact information associated with a registered name it sponsors, the registrar shall take reasonable steps to correct that inaccuracy. Virtual Registrar's failure to provide documentation demonstrating the reasonable steps it took to investigate and correct the alleged Whois inaccuracies related to the domain names <anti-addiction.net>, <ed-america.com>, <edtabs-solution.biz> and <genericmedstonorth.biz> is a breach of Section 3.7.8 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 RNH and registration data, and to make those records available to ICANN upon reasonable notice. Virtual Registrar's failure to provide the requested registration records and data related to the domain names <anti-addiction.net>, <ed-america.com>, <edtabs-solution.biz> and <genericmedstonorth.biz> is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

Failure to display a link to ICANN's registrant rights and responsibilities webpage

Section 3.15 of the RAA requires registrars to clearly display a link on its website to ICANN's registrant rights and responsibilities webpage. Virtual Registrar's failure to provide a link on its website to ICANN's registrant rights and responsibilities webpage is a breach of Section 3.15 of the RAA.

Failure to provide an interactive webpage 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. Virtual Registrar's failure to provide an interactive webpage Whois service is a breach of Section 3.3.1 of the RAA.



Failure to escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit an electronic copy of the data described in Section 3.4.1 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. Virtual Registrar'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 publish deletion and auto-renewal policies on website

Section 3.7.5.5 of the RAA requires registrars that operate a website for domain name registration or renewal to clearly display details of the registrar's deletion and auto-renewal policies on the registrar's website. Virtual Registrar's failure to clearly display its deletion and auto-renewal policies on its website is a breach of Section 3.7.5.5 of the RAA.

Failure to notify ICANN of changes to its contact information

Section 5.11 of the RAA requires registrars to provide ICANN with a designated contact person for receiving notices from ICANN and written notification to ICANN within thirty (30) days of any change to its contact information. Virtual Registrar's failure to designate a primary contact person for receipt of ICANN notices is a breach of Section 5.11 of the RAA.

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 RNHs and prospective RNHs 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 agreement. Virtual Registrar's failure to provide a link or clearly display these fees is a breach of Section 4.1 of the ERRP.

Failure to describe the methods used to deliver pre- and post-expiration notifications

Sections 4.2 of the ERRP requires registrars to describe on their websites (if used), and include a description of its notification methods or a link to the applicable page(s) on their websites where this information is available in their registration agreements, the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Virtual Registrar's failure to describe



these notifications on its website and in its registration agreement is a breach of Section 4.2 of the ERRP.

Failure to display correct ICANN-Accredited Registrar logo

The Logo License Appendix of the RAA requires registrars, if displaying the ICANN-Accredited Registrar logo, to use the logo displayed in the appendix. Virtual Registrar's use of a modified version of the ICANN-Accredited Registrar logo is a breach of the Logo License Appendix of the RAA.

Chronology Ticket ID: HFI-650-74178 Whois Inaccuracy

| Date of Notice | Deadline for Response | Details |
|-----------------------|------------------------------|--|
| 1-Apr-2015 | 22-Apr-2015 | ICANN sent 1st compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 23-Apr-2015 | 30-Apr-2015 | ICANN sent 2nd compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 28-Apr-2015 | N/A | ICANN called Registrar at +31 88 00 749 99. ICANN spoke with Registrar representative and provided complaint details. |
| 28-Apr-2015 | 30-Apr-2015 | ICANN resent 2nd compliance notice via email to helpdesk@virtualregistrar.com and helpdesk@it-ernity.nl , as requested by representative. No response received from Registrar. |
| 5-May-2015 | 12-May-2015 | ICANN sent 3rd compliance notice via email to helpdesk@virtualregistrar.com and administratie@it-ernity.nl . No response received from Registrar. |
| 5-May-2015 | N/A | ICANN sent 3rd compliance notice via fax to +31 88 00 749 98. Fax successful. |
| 7-May-2015 | N/A | ICANN called Registrar at +31 88 00 749 99. ICANN spoke with Registrar representative and provided complaint details. |
| 7-May-2015 | 12-May-2015 | ICANN resent 3rd compliance notice via email to helpdesk@virtualregistrar.com and cc@it-ernity.nl , as requested by representative. No response received from Registrar. |

| Date of Notice | Deadline for Response | Details |
|----------------|-----------------------|--|
| 8-Jun-2015 | N/A | ICANN conducted compliance check to determine other areas of noncompliance. |
| 11-Jun-2015 | N/A | To date, Registrar has not responded to ICANN with requested information and documentation and the issue remains unresolved. |

Chronology Ticket ID: BAG-758-51016 Whois Inaccuracy

| Date of Notice | Deadline for Response | Details |
|----------------|-----------------------|--|
| 24-Apr-2015 | 15-May-2015 | ICANN sent 1st compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 18-May-2015 | 26-May-2015 | ICANN sent 2nd compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 20-May-2015 | N/A | ICANN called Registrar at +31 88 00 749 99. ICANN was unable to leave a message with complaint details. |
| 27-May-2015 | 3-Jun-2015 | ICANN sent 3rd compliance notice via email to helpdesk@virtualregistrar.com and administratie@it-ernity.nl . No response received from Registrar. |
| 27-May-2015 | N/A | ICANN sent 3rd compliance notice via fax to +31 88 00 749 98. Fax successful. |
| 3-Jun-2015 | N/A | ICANN called Registrar at mobile [MOBILE REDACTED] and was told number does not belong to Registrar. ICANN called Registrar at +31 88 00 749 99. ICANN spoke with Registrar representative and provided complaint details. |
| 3-Jun-2015 | 3-Jun-2015 | ICANN resent 3rd compliance notice via email to helpdesk@virtualregistrar.com and helpdesk@zdx.nl , as requested by representative. No response received from Registrar. |
| 8-Jun-2015 | N/A | ICANN conducted compliance check to determine other areas of noncompliance. |
| 9-Jun-2015 | N/A | Email from received from registrar (customercare@it-ernity.nl) insufficient to demonstrate compliance. |

| Date of Notice | Deadline for Response | Details |
|----------------|-----------------------|--|
| 11-Jun-2015 | N/A | To date, Registrar has not responded to ICANN with requested information and documentation and the issue remains unresolved. |

Chronology Ticket ID: VPJ-301-85517 Whois Inaccuracy

| Date of Notice | Deadline for Response | Details |
|----------------|-----------------------|--|
| 24-Apr-2015 | 15-May-2015 | ICANN sent 1st compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 18-May-2015 | 26-May-2015 | ICANN sent 2nd compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 20-May-2015 | N/A | ICANN called Registrar at +31 88 00 749 99. ICANN was unable to leave a message with complaint details. |
| 27-May-2015 | 3-Jun-2015 | ICANN sent 3rd compliance notice via email to helpdesk@virtualregistrar.com and administratie@it-ernity.nl . No response received from Registrar. |
| 27-May-2015 | N/A | ICANN sent 3rd compliance notice via fax to +31 88 00 749 98. Fax successful. |
| 3-Jun-2015 | N/A | ICANN called Registrar at mobile [MOBILE REDACTED] and was told that number does not belong to Registrar. ICANN called Registrar at +31 88 00 749 99. ICANN spoke with Registrar representative and provided complaint details. |
| 3-Jun-2015 | N/A | ICANN resent 3rd compliance notice via email to helpdesk@virtualregistrar.com and helpdesk@zdx.nl , as requested by representative. No response received from Registrar. |
| 8-Jun-2015 | N/A | ICANN conducted compliance check to determine other areas of noncompliance. |
| 11-Jun-2015 | N/A | To date, Registrar has not responded to ICANN with requested information and documentation and the issue remains unresolved. |

**Chronology TICKET ID: IVV-364-56058 Whois Inaccuracy**

| Date of Notice | Deadline for Response | Details |
|-----------------------|------------------------------|--|
| 23-Apr-2015 | 14-May-2015 | ICANN sent 1st compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 19-May-2015 | 27-May-2015 | ICANN sent 2nd compliance notice via email to helpdesk@virtualregistrar.com . No response received from Registrar. |
| 20-May-2015 | N/A | ICANN called Registrar at +31 88 00 749 99. ICANN was unable to leave a message with complaint details. |
| 1-Jun-2015 | 8-Jun-2015 | ICANN sent 3rd compliance notice via email to helpdesk@virtualregistrar.com and administratie@it-ernity.nl . No response received from Registrar. |
| 1-Jun-2015 | N/A | ICANN sent 3rd compliance notice via fax to +31 88 00 749 98. Fax successful. |
| 3-Jun-2015 | N/A | ICANN called Registrar at mobile [MOBILE REDACTED] and was told that number does not belong to Registrar. ICANN called Registrar at +31 88 00 749 99. ICANN spoke with Registrar representative and provided complaint details. |
| 3-Jun-2015 | 8-Jun-2015 | ICANN resent 3rd compliance notice via email to helpdesk@virtualregistrar.com and helpdesk@zdx.nl , as requested by representative. No response received from Registrar. |
| 8-Jun-2015 | N/A | ICANN conducted compliance check to determine other areas of noncompliance. |
| 9-Jun-2015 | N/A | Email from received from registrar (customercare@it-ernity.nl) insufficient to demonstrate compliance. |
| 11-Jun-2015 | N/A | To date, Registrar has not responded to ICANN with requested information and documentation and the issue remains unresolved. |