



The Internet Corporation for Assigned Names and Numbers

TRANSMITTED VIA FACSIMILE, ELECTRONIC MAIL AND COURIER

28 February 2011

Mr. Michael Ambrose
MOOZOOY MEDIA INC. (IANA ID 1087)
5460 Highway 6N, Suite 317A
Guelph, Ontario N1H6J2
Canada

Mr. Peter Gillespie
MOOZOOY MEDIA INC. (IANA ID 1087)
5420, Hwy 6 North, Suite 315
Guelph, Ontario N1H6J2
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**RE: NOTICE OF EXPIRATION OF REGISTRAR ACCREDITATION
AGREEMENT AND NON-RENEWAL OF ACCREDITATION**

Dear Messrs. Ambrose and Gillespie:

Please be advised that as of 28 February 2011, MOOZOOY MEDIA INC. ("Moozooy Media") remains in breach of its Registrar Accreditation Agreement (RAA) between the Internet Corporation for Assigned Names and Numbers ("ICANN") and Moozooy Media. These breaches result from Moozooy Media's failure to: (1) provide public access to data on registered names, pursuant to Section 3.3 of the RAA and (2) pay accreditation fees, pursuant to Section 3.9 of the RAA.

Section 5.4 of the RAA provides that upon the expiration of the Moozooy Media RAA, Moozooy Media may apply for and shall be entitled to renewed accreditation, if Moozooy Media is in compliance with its obligations under the RAA. Based on Moozooy Media's failure to comply with Sections 3.3 and 3.9 of the RAA, ICANN does not intend to renew Moozooy Media's accreditation upon the expiration of its RAA on 22 March 2011.

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Failure to Provide Public Access to Data on Registered Names Pursuant to Section 3.3 of the RAA

Section 3.3 of the RAA requires Moozooy Media to provide an interactive web page and a port 43 Whois service providing free public query-based access to up-to date (i.e., updated at least daily) data concerning all active registered names sponsored by Moozooy Media for each TLD in which it is accredited.

ICANN provided notice to Moozooy Media on 28 October 2010 and more recently on the 4 February 2011 of the unavailability of public access to data on registered names. On 1 November 2010, Mr. Gillespie, a representative from Moozooy Media, provided ICANN with an alternate Uniform Resource Locator (URL). On 1 November 2010, ICANN staff instructed Mr. Gillespie to submit a duly completed and signed registrar primary contact update form in order to change information in ICANN's official records. To date, Moozooy Media never responded to ICANN's request and the URL listed in our records as well as the alternate URL recently provided by Moozooy Media does not resolve.

Moozooy Media failed to comply with its obligation pursuant to Section 3.3 of the RAA by not providing a functional web page and web-based Whois service.

Failure to Pay Accreditation Fees Pursuant to Section 3.9 of the RAA

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. Moozooy Media currently owes ICANN \$12,539.65 in past due and current accreditation fees.

On 4 February 2011, ICANN sent Moozooy Media a compliance notice based on Moozooy Media's failure to pay past due accreditation fees. Moozooy Media or any of its representatives made no effort to contact ICANN concerning payment of past due fees.

Moozooy Media failed to comply with its obligation pursuant to Section 3.9 of the RAA by not paying past due accreditation fees.

Additional ICANN Concerns – Failure to Maintain Accurate Contact Information

Pursuant to section 5.11 of the RAA, all notices to be given under the RAA by Moozooy Media and ICANN must be given in writing at the addresses provided in the RAA,



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unless a change of address has been provided by the parties to the contract. This section of the RAA further provides that notices required by the RAA are deemed properly given when delivered, "in person, when sent by electronic facsimile with receipt confirmation of delivery or when scheduled for delivery by internationally recognized courier service." Registrar failure to maintain accurate primary contact information undermines the basic principles of contract law and thwarts ICANN's efforts to enforce the terms of the RAA.

In January 2011, ICANN determined that Moozooy Media's primary contact information was not valid. Specifically, when ICANN staff attempted to contact Moozooy Media via telephone, the number listed in our records was invalid. In February 2011, ICANN attempted to send Moozooy Media a compliance notice via facsimile, however, the facsimile was undeliverable. ICANN attempted to send that notice via courier and the package was returned with a note that stated, "Incorrect Address – Undeliverable Package."

Conclusion

Based on Moozooy Media's failure to comply with Sections 3.3 and 3.9 of the RAA, Moozooy Media is ineligible to renew its accreditation. Accordingly, Moozooy Media's RAA will expire on 22 March 2011. Additionally, ICANN is concerned that Moozooy Media's failure to maintain valid primary contact information may be indicative of other operational problems.

In the interest of protecting domain name registrants, ICANN must immediately commence the domain name transition process and solicit bids for a qualified ICANN-accredited registrar to manage the domain names currently managed by Moozooy Media.

To facilitate the transition of the domain names currently managed by Moozooy Media, ICANN will follow its De-Accredited Registrar Transition Procedure (Procedure) <http://www.icann.org/en/processes/registrars/de-accredited-registrar-transition-procedure-01oct08.pdf> to transition any names managed by Moozooy Media to another ICANN-accredited registrar. We encourage you to read the Procedure in its entirety. Consistent with the Procedure, we are requesting that Moozooy Media designate a bulk transfer recipient by 9 March 2011. Please contact ICANN's Registrar Liaison Team at RegTransition@icann.org to designate a bulk transfer recipient. We anticipate the full cooperation of Moozooy Media during the transition process.



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Kindly note, however, that your designation of a bulk transfer recipient does not prejudice ICANN's right to the Registration Data Escrow data and other rights under the RAA, as well as ICANN's right to transfer names to a registrar of our choosing selected pursuant to the Procedure.

Be advised that the expiration of Moozooy Media's RAA does not relieve Moozooy Media of the obligation to pay accreditation fees thereunder, which should be paid immediately. ICANN reserves the right to pursue all means available to collect all accreditation fees owed by Moozooy Media, including recently assessed fees, totaling \$12,539.65 (see attached Customer Statement for details).

It is ICANN's goal to protect registrants from unnecessary harm and we look forward to amicably resolving any domain name transition issues that may arise from this termination.

Should you have questions or require assistance, please feel free to contact me at stacy.burnette@icann.org.

Very truly yours,

A handwritten signature in blue ink that reads "Stacy Burnette".

Stacy Burnette
Director,
Contractual Compliance

Enclosure: Customer Statement