



30 July 2009

TRANSMITTED VIA COURIER SERVICE AND ELECTRONIC MAIL

Mr. Thomas Ball
Tahoe Domains, Inc. (IANA ID 712)
2610 Allston Lane Suite 6A
Austin, Texas 78746

**RE: NOTICE OF NON-RENEWAL OF REGISTRAR
ACCREDITATION AGREEMENT**

Dear Mr. Thomas Ball:

Be advised that as of 30 July 2009, Tahoe Domains, Inc. ("Tahoe Domains") remains in breach of its Registrar Accreditation Agreement – May 2001 ("RAA") with the Internet Corporation of Assigned Names and Numbers ("ICANN"). This breach results from Tahoe Domains' failure to: 1) escrow gTLD registration data pursuant to and compliant with Section 3.6 of the RAA and 2) pay accreditation fees to ICANN pursuant to and compliant with Section 3.9 of the RAA.

Section 5.4 of the RAA provides that upon the expiration of the Tahoe Domains RAA, Tahoe Domains may apply for and shall be entitled to renewed accreditation, *if* Tahoe Domains is in compliance with its obligations under the RAA. Based on Tahoe Domains' failure to comply with Sections 3.6 and 3.9 of the RAA, ICANN does not intend to renew the Tahoe Domains RAA upon its expiration on 9 August 2009.

1. Failure to escrow gTLD registration data pursuant to Section 3.6 of the RAA

Section 3.6 of the RAA requires Tahoe Domains, "on a schedule, under the terms, and in the format specified by ICANN" to "submit an electronic copy of the database described in Subsection 3.4.1 [of the RAA] to ICANN or, at Registrar's election and at its expense, to a reputable escrow agent mutually approved by Registrar and ICANN."

ICANN notified Tahoe Domains by courier on 29 September 2008 of Tahoe Domains obligation to begin escrowing certain enumerated gTLD registration data by no later than 30 November 2008 and thereafter on a weekly basis, in accordance with the Registrar Data Escrow Specifications document posted at, <http://www.icann.org/rde/rde-specs-09nov07.pdf>. Tahoe Domains has elected to escrow its registration data pursuant to this requirement with escrow agent Iron Mountain



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Intellectual Property Management, Inc. However, to date, no deposits have been made in furtherance of Tahoe Domains' escrow obligation.

Tahoe Domains' failure to escrow registration data with Iron Mountain Intellectual Property Management, Inc. constitutes a breach of Section 3.6 of the RAA.

2. 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. Tahoe Domains currently owes ICANN \$2,161.84 in past due accreditation fees. Notices regarding Tahoe Domains' past due accreditation fees, including detailed customer statements, were transmitted to you on 24 April 2009 and 22 June 2009.

On 22 June 2009, ICANN sent you, via FedEx, a Notice of Breach of Registrar Accreditation Agreement for failure to pay accreditation fees along with a detailed customer statement reflecting \$2,161.84 in past due accreditation fees. Tahoe Domains failed to cure this breach in the time period allowed by the RAA.

Tahoe Domains' failure to make timely payment on invoice numbers 21017 and 22266, both of which are over 30 days past due, constitutes independent breaches of Section 3.9 of the RAA. A copy of Tahoe Domains' most recent customer statement is enclosed.

3. Conclusion

ICANN previously notified you on 30 April 2009 via email, on 26 May 2009 via courier that if the breaches described above were not cured by 9 July 2009, your registrar would be ineligible to renew its RAA. Accordingly, because these breaches have not been cured, on 9 August 2009, ICANN will allow the agreement to expire without renewal.

Due to the impending non renewal of Tahoe Domains' RAA, it is critical that ICANN take action to protect the interests of registrants that registered domains names with your registrar. ICANN's records reveal that Tahoe Domains is currently managing approximately 231 gTLD names. To facilitate the transition of the domain names currently managed by Tahoe Domains, ICANN will follow its De-Accredited Registrar Transition Procedure ("Procedure") posted at, <http://www.icann.org/en/processes/registrars/de-accredited-registrar-transition-procedure-01oct08.pdf>.

We encourage you to read the Procedure in its entirety. Consistent with the Procedure, we are requesting that Tahoe Domains propose a bulk transfer recipient on or before 7 August 2009. Please contact ICANN's Registrar Liaison Manager Mike Zupke at mike.zupke@icann.org, to designate a proposed bulk transfer recipient. Kindly note,



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however, that your designation of a bulk transfer recipient does not prejudice ICANN's right to the Registrar 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. It is ICANN's goal to protect registrants from unnecessary harm and we look forward to the full cooperation of Tahoe Domains during the transition process.

Please note that the non-renewal of Tahoe Domains' RAA does not relieve Tahoe Domains of the obligation to pay any outstanding accreditation fees, which should be paid immediately, and accreditation fees for the most recently-ended and current quarters that have not yet been invoiced. ICANN reserves the right to pursue all means available to collect these fees. ICANN specifically reserves the right to pursue any and all other breaches in addition to the breaches enumerated above, and nothing herein shall be deemed a waiver of that right.

You may contact me via e-mail at stacy.burnette@icann.org should you have any questions.

Very truly yours,

A handwritten signature in blue ink that reads "Stacy Burnette". The signature is written in a cursive, flowing style.

Stacy Burnette
Director, Contractual Compliance
stacy.burnette@icann.org



Internet Corporation for Assigned
Names and Numbers
4676 Admiralty Way Suite 330
Marina del Rey CA 90292
USA

Voice: +1/310/823-9358
Fax: +1/310/823-8649

Customer Statement

Tahoe Domains Inc
Thomas Ball
2610 Allston Lane, Suite 6A
Austin TX 78746

Statement Date: 07/30/2009

Customer Number: 787

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Apply To	Doc #	Document Type	Date	Due Date	Description	Charge	Credit	Balance
1357	1357	Standard Invoice	07/09/04	08/08/04	Accreditation Application Fee 0704040	2,500.00		\$0.00
	1027	Receipt	07/09/04		Credit card		\$2,500.00	
1497	1497	Standard Invoice	08/06/04	11/05/04	Annual Accreditation Fee 0804006	4,500.00		\$0.00
	1301	Receipt	08/06/04		ck277		\$4,500.00	
2062	2062	Standard Invoice	10/31/04	12/31/04	Variable Registrar Fee as of October 2004	18.48		\$0.00
	1746	Receipt	12/31/04		CK 9061916903		\$18.48	
3127	3127	Standard Invoice	12/31/04	04/15/05	November & December 2004	3,968.69		\$0.00
	2835	Receipt	07/19/05		Ck 9094878633		\$3,944.03	
	3328	Receipt	09/09/05		Credit card		\$24.66	
3536	3536	Standard Invoice	03/31/05	07/08/05	Quarter ending 31 March, 2005	3,944.03		\$0.00
	3328	Receipt	09/09/05		Credit card		\$1,124.90	
	8800	Receipt	04/26/07		Credit Card Payment		\$2,819.13	
5120	5120	Standard Invoice	06/30/05	08/31/05	Quarter Ending 06/30/2005	1,149.56		\$0.00
	8800	Receipt	04/26/07		Credit Card Payment		\$1,149.56	
5398	5398	Standard Invoice	08/24/05	09/24/05	Contract year ending 10 August, 2006	4,000.00		\$0.00
	8800	Receipt	04/26/07		Credit Card Payment		\$4,000.00	
5931	5931	Standard Invoice	11/30/05	02/06/06	Quarter Ending 09/30/2005	2,010.03		\$0.00
	8800	Receipt	04/26/07		Credit Card Payment		\$2,010.03	
6891	6891	Standard Invoice	01/31/06	04/06/06	Quarter Ending 12/31/2005	1,975.69		\$0.00
	5005	Receipt	04/12/06		Credit Card Payment		\$1,975.69	



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7855	7855	Standard Invoice	05/31/06	06/30/06	Quarter Ending 03/31/2006	1,728.47		\$0.00
	5847	Receipt	07/11/06		Credit Card Payment		\$1,728.47	
8855	8855	Standard Invoice	07/31/06	09/24/06	Quarter Ending 06/30/2006	1,509.86		\$0.00
	8800	Receipt	04/26/07		Credit Card Payment		\$1,509.86	
9263	9263	Standard Invoice	08/28/06	09/27/06	Contract Year Ending 8/10/07	4,000.00		\$0.00
	8800	Receipt	04/26/07		Credit Card Payment		\$2,511.42	
	8802	Receipt	04/26/07		Credit Card Payment		\$1,488.58	
10112	10112	Standard Invoice	02/28/07	03/30/07	Quarter Ending 09/30/2006	1,277.25		\$0.00
	8802	Receipt	04/26/07		Credit Card Payment		\$1,277.25	
11025	11025	Standard Invoice	03/30/07	04/30/07	Quarter Ending 12/31/2006	1,166.64		\$0.00
	8802	Receipt	04/26/07		Credit Card Payment		\$1,166.64	
11951	11951	Standard Invoice	04/30/07	05/30/07	Quarter Ending 03/31/2007	1,158.48		\$0.00
	12130	Receipt	09/24/07		Credit Card Payment		\$1,158.48	
13345	13345	Standard Invoice	07/25/07	08/25/07	Quarter Ending 06/30/2007	1,130.92		\$0.00
	13218	Receipt	01/07/08		Credit Card Payment		\$1,130.92	
13991	13991	Standard Invoice	08/21/07	09/21/07	Contract Year Ending 8/10/08	4,000.00		\$0.00
	13218	Receipt	01/07/08		Credit Card Payment		\$4,000.00	
14635	14635	Standard Invoice	10/31/07	11/30/07	Quarter Ending 09/30/2007	1,124.51		\$0.00
	13218	Receipt	01/07/08		Credit Card Payment		\$1,124.51	
15754	15754	Standard Invoice	01/31/08	03/04/08	Quarter Ending 12/31/2007	1,105.59		\$0.00
	14866	Receipt	05/06/08		Credit Card Payment		\$1,105.59	



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17050	17050	Standard Invoice	04/30/08	05/31/08	Quarter Ending 03/31/2008	1,095.93		\$0.00
	15978	Receipt	07/07/08		Credit Card Payment		\$1,095.93	
18414	18414	Standard Invoice	07/31/08	08/31/08	Quarter Ending 06/30/2008	1,086.22		\$0.00
	18408	Receipt	12/19/08		Credit Card Payment		\$1,086.22	
19097	19097	Standard Invoice	08/15/08	09/15/08	Contract Year Ending August 2009	4,000.00		\$0.00
	18408	Receipt	12/19/08		Credit Card Payment		\$4,000.00	
19793	19793	Standard Invoice	10/31/08	11/30/08	Quarter Ending 09/30/2008	1,089.83		\$0.00
	18408	Receipt	12/19/08		Credit Card Payment		\$1,089.83	
21017	21017	Standard Invoice	01/31/09	03/05/09	Quarter Ending 12/31/2008	1,079.62		\$1,079.62
22266	22266	Standard Invoice	04/30/09	05/31/09	Quarter Ending 03/31/2009	1,082.22		\$1,082.22

Due after 7/30/2009	Up to 30 Days Past Due	30 to 60 Days Past Due	60 to 90 Days Past Due	Over 90 Days Past Due	Total Due
0.00	0.00	1,082.22	0.00	1,079.62	\$2,161.84