



The Internet Corporation for Assigned Names and Numbers

TRANSMITTED VIA FACSIMILE, ELECTRONIC MAIL AND COURIER

2 September 2011

Mr. YooRi Kim
Samjung Data Service Co., Ltd (IANA ID 1333)
AceHighEnd 5th #1202 505-18 Gasan dong, Geumcheon-gu
Seoul, South Korea

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Kim:

Please be advised that as of the date of this letter, Samjung Data Service Co., Ltd (“Samjung”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 25 October 2006 (“RAA”). These breaches result from:

1. Samjung’s failure to escrow gTLD registration data pursuant to Section 3.6 of the RAA; and
2. Samjung’s failure to provide public access to data on registered names, pursuant to Section 3.3 of the RAA.

In addition, ICANN is concerned that Samjung failed to respond to any of ICANN’s correspondence concerning these breaches in the past few months. We set out in the attachment hereto details regarding these breaches.

We request that Samjung cure both breaches within 15 working days from the date of this letter by depositing its registration data with Iron Mountain “on a schedule, under the terms, and in the format specified by ICANN” pursuant to Section 3.6 of the RAA and by providing public access to data on registered names pursuant to Section 3.3 of the RAA. If Samjung fails to timely cure these breaches, ICANN may commence the termination process.

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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



ATTACHMENT

1. Failure to Escrow gTLD Registration Data

Section 3.6 of the RAA requires Samjung, “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 its expense, to a reputable escrow agent mutually approved by Registrar and ICANN.”

Our records show that Samjung is required to escrow data with Iron Mountain Intellectual Property Management, Inc. (“Iron Mountain”) on a weekly basis. However, based on reports provided by Iron Mountain over the past few months, it appears Samjung repeatedly failed to deposit data.

The last full successful deposit by Samjung was received on 9 August 2011. Samjung attempted to deposit on 14 and 21 August 2011. However, both deposits were unsuccessful, as the reports provided by Iron Mountain to ICANN identified the deposits as being “Invalid Archive – Incomplete archive file set”, which means the data deposited by Samjung did not meet the required format or specifications.

For a period of three weeks, between 16 January 2011 and 5 February 2011 no deposits were received by Iron Mountain from Samjung.

For a period of five weeks, between 7 February 2011 and 13 March 2011 no deposits were received by Iron Mountain from Samjung.

For a period of four weeks, between 21 March 2011 and 2 April 2011 no deposits were received by Iron Mountain from Samjung.

For a period of 14 weeks, between 4 April 2011 and 13 July 2011 no deposits were received by Iron Mountain from Samjung.

We note that Samjung made successful deposits on 16 January 2011, 6 February 2011, 14 and 20 March 2011, 3 April 2011, 13 and 24 of July 2011 and 9 August 2011.

As evidenced by the above chronology, it is clear that Samjung repeatedly failed to escrow registration data “on a schedule, under the terms, and in the format specified by ICANN” and such failure constitutes a breach of Section 3.6 of the RAA.



Failure to Provide Public Access to Data on Registered Names

Section 3.3 of the RAA requires Samjung 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 Samjung for each TLD in which it is accredited.

ICANN provided notices to Samjung on 1 August 2011 and 19 August 2011 of the unavailability of public access to data on registered names. Specifically, ICANN informed Samjung that its Whois data does not include “technical contact” details as required by Section 3.3.1.7 of the RAA. To date, Samjung has not responded to ICANN’s notices and Samjung is not providing Whois data as required by the RAA.

Below is a chronology of our correspondence and other attempts to contact Samjung to date:

- 3 February 2011 Sent first monthly RDE inquiry to firechoi@sds.co.kr regarding last deposit on 16 January 2011. No reply was received.
- 14 March 2011 Sent first monthly RDE inquiry to firechoi@sds.co.kr regarding last deposit on 6 February 2011. No reply was received.
- 4 May 2011 Sent first monthly RDE inquiry to yoori@sds.co.kr regarding last deposit on 3 April 2011. Requested reply within 48 hours but no reply was received.
- 7 June 2011 Sent follow-up email to yoori@sds.co.kr regarding last deposit on 3 April 2011. Requested reply within 48 hours but no reply was received.
- 4 July 2011 Sent first monthly RDE inquiry to yoori@sds.co.kr regarding last deposit on 3 April 2011. ICANN requested that Samjung deposit registration data by COB 6 July 2011, and reply within 48 hours. No reply was received.
- 6 July 2011 Called on phone +82 2 2029 0344 three times, however the calls failed and the phone number appears to be non-operational. Then called the billing contact number +82 2 2029 0337 someone answered then hung up after ICANN staff identified themselves. A



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few more attempts were made via phone, but the calls were unanswered, no voice message service.

- 7 July 2011 Sent Final Notice to Samjung via fax to + 82 2 855 6008, courier and email at email address yoori@sds.co.kr requesting Samjung immediately deposit its data with Iron Mountain and reply to ICANN by close of business 11 July 2011. No reply was received.
- 1 August 2011 ICANN notified Samjung via email to yoori@sds.co.kr that the Whois data it provides (via port 43) is not compliant with the RAA, as the Whois data does not include any details related to a technical contact. No reply was received.
- 19 August 2011 Sent follow-up email to yoori@sds.co.kr regarding failure to display all Whois information required by the RAA pursuant to paragraphs 3.3.11-3.3.18 and requested an immediate response. No reply was received. ICANN attempted to fax this notice to + 82 2 855 6008, however a transmission error was received.