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30 September 2008

Mr. Jan Legenhausen
CSL Computer Service Langenbach GmbH d/b/a JOKER.COM
Hansaallee 191-193
40549 Duesseldorf
Germany

RE: Notice of Breach of Registrar Accreditation Agreement

Dear Mr. Legenhausen:

Be advised that as of 30 September 2008, CSL Computer Service Langenbach GmbH dba JOKER.COM ("JOKER.COM") is in breach of the Internet Corporation for Assigned Names and Numbers ("ICANN") Registrar Accreditation Agreement ("RAA"). This breach results from JOKER.COM.'s failure to take reasonable steps to investigate and correct, when necessary, claimed Whois inaccuracies as required by Section 3.7.8 of the RAA.

Section 3.7.8 of the RAA requires registrars, "upon notification by any person of an inaccuracy in the contact information associated with a Registered Name sponsored by Registrar, take reasonable steps to investigate that claimed inaccuracy. In the event Registrar learns of inaccurate contact information associated with a Registered Name it sponsors, it shall take reasonable steps to correct that inaccuracy."

ICANN described "reasonable steps" in the 10 May 2002 Registrar Advisory Concerning Whois Data Accuracy ("Advisory"). Per the Advisory, at a minimum, "reasonable steps" to investigate a reported inaccuracy should include promptly transmitting to the registrant the "inquiries" concerning the accuracy of the data that are suggested by [RAA Subsection 3.7.7.2](#). The inquiries should be conducted by all commercially practicable means available to the registrar: by telephone, e-mail, and postal mail. The Advisory is accessible at the following address: <http://www.icann.org/announcements/advisory-10may02.htm>.

ICANN began operating a system intended to assist registrars in complying with their contractual obligation to investigate Whois data inaccuracy claims in 2002. This system, entitled the Whois Data Problem Report System (WDPRS), allows the public to submit domain name Whois inaccuracy reports. Those reports are sent to registrars for investigation and corrective action, if necessary. The WDPRS also follows-up with submitting parties 45 days after filing Whois inaccuracy reports to inquire whether the Whois data changed.



On 29 May 2008, ICANN sent JOKER.COM a Notice of Concern regarding suspected failure by JOKER.COM to investigate and take corrective action regarding Whois inaccuracy reports filed through the WDPRS. JOKER.COM responded to ICANN's Notice of Concern and stated that JOKER.COM had a system in place to investigate and take corrective action regarding Whois inaccuracy claims. Nevertheless, ICANN continues to find Whois inaccuracy claims filed through the WDPRS that JOKER.COM does not appear to be investigating or correcting. Enclosed you will find ten Whois inaccuracy claims filed through the WDPRS on or after May 29, 2008 that contain obvious inaccuracies that have not been investigated or corrected since they were transmitted to JOKER.COM for action. JOKER.COM's failure to take reasonable steps to investigate and correct Whois inaccuracies is a breach of Section 3.7.8 of the RAA.

Be advised that the RAA may be terminated before its expiration by ICANN if a registrar fails to cure any breach of the agreement within fifteen working days after ICANN gives the registrar notice of breach, pursuant to Section 5.3.4. Should JOKER.COM fail to cure the breach cited herein by taking reasonable steps to investigate and correct the enclosed Whois inaccuracy claims within the time period prescribed by the RAA, ICANN may commence the termination process as set forth in the RAA.

ICANN-accredited registrars play a critical role in maintaining the accuracy of Whois data. Registrar compliance with RAA provisions regarding the investigation of Whois data inaccuracy claims ensures that timely efforts are made to correct inaccurate Whois data. JOKER.COM's failure to comply with RAA provisions regarding the investigation of Whois data inaccuracy claims is a breach of the RAA and a breach of JOKER.COM's responsibility to the internet community.

To ensure that this problem does not persist, we are requesting that JOKER.COM contact ICANN immediately so that we may collaboratively develop an oversight plan that would entail JOKER.COM providing ICANN monthly compliance reports for a period of time demonstrating JOKER.COM's efforts to investigate and correct reported Whois inaccuracies.

ICANN specifically reserves the right to pursue any and all other breaches in addition to the breach enumerated above, and nothing herein shall be deemed a waiver of that right.

Please contact me at (310) 301-3860 should you have questions regarding the contents of this letter.

Very truly yours,

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

Stacy Burnette
Director
Contractual Compliance