



14 July 2009

TRANSMITTED VIA FACSIMILE, ELECTRONIC MAIL AND COURIER SERVICE

Mrs. Manita Malik
Lead Networks Domains Pvt. Ltd.
707/C Neptune Apts, 4th Cross Lane Lokhandwala Complex, Andheri (West)
Mumbai Maharaashtra 400053
India

RE: NOTICE OF NON-RENEWAL OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mrs. Malik:

Please be advised that, pursuant to section 5.4 of the Registrar Accreditation Agreement (“RAA”), the Internet Corporation for Assigned Names and Numbers (“ICANN”) will not renew the Lead Networks Domains Pvt. Ltd. (“Lead Networks”) RAA. On 10 June 2009, ICANN notified Lead Networks that it was in breach of the RAA for failure to comply with the RAA provisions and the Uniform Domain Name Dispute Resolution Policy (“UDRP”). Please see <http://www.icann.org/correspondence/burnette-to-malik-10jun09.pdf>. As of 14 July 2009, Lead Networks remains in breach of the RAA.

RAA Section 5.4 provides that upon the expiration of the Lead Networks RAA, Lead Networks may apply for and shall be entitled to renewed accreditation, if Lead Networks is in compliance with its obligations under the RAA. Please see <http://www.icann.org/en/registrars/ra-agreement-17may01.htm>.

5.4 Term of Agreement; Renewal; Right to Substitute Updated Agreement. This Agreement shall be effective on the Effective Date and shall have an initial term running until the Expiration Date, unless sooner terminated. Thereafter, if Registrar seeks to continue its accreditation, it may apply for renewed accreditation, and shall be entitled to renewal provided it meets the ICANN-adopted specification or policy on accreditation criteria then in effect, is in compliance with its obligations under this Agreement, as it may be amended, and agrees to be bound by terms and conditions of the then-current Registrar accreditation agreement (which may differ from those of this Agreement) that ICANN adopts in accordance with Subsection 2.3 and Subsection 4.3...

Although the Lead Networks RAA was scheduled to expire on 15 June 2009, ICANN extended the RAA 30 days to continue the investigation into how Lead Networks



complied with the UDRP in 61 UDRP administrative proceedings. ICANN chose to extend the RAA to give Lead Networks sufficient opportunity to demonstrate its compliance with the RAA. This was necessary as Lead Networks failed to provide documents and data within the investigation deadline despite ICANN granting Lead Networks two extensions prior to issuing the breach letter.

During our investigation, and as laid out in detail in our 10 June 2009 letter to Lead Networks, ICANN determined that Lead Networks engaged in business conduct that demonstrates a lack of cooperation with ICANN, a pattern of questionable business practices, noncompliance with the UDRP and a disregard for the protection of registrants. Specifically, Lead Networks failed to comply with the following ICANN policies and provisions:

1. Rules for UDRP, Rule 16(a) (Communication of Decision to Parties);
2. UDRP, Paragraph 4.k. (Mandatory Administrative Proceeding, Availability of Court Proceedings.); and
3. RAA Section 3.4 (Retention of Registered Name Holder and Registration Data).

In addition, failure to comply with the provisions of the UDRP is a breach of Section 3.8 (Domain-Name Dispute Resolution) of the RAA.

In three administrative proceedings, Lead Networks provided insufficient "official documentation" necessary to justify not implementing panel decisions pursuant to UDRP paragraph 4.k. The documents were insufficient for the following reasons:

- Re: World Intellectual Property Organization administrative proceeding D2007-0801 domain name <anzcards.com>, the "official documentation" provided by Lead Networks does not indicate that the respondent challenged the panel decision during the ten (10) business day period pursuant to UDRP, Paragraph 4.k.;
- Re: National Arbitration Forum administrative proceeding 1072906 domain name <bassmasters.com>, the "official documentation" provided by Lead Networks in the form of a copy of a complaint was not file-stamped by the clerk of the court pursuant to UDRP, Paragraph 4.k.; and
- Re: National Arbitration Forum administrative proceeding 1227240 domain name <bigfishgame.com>, the "official documentation" provided by Lead Networks contained domain name(s) different from the domain name(s) subject to the administrative proceeding.



Further, despite being granted two extensions by ICANN, for 21 administrative proceedings, Lead Networks did not provide any information or documentation pursuant to RAA Section 3.4 and UDRP paragraph 4.k.

Again, as of 14 July 2009, Lead Networks remains in breach of the RAA. Therefore, Lead Networks is not eligible for renewal of the Lead Networks' RAA pursuant to RAA section 5.4. The Lead Networks' RAA will expire 15 July 2009.

To facilitate the transition of the domain names currently managed by Lead Networks, ICANN will follow its De-Accredited Registrar Transition Procedure ("Procedure") <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 Lead Networks designate a bulk transfer recipient by no later than 21 July 2009. Please contact ICANN's Registrar Liaison Manager Mike Zupke at mike.zupke@icann.org, to designate a bulk transfer recipient. Kindly note, 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. It is ICANN's goal to protect registrants from unnecessary harm and we look forward to the full cooperation of Lead Networks during the transition process.

Please note that the non-renewal of Lead Networks' RAA does not relieve Lead Networks 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.

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".

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