

# The Internet Corporation for Assigned Names and Numbers

10 March 2017

#### TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Ted Gray #1 Internet Services International, Inc. dba 1ISI (IANA #1334) 20411 SE 294th Way Kent WA 98042 **United States** 

Email: support@1isi.com Fax: +1 253 630 6066

#### **RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT**

Dear Ted Gray,

Please be advised that as of 10 March 2017, #1 Internet Services International, Inc. dba 1ISI ("1ISI") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 1 October 2016 ("RAA"). This breach results from:

1. 1ISI's failure to complete and deliver to ICANN a Compliance Certificate within twenty (20) days following the end of the 2016 calendar year certifying compliance with the terms and conditions of the RAA, as required by Section 3.15 of the RAA.

Please refer to the attachment for details regarding this breach.

In addition, 1ISI has been deemed noncompliant in the following areas:

1. 1|SI's failure to provide domain name data in the specified response format, as required by Section 1.4 of the Registration Data Directory Service (Whois) Specification of the RAA ("Whois Specification"), the Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement (RAA) regarding applicable Registration Data Directory Service (Whois) Specifications ("Clarifications") and the Additional Whois Information Policy ("AWIP");

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- 2. 1ISI's failure to clearly display on 1ISI's website, and include a link in its registration agreement, to its renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP");
- 3. 1ISI's failure to provide and maintain accurate and current contact information as specified in the Registrar Information Specification ("RIS"), as required by Section 3.17 of the RAA and publish certain information as required by the RIS, including 1ISI's correspondence address and the full name and position of all officers of 1ISI;
- 4. 1ISI's failure to publish an email address to receive abuse reports on the home page of 1ISI's website, as required by Section 3.18.1 of the RAA;
- 5. 1ISI's failure to publish on its website a description of 1ISI's procedures for the receipt, handling and tracking of abuse reports, as required by Section 3.18.3 of the RAA; and
- 6. 1ISI's failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

# **Additional Concerns**

ICANN was unable to send a facsimile to the facsimile number listed for 1ISI in RADAR because someone answered the call.

ICANN requests that 1ISI cure these breaches by 31 March 2017, 21 days from the date of this letter, by taking the following actions:

- 1. Provide a certificate executed by the president, chief executive officer, chief financial officer or chief operating officer (or their equivalents) of 1ISI certifying compliance with the terms and conditions of the RAA ("compliance certificate");
- 2. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification, Clarifications and AWIP;
- Clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on 1ISI's website and provide a link to these fees in 1ISI's registration agreement;



- 4. Provide ICANN with a completed RIS form, including accurate and current contact information, the required supporting documentation and the location of any applicable information published on 1ISI's website, as required by Section 3.17 of the RAA;
- 5. Publish an email address to receive abuse reports on the home page of 1ISI's website;
- 6. Publish a description of 1ISI's procedures for the receipt, handling and tracking of abuse reports on 1ISI's website;
- 7. Pay all past due accreditation fees;
- 8. Provide ICANN with the step(s) 1ISI will take, including implementation date(s), to ensure 1ISI's contacts with ICANN are up to date; and
- 9. Provide ICANN with corrective and preventative action(s), including implementation date(s), to ensure that 1ISI will timely respond to ICANN compliance matters.

If 1ISI fails to timely cure the breaches and provide the information requested by 31 March 2017, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Jennifer Scott at <a href="mailto:jennifer.scott@icann.org">jennifer.scott@icann.org</a>.

Sincerely,

Maguy Serad Vice President

**Contractual Compliance** 

Cc: John O. Jeffrey, General Counsel and Secretary



#### **ATTACHMENT**

### Failure to submit to ICANN annual compliance certificate

Section 3.15 of the RAA requires registrars to complete and deliver to ICANN within twenty (20) days following the end of each calendar year, in a form specified by ICANN, a certificate executed by the president, chief executive officer, chief financial officer or chief operating officer (or their equivalents) of the registrar certifying compliance with the terms and conditions of the RAA. 1ISI's failure to complete and deliver the compliance certificate for 2016 is a breach of Section 3.15 of the RAA.

# Failure to display required Whois format

Section 1.4 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format for Whois query responses. The format of responses shall contain all the elements and follow a semi-free text format outlined in Section 1.4 of the Whois Specification. Additional specifications to the format of Whois query responses are contained in the Clarifications and the AWIP. Section 4.1 of the RAA requires registry operators to comply with and implement all Consensus Policies, including the AWIP. 1ISI's failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA and AWIP.

Failure to clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website and in registration agreement

Section 4.1 of the ERRP requires registrars to make their renewal fees, post-expiration renewal fees (if different) and redemption/restore fees reasonably available to RNHs and prospective RNHs at the time of registration of a gTLD name. At a minimum, these fees must be clearly displayed on the registrar's website and a link to these fees must be included in the registrar's registration agreement. 1ISI's failure to provide a link or clearly display these fees is a breach of Section 4.1 of the ERRP.

#### Failure to provide and maintain required contact information

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. 1ISI's failure to provide to ICANN and maintain accurate and current information as specified in the RIS, is a breach of Section 3.17 of the RAA.



# Failure to publish an email address to receive reports of abuse

Section 3.18.1 of the RAA requires registrars to publish on the home page of their website an email address to receive abuse reports. 1ISI's failure to publish an email address on the home page of its website to receive abuse reports is a breach of Section 3.18.1 of the RAA.

Failure to publish a description of procedures for receipt, handling and tracking of abuse reports

Section 3.18.3 of the RAA requires registrars to publish on their website a description of their procedures for the receipt, handling and tracking of abuse reports. 1ISI's failure to publish a description of its procedures for the receipt, handling and tracking of abuse reports on its website is a breach of Section 3.18.3 of the RAA.

# Failure to pay accreditation fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. 1ISI's owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

#### **Chronology:**

Date of Notice	Deadline for Response	Details
25-Jan-2017	1-Feb-2017	ICANN sent 1st compliance inquiry via email to <a href="mailto:support@1isi.com">support@1isi.com</a> . No response received from Registrar.
3-Feb-2017	10-Feb-2017	ICANN sent 1st compliance notice via email to <pre>support@1isi.com</pre> . No response received from Registrar.
14-Feb-2017	21-Feb-2017	ICANN sent 2nd compliance notice via email to <a href="mailto:support@1isi.com">support@1isi.com</a> . No response received from Registrar.
17-Feb-2017	N/A	ICANN called Primary Contact at +1 253 278 0974. ICANN left voicemail with complaint details.
22-Feb-2017	1-Mar-2017	ICANN sent 3rd compliance notice via email to <a href="mailto:support@1isi.com">support@1isi.com</a> . No response received from Registrar.
23-Feb-2017	N/A	ICANN sent 3rd compliance notice via fax to +1 253 630 6066. Fax unsuccessful.



Date of Notice	Deadline for Response	Details
27-Feb-2017	N/A	ICANN called Primary Contact at +1 253 278 0974. No answer and no ability to leave a voicemail. ICANN called Primary Contact at +1 253 630 6066. ICANN left voicemail with complaint details.
8-Mar-2017	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
10-Mar-2017	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.