

9 12025 Waterfront Drive, Suite 300 Los Angeles, CA 90094-2536 USA +1 310 301 5800

+1 310 823 8649

28 September 2017

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

# RE: NOTICE OF SUSPENSION OF REGISTRAR'S ABILITY TO CREATE NEW REGISTERED NAMES OR INITIATE INBOUND TRANSFERS OF REGISTERED NAMES

Miguel Lopez HOAPDI INC. (IANA #1517) Unit 10-IJ-01 10F Burgundy Corporate Tower 252 Sen. Gil. Puyat Ave. Makati City Metro Manila 1224 Philippines

Email: hoapdiinc@yahoo.com

Fax: +1.2066006973

Dear Miguel Lopez,

This notice is sent to HOAPDI INC. ("HOAPDI") further to its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 19 June 2015 ("RAA").

Pursuant to Section 5.5.4 of the RAA, HOAPDI failed to cure breaches of the RAA within 21 days after ICANN issued HOAPDI a notice of breach on 29 August 2017.

HOAPDI's ability to create new Registered Names or initiate inbound transfers of Registered Names is suspended for 90 days pursuant to Section 5.7 of the RAA.

The suspension is effective 14 October 2017 at 00:00 UTC and will conclude on 12 January 2018 at 00:00 UTC, or longer if HOAPDI has not demonstrated compliance on or before 22 December 2017.

Consistent with Section 5.7 of the RAA, during the suspension period, HOAPDI must not:

- 1. Create new Registered Names for any generic top-level domain ("gTLD"); or
- 2. Initiate or accept inbound transfers of Registered Names for any gTLD.

To demonstrate compliance, HOAPDI must timely cure all breaches identified in this notice of suspension by taking the following actions:

1. Provide information and records demonstrating that HOAPDI took reasonable steps to investigate and, where applicable, correct the Whois inaccuracy concerning the domain names <noapdi-inc.com> and <noapdi.com>. This includes: the steps HOAPDI took to



- (a) investigate and address the Whois inaccuracy claims (including any internal correspondence regarding the matter) and (b) verify and validate the Whois information;
- 2. Deposit gTLD registration data on a weekly basis to an approved escrow agent and ensure that the deposits meet the required specifications;
- 3. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification, Clarifications and AWIP;
- 4. Provide ICANN with current documentation demonstrating HOAPDI is in good standing;
- 5. Clearly display renewal fees and post-expiration renewal fees (if different) on HOAPDI's website and provide a link to the renewal fees and post-expiration renewal fees (if different) in HOAPDI's registration agreement;
- 6. Provide the corrective and preventative action(s) that HOAPDI will take, with implementation date(s), to ensure the following:
  - a. Timely responses to ICANN Contractual Compliance matters; and
  - b. HOAPDI's contact information is up to date with ICANN; and
- 7. Pay all past and currently due accreditation fees.

Failure to demonstrate compliance by 22 December 2017 may result in RAA termination and an extension to HOAPDI's suspension pending final termination.

#### **Notice on HOAPDI's Website**

During the suspension period, HOAPDI must prominently display the following on its website on all pages where Registrar Services, as defined by the RAA, are offered:

No new gTLD registrations or inbound transfers will be accepted from 14 October 2017 through 12 January 2018.

This notice must also include a link to the notice of suspension from ICANN.



Please be advised that HOAPDI may be subject to escalated compliance action (including RAA termination) if ICANN receives additional information, either through complaints or its own monitoring, demonstrating that HOAPDI continues to violate the RAA or Consensus Policies after the suspension period ends.

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



## **Chronology (CJY-183-55631):**

| Date of Notice | Deadline for Response | Details                                                                                                                                                                                                                            |
|----------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12-Jul-2017    | 2-Aug-2017            | ICANN sent 1st compliance notice via email to <a href="mailto:cust_service@hoapdi-inc.com">cust_service@hoapdi-inc.com</a> . No response received from Registrar.                                                                  |
| 4-Aug-2017     | 11-Aug-2017           | ICANN sent 2nd compliance notice via email to <a href="mailto:cust_service@hoapdi-inc.com">cust_service@hoapdi-inc.com</a> . No response received from Registrar.                                                                  |
| 7-Aug-2017     | N/A                   | ICANN called Primary Contact at +63.9773224757 and other Registrar contacts at +63.24915664 and +1.5182611432. No answer and no ability to leave a voicemail.                                                                      |
| 14-Aug-2017    | 21-Aug-2017           | ICANN sent 3rd compliance notice via email to <a href="mailto:cust_service@hoapdi-inc.com">cust_service@hoapdi-inc.com</a> and <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> . No response received from Registrar. |
| 14-Aug-2017    | N/A                   | ICANN sent 3rd compliance notice via fax to +1.2066006973. Fax unsuccessful.                                                                                                                                                       |
| 15-Aug-2017    | N/A                   | ICANN called Primary Contact at +63.9773224757 and other Registrar contacts at +63.24915664 and +1.5182611432. No answer and no ability to leave a voicemail.                                                                      |
| 25-Aug-2017    | N/A                   | ICANN conducted compliance check to determine other areas of noncompliance.                                                                                                                                                        |
| 29-Aug-2017    | 19-Sep-2017           | ICANN issues Notice of Breach to Registrar. No response received from Registrar.                                                                                                                                                   |
| 29-Aug-2017    | N/A                   | ICANN sent Notice of Breach via fax to +1.2066006973. Fax unsuccessful.                                                                                                                                                            |
| 29-Aug-2017    | N/A                   | ICANN sent Notice of Breach via courier to Registrar Primary Contact postal address. Delivery confirmed.                                                                                                                           |
| 13-Sep-2017    | 19-Sep-2017           | ICANN sent reminder notice via email to hoapdiinc@yahoo.com.                                                                                                                                                                       |
| 20-Sep-2017    | N/A                   | Email from Registrar ( <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) requesting an extension and insufficient to demonstrate compliance.                                                                          |
| 20-Sep-2017    | 27-Sep-2017           | ICANN sent follow-up via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> granting request for extension.                                                                                                     |
| 21-Sep-2017    | N/A                   | Email from Registrar ( <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) insufficient to demonstrate compliance.                                                                                                      |
| 22-Sep-2017    | 27-Sep-2017           | ICANN sent follow-up and confirmation of Registrar's email via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> .                                                                                             |
| 26-Sep-2017    | N/A                   | Email from Registrar ( <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) insufficient to demonstrate compliance.                                                                                                      |
| 26-Sep-2017    | 27-Sep-2017           | ICANN sent follow-up via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> .                                                                                                                                   |
| 27-Sep-2017    | N/A                   | Email from Registrar ( <a href="https://hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) insufficient to demonstrate compliance.                                                                                                     |



| Date of Notice | Deadline for<br>Response | Details                                                                                                                                |
|----------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 27-Sep-2017    | 27-Sep-2017              | ICANN sent follow-up via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> .  No response received from Registrar. |
| 28-Sep-2017    | N/A                      | To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.   |

### **Chronology (MXZ-846-36138):**

| Date of Notice | Deadline for<br>Response | Details                                                                                                                                                                                                                            |
|----------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12-Jul-2017    | 2-Aug-2017               | ICANN sent 1st compliance notice via email to <a href="mailto:cust_service@hoapdi-inc.com">cust_service@hoapdi-inc.com</a> . No response received from Registrar.                                                                  |
| 4-Aug-2017     | 11-Aug-2017              | ICANN sent 2nd compliance notice via email to <a href="mailto:cust_service@hoapdi-inc.com">cust_service@hoapdi-inc.com</a> . No response received from Registrar.                                                                  |
| 7-Aug-2017     | N/A                      | ICANN called Primary Contact at +63.9773224757 and other Registrar contacts at +63.24915664 and +1.5182611432. No answer and no ability to leave a voicemail.                                                                      |
| 14-Aug-2017    | 21-Aug-2017              | ICANN sent 3rd compliance notice via email to <a href="mailto:cust-service@hoapdi-inc.com">cust-service@hoapdi-inc.com</a> and <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> . No response received from Registrar. |
| 14-Aug-2017    | N/A                      | ICANN sent 3rd compliance notice via fax to +1.2066006973. Fax unsuccessful.                                                                                                                                                       |
| 15-Aug-2017    | N/A                      | ICANN called Primary Contact at +63.9773224757 and other Registrar contacts at +63.24915664 and +1.5182611432. No answer and no ability to leave a voicemail.                                                                      |
| 25-Aug-2017    | N/A                      | ICANN conducted compliance check to determine other areas of noncompliance.                                                                                                                                                        |
| 29-Aug-2017    | 19-Sep-2017              | ICANN issues Notice of Breach to Registrar. No response received from Registrar.                                                                                                                                                   |
| 29-Aug-2017    | N/A                      | ICANN sent Notice of Breach via fax to +1.2066006973. Fax unsuccessful.                                                                                                                                                            |
| 29-Aug-2017    | N/A                      | ICANN sent Notice of Breach via courier to Registrar Primary Contact postal address. Delivery confirmed.                                                                                                                           |
| 13-Sep-2017    | 19-Sep-2017              | ICANN sent reminder notice via email to hoapdiinc@yahoo.com.                                                                                                                                                                       |
| 20-Sep-2017    | N/A                      | Email from Registrar ( <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) requesting an extension and insufficient to demonstrate compliance.                                                                          |
| 20-Sep-2017    | 27-Sep-2017              | ICANN sent follow-up via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> granting request for extension.                                                                                                     |
| 21-Sep-2017    | N/A                      | Email from Registrar ( <a href="https://hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) insufficient to demonstrate compliance.                                                                                                     |



| Date of Notice | Deadline for<br>Response | Details                                                                                                                                |
|----------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 22-Sep-2017    | 27-Sep-2017              | ICANN sent follow-up and confirmation of Registrar's email via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> . |
| 26-Sep-2017    | N/A                      | Email from Registrar ( <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) insufficient to demonstrate compliance.          |
| 26-Sep-2017    | 27-Sep-2017              | ICANN sent follow-up via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> .                                       |
| 27-Sep-2017    | N/A                      | Email from Registrar ( <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> ) insufficient to demonstrate compliance.          |
| 27-Sep-2017    | 27-Sep-2017              | ICANN sent follow-up via email to <a href="mailto:hoapdiinc@yahoo.com">hoapdiinc@yahoo.com</a> .  No response received from Registrar. |
| 28-Sep-2017    | N/A                      | To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.   |