



24 August 2012

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Ms. Kim Story  
Pacnames Ltd (IANA ID# 103)  
#4211, 17B Farnham St.  
Parnell Auckland 1052  
New Zealand

E-mail: [kim.story@pacnames.com](mailto:kim.story@pacnames.com)  
Fax Number: +1 303 278 8809 and +64 9 353 1480

**RE: UPDATED NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT (Exclusion of: ITRP, Document Request and Link to Registrant Rights and Responsibilities Breaches)**

Dear Ms. Story:

Please be advised that as of 24 August 2012, Pacnames Ltd ("Pacnames") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 26 February 2012 ("RAA"). This breach results from:

- Failure to timely pay accreditation fees pursuant to Section 3.9 of the RAA.

Pacnames was initially notified of this breach and others on 25 July 2012 and was required to cure these breaches no later than 17 August 2012.

<http://www.icann.org/en/news/correspondence/burnette-to-story-25jul12-en>.

As reflected in the attached chronology, Pacnames' consistent failures to timely respond to ICANN's compliance notices, phone calls and facsimile transmissions resulted in ICANN issuing a notice of breach.

On 16 August 2012, Pacnames informed ICANN that it cured the breach related to the posting of a link to ICANN's Registrant Rights and Responsibilities webpage on Pacnames' website, that the breach related to domain name <sharpresolutions.com> is

Washington, DC	1101 New York Avenue, NW, Suite 930	Washington, DC 20005	USA	T +1 202 570 7240	F +1 202 789 0104
Los Angeles	12025 Waterfront Drive, Suite 300	Los Angeles, CA 90994	USA	T +1 310 823 9358	F +1 310 823 8649
Brussels	6 Rond Point Schuman, Bt. 5	B-1040 Brussels	BELGIUM	T +32 2 234 7870	F +32 2 234 7848
Sydney	Level 2, 48 Hunter Street	Sydney NSW 2000	AUSTRALIA	T +61 2 8236 7900	F +61 2 8236 7913



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not valid because the underlying complaint was incorrectly categorized and that payment for delinquent accreditation fees was sent to the old ICANN address.

Due to the claimed transmission error by Pacnames, ICANN extends the cure period to 29 August 2012 for Pacnames to:

- Pay all past due accreditation fees in the amount of \$5,682.51.

If Pacnames fails to timely cure this breach, ICANN may commence the termination process.

ICANN urges Pacnames to timely respond to all future compliance communications to avoid unnecessary escalated compliance action.

If you have questions or require assistance, please contact Stacy Burnette at [stacy.burnette@icann.org](mailto:stacy.burnette@icann.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Maguy Serad".

Maguy Serad  
Senior Director, Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary  
Stacy Burnette, Director, Contractual Compliance

Enclosure: Customer Statement



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## ATTACHMENT

### 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. Pacnames currently owes ICANN \$5,682.51 in past due accreditation fees, in breach of Section 3.9 of the RAA. Please see the attached customer statement for details.



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Below is a chronology of correspondence and other ICANN attempts to contact Pacnames to date:

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
3-Jun-12	8-Jun-12	ICANN sent first compliance notice via e-mail to <a href="mailto:kim.story@pacnames.com">kim.story@pacnames.com</a> regarding domain name <sharpresolutions.com>. No response received.
20-Jun-12	27-Jun-12	ICANN sent second compliance notice via e-mail to <a href="mailto:support@pacnames.com">support@pacnames.com</a> regarding domain name <sharpresolutions.com>. No response received.
6-Jul-12	N/A	ICANN attempted to contact registrar via telephone at 1 303 302 1400. Left a voice message.
6-Jul-12	13-Jul-12	ICANN sent third compliance notice via e-mail to <a href="mailto:support@pacnames.com">support@pacnames.com</a> regarding domain name <sharpresolutions.com>. No response received.
6-Jul-12	N/A	ICANN sent third notice to registrar via facsimile at 1 303 278 8809. Fax was successfully transmitted.
16-Jul-12	N/A	ICANN attempted to contact registrar via telephone at 1 303 302 1400 and 64 9 353 1480. Left voice messages.
16-Aug-12	N/A	Received response from registrar stating that the complaint regarding the domain name <sharpresolutions.com> was incorrectly categorized, the breach regarding the link to Registrant Rights and Responsibilities was cured and payment was sent to the wrong address.



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<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
24-Aug-12	N/A	No payment received from registrar.