

28 April 2022

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

[REDACTED]
Intracom Middle East FZE (IANA #1875)
[REDACTED]

Emails: [REDACTED]
Fax: [REDACTED]

Dear [REDACTED]:

Please be advised that as of 28 April 2022, Intracom Middle East FZE (“Intracom” or “Registrar”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 31 July 2019 (“RAA”).

This breach results from:

1. Intracom’s failure to escrow generic top-level domain (gTLD) registration data, as required by Section 3.6 of the RAA.
2. Intracom’s failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches.

Additional Concerns

During the complaint process, ICANN Contractual Compliance staff has noticed that some of Intracom’s contact details on file with ICANN may not be accurate.

Moreover, due to Intracom’s failure to follow through on responses to inquiries through the compliance ticket WFM-224-42163, ICANN is unable to currently confirm whether Intracom has implemented a Registration Data Access Protocol (“RDAP”) service as required by the Registration Data Directory Service (Whois) Specification of the RAA and the Interim Registration Data Policy for gTLDs (requiring Intracom to continue to implement measures consistent with the Temporary Specification for gTLD Registration Data).

ICANN requests that Intracom cure these breaches by 19 May 2022, 21 days from the date of this letter, by taking the following actions:

1. Deposit gTLD registration data on a weekly basis to an approved escrow agent and ensure that the deposits meet the required specifications.
2. Pay all past and currently due accreditation fees.
3. Provide ICANN with evidence of having implemented an RDAP service and register your registrar's RDAP Base URL through the Naming Services portal (NSp).
4. Provide ICANN with the corrective and preventative action(s) that Intracom will take, with implementation date(s), to (a) address its pattern of untimely responses to ICANN Contractual Compliance matters; and (b) to ensure it has provided ICANN with accurate and current contact information as well as with the location of any applicable information published on the Registrar's website.

If Intracom fails to timely cure the breaches and provide the information requested by 19 May 2022, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Leticia Castillo at [REDACTED].

Sincerely,

[SIGNATURE REDACTED]

Jamie Hedlund
Senior Vice President, Contractual Compliance & U.S. Government Engagement

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit an electronic copy of the data described in Sections 3.4.1.2 through 3.4.1.5 of the RAA to ICANN or, at the registrar's expense, to a reputable escrow agent mutually approved by the registrar and ICANN. Registrars shall submit the data on a schedule, under the terms, and in a format specified by ICANN. Intracom's failure to make weekly deposits is a breach of Section 3.6 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. Intracom owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

CHRONOLOGY

In the 1st, 2nd and 3rd compliance notices detailed in the chronology below, ICANN notified Intracom of the violations associated with the case, including the relevant ICANN agreement. All telephone call details below described further attempts from ICANN to communicate to the Registrar the details of the case and to make an ICANN Contractual Compliance staff member available to address any questions in order to assist Intracom in becoming compliant. All these attempts were unsuccessful.

Chronology (Case# 01105397)

Date of Notice	Deadline for Response	Details
9-Nov-2021 22-Nov-2021 6-Jan-2022	N/A	ICANN sent detailed customer statements to Intracom Middle East FZE regarding past due fees.
2-Feb-2022	N/A	Intracom Middle East FZE's past due fees were referred to ICANN Contractual Compliance.
10-Feb-2022	17-Feb-2022	ICANN sent 1st compliance notice via email to [EMAIL REDACTED] and [EMAIL REDACTED]. No response received from the Registrar.
22-Feb-2022	1-Mar-2022	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED] and [EMAIL REDACTED]. No response received from the Registrar.
8-Mar-2022	N/A	ICANN called Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail. ICANN called Primary Contact at [TELEPHONE REDACTED] and provided Primary Contact with complaint details.

Date of Notice	Deadline for Response	Details
10-Mar-2022	17-Mar-2022	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED], [EMAIL REDACTED], [EMAIL REDACTED] and [EMAIL REDACTED].
10-Mar-2022	N/A	ICANN sent 3rd compliance notice via fax to [FAX REDACTED]. Fax unsuccessful.
10-Mar-2022	N/A	Email from the Registrar ([EMAIL REDACTED]) insufficient to demonstrate compliance.
15-Mar-2022	17-Mar-2022	ICANN sent follow-up compliance notice via email to [EMAIL REDACTED], [EMAIL REDACTED] and [EMAIL REDACTED]. No response received from the Registrar.
21-Mar-2022	N/A	ICANN called Primary Contact at [TELEPHONE REDACTED] No answer and no ability to leave a voicemail. ICANN called Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail.
26-Apr-2022	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
28-Apr-2022	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation, and the issue remains unresolved.