

22 September 2023

TRANSMITTED VIA ELECTRONIC MAIL AND COURIER

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

[REDACTED]  
GKG.NET, INC. (IANA #93)  
[REDACTED]

Emails: [REDACTED]  
Fax: [REDACTED]

Dear [REDACTED]:

Please be advised that as of 22 September 2023, GKG.NET, INC. (“GKG.NET” or “Registrar”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 28 July 2020 (“RAA”).

This breach results from:

1. GKG.NET’s failure to comply with the Uniform Domain-Name Dispute-Resolution Policy (“UDRP”) and the Rules for Uniform Domain-Name Dispute-Resolution Policy (the “Rules”), as required by Section 3.8 of the RAA;
2. GKG.NET’s failure to, upon reasonable notice, provide to ICANN records related to the receipt of and response to abuse reports, as required by Section 3.18.3 of the RAA; and
3. GKG.NET’s failure to pay past due accreditation fees, as required by Section 3.9 of the RAA.

Please refer to the attachment for details regarding this Notice of Breach.

Additional Concerns

ICANN notes that during the complaint process: a) GKG.NET routinely does not respond to ICANN inquiries and notices, or if GKG.NET responds, its responses are often untimely and incomplete; b) ICANN Contractual Compliance is not able to contact GKG.NET via telephone during the Registrar’s business hours. Further, the telephone number of the Primary Contact on file with ICANN appears to be inaccurate.

GKG.NET has additionally failed to respond to ICANN's multiple requests in the compliance case 01141415. Due to GKG.NET's failure to provide the information, data and records ICANN requested under 3.4.3 of the RAA for these cases, ICANN has been able to assess GKG.NET's compliance with the applicable requirements in the RAA and the Expired Domain Deletion Policy ("EDDP").

ICANN requests that GKG.NET cure these breaches by 13 October 2023, 21 days from the date of this letter, by taking the following actions:

1. Concerning the World Intellectual Property Organization ("WIPO") UDRP Administrative Panel's decision Case No. D2023-1910 ("Decision"):
  - a. Implement the Decision in the terms prescribed by Paragraph 4(k) of the UDRP, provide evidence that this has been done and that the UDRP Complainant has been assisted.
  - b. Provide copies of the correspondence in which GKG.NET communicated to ICANN, the Provider and the Parties the date for the implementation of the Decision, as required by Paragraph 16(a) of the Rules; and
  - c. Explain the reasons why the Decision was ultimately not timely implemented, and provide the specific measures, with implementation date(s), taken by the Registrar to prevent this instance of noncompliance from recurring.
2. Provide all records related to GKG.NET's receipt of and response to the abuse reports the reporter [REDACTED] ([EMAIL REDACTED]) filed with the Registrar involving the domain names canadianpharmstore[.]net, usapharmacymall[.]com, good-pills[.]com, and 1-pharm[.]com.
3. Provide ICANN with a completed Registrar Information Specification ("RIS") form, including accurate and current information, the required supporting documentation and the location of any applicable information published on GKG.NET's website, as required by Section 3.17 of the RAA.
4. Concerning the domain names texaslawnworks[.]com and workhorsebookkeeping[.]com, please provide:
  - a. The name of the persons or entities that entered into a registration agreement with GKG.NET and evidence of the execution of such agreements between the Registrar and the Registered Name Holders (RNHs).
  - b. Evidence that the RNHs in number 4.a. above consented to renew the domain names.
  - c. Absent the evidence in 4.b. above, provide:
    - i. An explanation of the applicable provision(s) of GKG.NET's registration agreement or policy that permitted the renewal for the domain names; and

- ii. If applicable, an explanation of the extenuating circumstances as contemplated in Section 3.7.5.1 of the RAA and Expired Domain Deletion Policy (“EDDP”) that applied in the case of renewal of the domain names.
  - d. The link to GKG.NET’s domain deletion and auto-renewal policy which must include the expected time at which a non-renewed domain name would be deleted relative to the domain’s expiration date, or a date range not to exceed ten (10) days in length.
5. Provide ICANN with the corrective and preventative action(s) that GKG.NET will take, with implementation date(s), to address its pattern of untimely, incomplete and non-response to ICANN Contractual Compliance matters.

If GKG.NET fails to timely cure the breaches and provide the information requested by 13 October 2023, ICANN may commence the RAA termination process.

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

Sincerely,

[SIGNATURE REDACTED]

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

Cc: John O. Jeffrey, General Counsel and Secretary

## ATTACHMENT

### Failure to comply with the UDRP and UDRP Rules

Section 3.8 RAA requires registrars to comply with the UDRP. Paragraph 4(k) of the UDRP mandates that registrars implement UDRP decisions within ten (10) business days of having being informed by the applicable Provider, unless the relevant registrar received from the Respondent official documentation that the Respondent commenced a lawsuit against the Complainant in a jurisdiction to which the Complainant has submitted under Paragraph 3(b)(xiii) of the UDRP Rules. GKG.NET's failure to (1) timely implement the Decision rendered in WIPO Case No. D2023-1910; or (2) provide evidence of having received official documentation with respect to the commencement of a lawsuit, is a breach of Section 3.8 of the RAA.

### Failure to provide records related to the receipt of and response to abuse reports

Section 3.18.3 of the RAA require registrars to document the receipt of and response to all abuse reports. Further, registrars shall maintain the records related to such reports for the shorter of two (2) years or the longest period permitted by applicable law, and during such period, shall provide such records to ICANN upon reasonable notice. GKG.NET's failure to provide ICANN with the records related to abuse reports involving the domain names canadianpharmstore[.]net, usapharmacymall[.]com, good-pills[.]com, and 1-pharm[.]com, despite multiple requests, 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. GKG.NET owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA.

## CHRONOLOGIES

In the 1st, 2nd, 3rd and follow-up compliance inquiries and notices detailed in the corresponding chronologies below, ICANN notified GKG.NET of the violations associated with the cases, including the relevant ICANN policies and agreements. Each communication requested the evidence, information and actions needed from the Registrar to become compliant. All inquiries/notices subsequent to each 1st inquiry/notice constituted an additional attempt by ICANN to obtain evidence of compliance from the Registrar. All telephone call details below described further attempts from ICANN to communicate to the Registrar the details of the cases and to make an ICANN Contractual Compliance staff member available to address any questions in order to assist GKG.NET in becoming compliant. All these attempts were unsuccessful.

**Chronology (Case#01245260):**

Date of Notice	Deadline for Response	Details
23-Aug-2023	30-Aug-2023	ICANN sent 1st compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
31-Aug-2023	7-Sep-2023	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
8-Sep-2023	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and left a voicemail with complaint details.
12-Sep-2023	19-Sep-2023	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
12-Sep-2023	N/A	ICANN sent 3rd compliance notice via fax to [FAX REDACTED]. Fax successful.
18-Sep-2023	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and left a voicemail with complaint details.
20-Sep-2023	N/A	Upon the Registrar's request, submitted externally of the compliance process, ICANN re-sent 1st, 2nd and 3rd compliance notices via email to [EMAIL REDACTED]. No response received from the Registrar.
21-Sep-2023	N/A	ICANN conducted compliance checks to determine other areas of noncompliance.
22-Sep-2023	N/A	To date, the Registrar has not responded to ICANN, and the issue remains unresolved.

**Chronology (Case#01202564):**

Date of Notice	Deadline for Response	Details
6-Mar-2023	13-Mar-2023	ICANN sent 1st compliance inquiry via email to [EMAIL REDACTED]. No response received from the Registrar.
17-Mar-2023	24-Mar-2023	ICANN sent 2nd compliance inquiry via email to [EMAIL REDACTED].
18-Mar-2023	N/A	Email from the Registrar (EMAIL REDACTED) insufficient to demonstrate compliance.
30-Mar-2023	6-Apr-2023	ICANN sent follow-up compliance inquiry via email to [EMAIL REDACTED]. No response received from the Registrar.
13-Jun-2023	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no ability to leave a voicemail.

Date of Notice	Deadline for Response	Details
14-Jun-2023	21-Jun-2023	ICANN sent 3rd compliance inquiry via email to [EMAIL REDACTED]. No response received from the Registrar.
14-Jun-2023	N/A	ICANN sent 3rd compliance inquiry via fax to [FAX REDACTED]. Fax successful.
17-Jul-2023	24-Jul-2023	ICANN sent 1st compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
27-Jul-2023	3-Aug-2023	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
9-Aug-2023	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and left voicemail with complaint details. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and left voicemail with complaint details.
10-Aug-2023	17-Aug-2023	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
10-Aug-2023	N/A	ICANN sent 3rd compliance notice via fax to [FAX REDACTED]. Fax successful.
22-Aug-2023	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and left voicemail with complaint details.
11-Sep-2023	18-Sep-2023	ICANN sent follow-up compliance notice via email to [EMAIL REDACTED] and [EMAIL REDACTED]. No response received from the Registrar.
20-Sep-2023	N/A	Upon the Registrar's request, submitted externally of the compliance process, ICANN re-sent 1st, 2nd and 3rd compliance notices via email to [EMAIL REDACTED]. No response received from the Registrar.
21-Sep-2023	N/A	ICANN conducted compliance checks to determine other areas of noncompliance.
22-Sep-2023	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation, and the issue remains unresolved.

#### Chronology (Case# 01115361):

Date of Notice	Deadline for Response	Details
9-Feb-2022 22-Feb-2022 7-Mar-2022	N/A	ICANN sent detailed customer statements to GKG.NET regarding past due fees.

Date of Notice	Deadline for Response	Details
10-Mar-2022	N/A	GKG.NET's past due fees were referred to ICANN Contractual Compliance.
15-Mar-2022	22-Mar-2022	ICANN sent 1st compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
28-Mar-2022	4-Apr-2022	ICANN sent 2nd compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
5-Apr-2022	12-Apr-22	ICANN sent 3rd compliance notice via email to [EMAIL REDACTED].
5-Apr-2022	N/A	ICANN sent 3rd compliance notice via fax to [FAX REDACTED]. Fax successful.
5-Apr-2022	N/A	Email from the Registrar (EMAIL REDACTED) insufficient to demonstrate compliance.
31-May-2022	7-Jun-2022	ICANN sent follow-up compliance notice via email to [EMAIL REDACTED]. No response received from the Registrar.
1-Jun-2022	N/A	ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED]. No answer and no voicemail was left. ICANN called Compliance and Primary Contact at [TELEPHONE REDACTED] and left voicemail with complaint details.
20-Sep-2023	N/A	Upon the Registrar's request, submitted externally of the compliance process, ICANN re-sent 1st, 2nd and 3rd compliance notices via email to [EMAIL REDACTED]. No response received from the Registrar.
21-Sep-2023	N/A	ICANN conducted compliance checks to determine other areas of noncompliance.
22-Sep-2023	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation, and the issue remains unresolved.