



26 July 2018

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Gianluca Pellegrini
Tuonome.it Srl d/b/a APIsrs.com (IANA #380)
Via della Lama 33 1-51013
Chiesina Uzzanese (PT)
Italy

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Fax: +39.0572411508

Dear Gianluca Pellegrini,

Please be advised that as of 26 July 2018, Tuonome.it Srl d/b/a APIsrs.com (“APIsrs.com”) is in breach of its 2013 Registrar Accreditation Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 26 October 2016 (“RAA”). This breach results from:

1. APIsrs.com’s failure to publish its correspondence address on its website, as required by Section 3.17 and Section 7 of the Registrar Information Specification (“RIS”) of the RAA;
2. APIsrs.com’s failure to publish the full name and position of all officers of the registrar on its website, as required by Section 3.17 of the RAA and Section 17 of the RIS of the RAA;
3. APIsrs.com’s failure to publish an email address to receive abuse reports on the home page of its website, as required by Section 3.18.1 of the RAA; and
4. APIsrs.com’s failure to publish on its website a description of its procedures for the receipt, handling and tracking of abuse reports, as required by Section 3.18.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

In addition, APIsrs.com has been deemed noncompliant in the following areas:

1. APIsrs.com’s failure to provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by APIsrs.com for each top-level domain (“TLD”) in which it is accredited, as required by Section 3.3.1 of the RAA; and

2. APISrs.com's failure to provide domain name data in the specified response format, as required by Sections 1.4-1.5 of the Registration Data Directory Service (Whois) Specification of the RAA ("Whois Specification"), the Advisory: Clarifications to the Registry and Registrar Requirements for WHOIS (port 43) and Web-Based Directory Services ("Clarifications") and the Additional Whois Information Policy ("AWIP").

Additional Concerns

APISrs.com has previously remediated its prior pattern of incomplete and non-response to ICANN Contractual Compliance matters.

ICANN requests that APISrs.com cure these breaches by 16 August 2018, 21 days from the date of this letter, by taking the following actions:

1. Publish on APISrs.com's website the correspondence address of APISrs.com, as specified in the RIS or, update APISrs.com's RIS form to reflect the correspondence address published on APISrs.com's website;
2. Publish on APISrs.com's website the full name and position of all officers of APISrs.com, as specified in the RIS;
3. Publish an email address to receive abuse reports on the home page of APISrs.com's website;
4. Publish a description of APISrs.com's procedures for the receipt, handling and tracking of abuse reports on APISrs.com's website;
5. Provide an interactive webpage Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by APISrs.com for each TLD in which it is accredited;
6. Display domain name data in the specified response format, as required by Sections 1.4-1.5 of the Whois Specification, Clarifications and AWIP; and
7. Provide ICANN with the corrective and preventative action(s) that APISrs.com will take, with implementation date(s), to ensure:
 - a. timely and complete response to ICANN Contractual Compliance matters; and
 - b. APISrs.com will remain in compliance for previously remediated areas of noncompliance.

If APISrs.com fails to timely cure the breaches and provide the information requested by 16 August 2018, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Jennifer Scott at jennifer.scott@icann.org.

Sincerely,



Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to publish registrar's correspondence address on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. APIsrs.com's failure to publish its RIS correspondence address on its website is a breach of Section 3.17 of the RAA and Section 7 of the RIS.

Failure to publish the full name and position of all officers on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. APIsrs.com's failure to publish the full name and position of all of its officers on its website is a breach of Section 3.17 of the RAA and Section 17 of the RIS.

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. APIsrs.com'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. APIsrs.com'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 provide an interactive webpage Whois service

Section 3.3.1 of the RAA requires registrars to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by the registrar. APIsrs.com's failure to provide an interactive webpage Whois service concerning all active registered names sponsored by the registrar is a breach of Section 3.3.1 of the RAA.

Failure to display required Whois format

Sections 1.4-1.5 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format for Whois query responses and conform to the mappings specified in EPP RFCs 5730-5734 (or its successors), among other things. 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 AWIP. Section 4.1 of the RAA requires registrars to comply with and implement all Consensus Policies and Temporary Policies, including the AWIP. APISrs.com's failure to display Whois data in the specified format is a breach of Sections 1.4-1.5 of the Whois Specification of the RAA, Clarifications and AWIP.

Chronology:

Date of Notice	Deadline for Response	Details
7-Jun-2018	14-Jun-2018	ICANN sent 1st compliance inquiry via email to gp@tuonomegroup.com . No response received from Registrar.
18-Jun-2018	25-Jun-2018	ICANN sent 2nd compliance inquiry via email to gp@tuonomegroup.com . No response received from Registrar.
20-Jun-2018	N/A	ICANN called Primary Contact at +39.0572411505 and provided Registrar Representative with complaint details.
27-Jun-2018	4-Jul-2018	ICANN sent 3rd compliance inquiry via email to gp@tuonomegroup.com . No response received from Registrar.
27-Jun-2018	N/A	ICANN sent 3rd compliance inquiry via fax to +39.0572411508. Fax unsuccessful.
29-Jun-2018	N/A	ICANN called Primary Contact at +39.0572411505. No answer and no ability to leave voicemail.
11-Jul-2018	N/A	ICANN called Primary Contact at +39.0572411505 and provided Registrar Representative with complaint details.
11-Jul-2018	18-Jul-2018	ICANN sent Escalated compliance notice via email to gp@tuonomegroup.com , dns@tuonomegroup.com , legal@tuonomegroup.com and marcella@tuonomegroup.com .
11-Jul-2018	N/A	Email from Registrar (gp@tuonomegroup.com) requesting extension and insufficient to demonstrate compliance.
11-Jul-2018	23-Jul-2018	ICANN sent an amended Escalated compliance notice via email to gp@tuonomegroup.com , dns@tuonomegroup.com , legal@tuonomegroup.com and marcella@tuonomegroup.com . No response received from Registrar.
12-Jul-2018	N/A	ICANN sent Escalated compliance notice via fax to +39.0572411508. Fax unsuccessful.
16-Jul-2018	N/A	ICANN called Primary Contact at +39.0572411505. No answer and no ability to leave a voicemail.
17-Jul-2018	N/A	ICANN called Primary Contact at +39.0572411505 and provided Registrar Representative with complaint details.
25-Jul-2018	N/A	ICANN conducted compliance check to determine other areas of noncompliance.

Date of Notice	Deadline for Response	Details
26-Jul-2018	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.