



The Internet Corporation for Assigned Names and Numbers

22 November 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Kazuko Fukunaga  
21Company, Inc. dba 21-domain.com (IANA ID# 897)  
9-9-13 Nishihara, Asaminami-ku  
Hiroshima 731-0113  
Japan

E-mail: [info@21-domain.com](mailto:info@21-domain.com)  
Fax Number: +81 8 2832 5539

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

Dear Ms. Fukunaga,

Please be advised that as of 22 November 2013, 21Company, Inc. dba 21-domain.com (“21Company”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 1 March 2010 (“RAA”). These breaches result from 21Company’s failure to timely respond to ICANN’s Contractual Compliance Audit Program (“Audit”) notices, specifically:

1. Failure to provide documents and information as required by the terms of Section 3.14; and
2. Failure to maintain records relating to 21Company’s dealings with Registry Operator(s) and Registered Name Holders and to make such records available to ICANN for inspection, pursuant to Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.



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ICANN requests that 21Company cure the breaches by 17 December 2013, 15 working days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase, by:
  - a. Contacting [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
  - b. Completing the RFI and providing all supporting documentation through the Site.

If 21Company fails to timely cure the breaches and provide the information requested, ICANN may commence the termination process.

If you have questions or require assistance, please contact Owen Smigelski at [owen.smigelski@icann.org](mailto:owen.smigelski@icann.org).

Sincerely,

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

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



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## ATTACHMENT

### Failure to Provide Documents and Information for Audit and to Make Records Relating to Registered Name Holders Available to ICANN

Section 3.14 of the RAA requires 21Company, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by 21Company necessary to demonstrate compliance with the terms of this Agreement. Section 3.4.2 of the RAA requires 21Company to maintain registration data and records relating to its dealings with Registered Name Holders and with the Registry Operator(s) for every domain name under 21Company's management. Section 3.4.3 of the RAA requires 21Company to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 1 October 2013 ICANN sent 21Company three notices regarding the requirements of ICANN's Audit Program. To date, 21Company has logged into the Site, but has not completed and submitted the RFI and has not provided the supporting documentation.

#### Chronology:

| Date of Notice | Deadline for Response | Details  |
|----------------|-----------------------|--|
| 1 Oct 2013     | N/A                   | ICANN sent all Registrars and Registries a Pre-Audit Notification Letter with Dates of future Notifications. This letter was immediately published on icann.org                          |
| 14 Oct 2013    | 4 Nov 2013            | ICANN sent 1 <sup>st</sup> Notice via email to <a href="mailto:info@21-domain.com">info@21-domain.com</a> . In addition, the notice was faxed to: +81 8 2832 5539. No response received. |
| 4 Nov 2013     | 10 Nov 2013           | ICANN sent 2 <sup>nd</sup> Notice via email to <a href="mailto:info@21-domain.com">info@21-domain.com</a> . In addition, the notice was faxed to: +81 8 2832 5539                        |
| 6 Nov 2013     | N/A                   | ICANN received a response from Registrar indicating that Registrar was able to login successfully.   |



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| Date of Notice | Deadline for Response | Details   |
|----------------|-----------------------|---|
| 7 Nov 2013     | N/A                   | ICANN received a response from Registrar asking for clarification. ICANN responded with clarifying information.   |
| 10 Nov 2013    | N/A                   | Registrar responded via email, indicating that it will respond within a few days.   |
| 11 Nov 2013    | N/A                   | Registrar responded to ICANN via email stating that the sample audit domains were not registered with it.   |
| 11 Nov 2013    | 18 Nov 2013           | ICANN sent 3 <sup>rd</sup> (FINAL) Notice via email to <a href="mailto:info@21-domain.com">info@21-domain.com</a> . In addition, the notice was faxed to: +81 8 2832 5539   |
| 12 Nov 2013    | N/A                   | Registrar responded stating that all of the domains were not registered with it. ICANN responded that all domains in the 1 <sup>st</sup> Notice were registered with Registrar in September 2013, and provided Registrar with instructions on login and uploading documentation. Registrar did not upload the proper documentation. |
| 14 Nov 2013    | N/A                   | ICANN again sent Registrar a list of domains, requesting documentation and records concerning registration and payment information.   |
| 17 Nov 2013    | N/A                   | Registrar responded that it did not have such documentation.  |
| 18 Nov 2013    | N/A                   | ICANN again asked for registration and payment information for domains registered with Registrar in September 2013. Registrar responded that it did not have such documentation.  |



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| <b>Date of Notice</b> | <b>Deadline for Response</b> | <b>Details</b>   |
|-----------------------|------------------------------|--|
| 19 Nov 2013           | N/A                          | To date, Registrar has not provided the requested documentation. |