



The Internet Corporation for Assigned Names and Numbers

22 November 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Robert McGowan  
ABSYSYSTEMS INC dba yournamemonkey.com (IANA ID# 1261)  
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Makati City 1200  
Philippines

Email: [icann@yournamemonkey.com](mailto:icann@yournamemonkey.com)  
Fax: +1 646-218-0956

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

Dear Mr. McGowan,

Please be advised that as of 22 November 2013, ABSYSYSTEMS INC dba yournamemonkey.com (“ABSYSYSTEMS”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 18 July 2011 (“RAA”). These breaches result from:

1. ABSYSYSTEMS’ failure to timely respond to ICANN’s Contractual Compliance Audit Program (“Audit”) notices, specifically:
  - a. Failure to provide documents and information as required by the terms of Section 3.14; and
  - b. Failure to maintain records relating to ABSYSYSTEMS’ 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.

Los Angeles  
Offices:

12025 Waterfront Drive, Suite 300  
Beijing • Brussels •

Los Angeles, CA 90094 USA  
Istanbul • Montevideo •

T +1 310 301 5800  
• Singapore •

F +1 310 823-8649  
• Washington

<http://icann.org>



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### Other Considerations

On 11 November 2013, ICANN attempted to call your registrar's primary contact's telephone number in RADAR but the number was disconnected.

ICANN requests that ABSYSYSTEMS 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.
  
2. A primary contact update form duly completed and signed.

If ABSYSYSTEMS 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 "M 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 ABSYSYSTEMS, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by ABSYSYSTEMS necessary to demonstrate compliance with the terms of this Agreement. Section 3.4.2 of the RAA requires ABSYSYSTEMS 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 ABSYSYSTEMS' management. Section 3.4.3 of the RAA requires ABSYSYSTEMS to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 1 October 2013 ICANN sent ABSYSYSTEMS three notices regarding the requirements of ICANN's Audit Program. To date, ABSYSYSTEMS has not responded to any Audit Program communication and has not contacted ICANN regarding the Audit Program.

#### 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:icann@yournamemonkey.com">icann@yournamemonkey.com</a> . In addition, the notice was faxed to: +1 646-218-0956. No response received. |
| 4 Nov 2013     | 10 Nov 2013           | ICANN sent 2 <sup>nd</sup> Notice via email to <a href="mailto:icann@yournamemonkey.com">icann@yournamemonkey.com</a> . In addition, the notice was faxed to: +1 646-218-0956. No response received. |



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| <b>Date of Notice</b>        | <b>Deadline for Response</b> | <b>Details</b>   |
|------------------------------|------------------------------|--|
| 11 Nov 2013                  | 18 Nov 2013                  | ICANN sent 3 <sup>rd</sup> (FINAL) Notice via email to <a href="mailto:icann@yournamemonkey.com">icann@yournamemonkey.com</a> . In addition, the notice was faxed to: +1 646-218-0956. No response received. |
| 11 Nov 2013                  | N/A                          | ICANN attempted to call Registrar at +1 218-331-2638 but was neither able to reach them nor leave a message, as the number was disconnected.   |
| <b>Other:</b><br>18 Nov 2013 | N/A                          | ICANN notes that registrar never logged on within compliance.icann.org tool.   |