

# The Internet Corporation for Assigned Names and Numbers

8 May 2014

## TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Andreas Paumann Globedom Datenkommunikations GmbH, d/b/a Globedom (IANA # 276) Puchsbaumplatz 2/7-8 Vienna 1100 Austria

Email: office@globedom.com Fax Number: +43 1 3249686

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

Dear Mr. Paumann,

Please be advised that as of 8 May 2014, Globedom Datenkommunikations GmbH, d/b/a Globedom ("Globedom") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 10 October 2010 ("RAA"). These breaches result from:

- 1. Globedom's failure to timely respond to ICANN Contractual Compliance Audit Program ("Audit") notices, specifically:
  - a. Failure to provide documents and information as required by the terms of Section 3.14 of the RAA; and
  - b. Failure to maintain records relating to Globedom'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 Globedom cure the breaches by 30 May 2014, 15 working days from the date of this letter, by taking the following actions:

- 1. Complete the Audit Remediation Phase, by:
  - Emailing the outstanding documentation identified in the audit report to complianceaudit@icann.org; or
  - b. Emailing <u>complianceaudit@icann.org</u> to receive your registrar's login credentials for the ICANN Compliance Site ("Site") and uploading the outstanding documents identified in the audit report to the Site.

If Globedom fails to timely cure the breaches and provide the information requested by 30 May 2014, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Owen Smigelski at owen.smigelski@icann.org.

Sincerely,

Maguy Serad Vice President

**Contractual Compliance** 

Cc: John O. Jeffrey, General Counsel and Secretary



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#### **ATTACHMENT**

<u>Failure to Provide Documents and Information for Audit and to Make Records Relating to Registered</u>
Name Holders Available to ICANN

Section 3.14 of the RAA requires Globedom, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by Globedom necessary to demonstrate compliance with the terms of this Agreement. Section 3.4.2 of the RAA requires Globedom 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 Globedom's management. Section 3.4.3 of the RAA requires Globedom to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 18 March 2014, ICANN sent Globedom three notices regarding the requirements of ICANN's Audit Program. To date, Globedom has not provided any information or records requested by ICANN, despite ICANN having contacted the Primary Contact multiple times.

### **Chronology:**

Date of Notice	Deadline for Response	Details
18-Mar-2014	7-Apr-2014	ICANN sent 1st compliance notice via email to <a href="mailto:office@globedom.com">office@globedom.com</a> . No response received from Registrar.
28-Mar-2014	N/A	ICANN sent a follow-up notice to Registrar restating the due date of 1st compliance notice.
1-Apr-2014	N/A	Email from Registrar (daniel@globedom.com) requesting an extension until 1 May 2014.
1-Apr-2014	N/A	ICANN sent a follow-up notice to <a href="mailto:daniel@globedom.com">daniel@globedom.com</a> clarifying the 1-2-3 process and indicating that the 3rd compliance notice due date will be 21 Apr 2014.



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Date of Notice	Deadline for Response	Details
8-Apr-2014	14-Apr-2014	ICANN sent 2nd Notice via email to <a href="mailto:office@globedom.com">office@globedom.com</a> .  No response received from Registrar.
15-Apr-2014	21-Apr-2014	ICANN sent 3rd compliance notice via email to <a href="mailto:office@globedom.com">office@globedom.com</a> . No response received from Registrar.
21-Apr-2014	N/A	ICANN sent a follow-up notice to daniel@globedom.com.
2-May-2014	N/A	Email from Registrar's Primary Contact requesting login credentials to the Site.
5-May-2014	7-May-2014	ICANN sent login credential for the Site to <a href="mailto:office@globedom.com">office@globedom.com</a> and requested Registrar to provide the documentation by 7 May 2014.
8-May-2014	N/A	No response received from Registrar.