

## The Internet Corporation for Assigned Names and Numbers

15 January 2015

## TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Ian Dukes WebZero, Inc. (IANA #960) 109 East 17th Street, #25 Cheyenne WY 82001 **United States** 

Email: registrar@webzero.com

Fax: +1 213-221-3299

#### **RE: NOTICE OF TERMINATION OF ACCREDITATION AGREEMENT**

Dear Mr. Dukes,

Please be advised that as of 15 January 2015, WebZero, Inc. ("WebZero") Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 27 July 2010 ("RAA") is terminated pursuant to Section 5.3.4 of the RAA. The termination shall become effective 13 February 2015, 29 calendar days from the date of this notice.

The termination is due to WebZero's failure to timely cure the breaches by 26 December 2014 as set forth in ICANN's notice of breach of RAA dated 4 December 2014. As of 15 January 2015, the following breaches remain:

- 1. WebZero's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:
  - a. Failure to provide documents and information, as required by Section 3.14 of the RAA; and
  - b. Failure to maintain and make available to ICANN registration data and records available upon request by ICANN, as required by Sections 3.4.2 and 3.4.3 of the RAA.

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- 2. WebZero's failure 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 WebZero for each top-level domain ("TLD") in which it is accredited, pursuant to Section 3.3.1 of the RAA; and
- 3. WebZero's failure to timely pay past due accreditation fees in the amount of \$1,000.00, as required by Section 3.9 of the RAA.

Please see the chronology below for additional details.

WebZero is further advised that the logo license granted in the Logo License Appendix to the RAA is revoked as of 13 February 2015. Please remove all ICANN trademarks, name and logo from WebZero's website and business materials that have been licensed to WebZero under the terms of that specification by 13 February 2015.

### **Domain Name Transition Process**

To protect domain name registrants, ICANN will commence the domain name transition process and will solicit bids for a qualified ICANN-accredited registrar to manage the domain names currently managed by WebZero.

ICANN will follow the <u>De-Accredited Registrar Transition Procedure</u> ("Procedure"). Consistent with the Procedure, please designate a bulk transfer recipient by 21 January 2015 and inform ICANN's Registrar Liaison Team at <u>RegTransition@icann.org</u>.

ICANN reserves all its rights under the RAA. Please note the rights and obligations required to have effect after the expiration of the RAA, including but not limited to Sections 3.4 Retention of Registered Name Holder and Registration Data, 3.9 Accreditation Fees, 5.6 Resolution of Disputes Under this Agreement and 5.7 limitations on Monetary Remedies for Violations of this Agreement.

WebZero has past due accreditation fees in the amount of \$1,308.30. These fees are required to be paid to ICANN by Section 3.9 of the RAA. Please immediately submit payment to ICANN accounting.



If you have questions or require assistance, please contact Owen Smigelski at <a href="mailto:owen.smigelski@icann.org">owen.smigelski@icann.org</a>.

Sincerely,

Maguy Serad Vice President

**Contractual Compliance** 

Cc: John O. Jeffrey, General Counsel and Secretary



# Chronology:

Date of Notice	Deadline for Response	Details
6-Oct-2014	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.
20-Oct-2014	11-Nov-2014	ICANN sent 1st notice via email to registrar@webzero.com. No response received from Registrar.
20-Oct-2014	N/A	ICANN sent 1st notice via fax to +1 213-221-3299. Fax successful.
11-Nov-2014	18-Nov-2014	ICANN sent 2nd notice via email to registrar@webzero.com. No response received from Registrar.
11-Nov-2014	N/A	ICANN sent 2nd notice via fax to +1 213-221-3299. Fax successful.
11-Nov-2014	N/A	ICANN called Primary Contact at +1 213-221-3200 and left message with instructions to contact ICANN. No response received from Registrar.
18-Nov-2014	24-Nov-2014	ICANN sent 3rd notice via email to registrar@webzero.com. No response received from Registrar.
18-Nov-2014	N/A	ICANN sent 3rd notice via fax to +1 213-221-3299. Fax successful.



Date of Notice	Deadline for Response	Details
18-Nov-2014	N/A	ICANN called Primary Contact at +1 213-221-3200 and left message with instructions to contact ICANN. No response received from Registrar.
19-Nov-2014	N/A	ICANN called Primary Contact at +1 213-221-3200 and left message with instructions to contact ICANN. No response received from Registrar.
20-Nov-2014	N/A	ICANN called Primary Contact at +1 213-221-3200 and left message with instructions to contact ICANN. No response received from Registrar.
4-Dec-2014	N/A	ICANN issues Notice of Breach to Registrar.
15-Jan-2015	N/A	No response received from Registrar, and the issues remain unresolved.