

The Internet Corporation for Assigned Names and Numbers

15 June 2015

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Dennis Miller USA Intra Corp. (IANA #1315) 2266 33rd Ave. San Francisco CA 94116 United States

Email: icann@intra.com Fax: +1 415 753 3920

RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Miller,

Please be advised that as of 11 June 2015, USA Intra Corp. ("USA Intra") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 31 August 2011 ("RAA"). These breaches result from:

- 1. USA Intra's failure to maintain current commercial general liability insurance, as required by Section 3.10 of the RAA;
- 2. USA Intra's failure to notify ICANN of a change to its contact information within thirty (30) days, as required by Section 5.11 of the RAA; and
- 3. USA Intra's failure to timely pay past due accreditation fees in the amount of \$5,324.14, as required by Section 3.9 of the RAA.

Please refer to the attachment for details regarding these breaches.



Additional Concerns

During the processing of this complaint, ICANN received information suggesting that the corporate entity for USA Intra may no longer be operational or in good standing.

ICANN requests that USA Intra cure these breaches by 6 July 2015, 15 business days from the date of this letter, by taking the following actions:

- 1. Provide ICANN with proof that USA Intra maintains commercial general liability insurance with policy limits of at least US\$500,000;
- 2. Provide ICANN with written notification of updated contact information in accordance with Section 5.11 of the RAA;
- 3. Provide ICANN with documentation that USA Intra is in good standing in its jurisdiction of incorporation and is not bankrupt or insolvent; and
- 4. Pay all past and currently due accreditation fees of \$6,552.26.

If USA Intra fails to timely cure the breaches and provide the information requested by 6 July 2015, 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



ATTACHMENT

Failure to provide evidence of required insurance coverage

Section 3.10 of the RAA requires registrars to maintain in force commercial general liability insurance with policy limits of at least US\$500,000 covering liabilities arising from a registrar's registrar business during the term of the RAA. USA Intra's failure to provide evidence that it maintains general commercial liability insurance is a breach of Section 3.10 of the RAA.

Failure to notify ICANN of changes to its contact information

Section 5.11 of the RAA requires registrars to provide written notification to ICANN within thirty (30) days of any change to its contact information. USA Intra's failure to provide ICANN with written notice of changes to its contact information, including changes to the telephone number for its Primary Contact, is a breach of Section 5.11 of the RAA.

Failure to pay accreditation fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. USA Intra owes ICANN \$5,324.14 in past due accreditation fees, in breach of Section 3.9 of the RAA. USA Intra additionally owes \$228.12 and \$1,000.00 in currently due accreditation fees, due 10 June 2015 and 14 June 2015, respectively.

Chronology:

| Date of Notice | Deadline for Response | Details |
|----------------|--------------------------|--|
| 22-May-2015 | 1-Jun-2015 | ICANN sent escalated compliance notice via email |
| | | to <u>icann@intra.com</u> . |
| 22-May-2015 | N/A | ICANN sent escalated compliance notice via fax to |
| | | +1 415 753 3920. Fax unsuccessful. |
| 26-May-2015 | N/A | Email from Registrar (icann@intra.com) insufficient to |
| | | demonstrate compliance. |
| 1-Jun-2015 | 1-Jun-2015 | ICANN sent follow-up compliance notice to |
| | | Registrar via email to <u>icann@intra.com</u> . |
| 2-Jun-2015 | N/A | Email from Registrar (icann@intra.com) insufficient to |
| | | demonstrate compliance. |



| Date of Notice | Deadline for Response | Details |
|----------------|--------------------------|---|
| 10-Jun-2015 | N/A | ICANN called Primary Contact at +1 415 753 2036. Number disconnected. |
| 15-Jun-2015 | N/A | To date, Registrar has not responded to ICANN with the requested information and past due fees remain unpaid. |