

#### The Internet Corporation for Assigned Names and Numbers

11 July 2014

### TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Arthur Protsenko Internet Service Registrar, Inc. (IANA # 823) 11325 Random Hills Rd Suite 360 Fairfax VA 22030 United States

Email: icann@artefactcorp.com

Fax: +1 703 280 1570

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

Dear Mr. Protsenko,

Please be advised that as of 11 July 2014, Internet Service Registrar, Inc.'s ("ISRegistrar") Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 13 September 2009 ("RAA") is terminated pursuant to Section 5.3.4 of the RAA. The termination shall become effective 8 August 2014, 28 days from the date of this notice.

The termination is due to ISRegistrar's failure to timely cure the breaches by 25 June 2014 as set forth in ICANN's <u>notice of breach of RAA dated 4 June 2014</u>. As of 11 July 2014, the following breaches remain:

- 1. Failure to escrow gTLD registration data, as required by Section 3.6 of the RAA;
- 2. Failure to provide an interactive web page and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active Registered Names sponsored by Registrar for each TLD in which it is accredited, as required by Section 3.3.1 of the RAA; and
- 3. Failure to timely pay past due accreditation fees in the amount of \$3,094.97, as required by Section 3.9 of the RAA.

Please see the chronology below for additional details.



ISRegistrar is further advised that the logo license Appendix to the RAA is revoked as of 8 August 2014. Please remove all ICANN trademarks, name, and logo from ISRegistrar's website and business materials that have been licensed to ISRegistrar under the terms of that Appendix by 8 August 2014.

#### **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 ISRegistrar.

ICANN will follow the <u>De-Accredited Registrar Transition Procedure</u> ("Procedure"). Consistent with the Procedure, please designate a bulk transfer recipient by 18 July 2014 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.

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**

# **Chronology:**

Date of Notice	Deadline for Response	Details
27-Mar-2014	3-Apr-2014	ICANN sent 1st compliance notice via email to <a href="mailto:icann@artefactcorp.com">icann@artefactcorp.com</a> . No response received from Registrar.
7-Apr-2014	14-Apr-2014	ICANN sent 2nd compliance notice via email to <a href="mailto:icann@artefactcorp.com">icann@artefactcorp.com</a> . No response received from Registrar.
14-Apr-2014	N/A	ICANN called Primary Contact at +1 202 677 2304. Phone was answered by voice recording, stating "The person you are calling cannot accept calls at this time. We are sorry for any inconvenience this may cause," followed by a busy signal. ICANN called Primary Contact's mobile at (REDACTED). Left voicemail. ICANN called Primary Contact alternate phone at +1 571 327 8444. Left voicemail.
18-Apr-2014	25-Apr-2014	ICANN sent 3rd compliance notice via email to <a href="mailto:icann@artefactcorp.com">icann@artefactcorp.com</a> . No response received from Registrar.
18-Apr-2014	N/A	The 3rd compliance notice was faxed to +1 703 280 1570. Fax was unsuccessful.
5-May-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
19-May-2014	N/A	ICANN called Primary Contact at +1 202 677 2304. Left voice mail message. ICANN called Primary Contact's mobile +1 571 327 8487. Left voice mail message.
19-May-2014	23-May-2014	ICANN sent follow-up notice via email to <a href="mailto:icann@artefactcorp.com">icann@artefactcorp.com</a> . No response received from Registrar.



2-Jun-2014	N/A	ICANN conducted compliance checks for other areas of noncompliance.
4-Jun-2014	25-Jun-2014	ICANN issues Notice of Breach to Registrar
11-Jul-2014	N/A	Registrar has not responded to Notice of Breach, has not resumed data escrow deposits, and issues remain unresolved.