



The Internet Corporation for Assigned Names and Numbers

9 November 2015

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Hongxia Yu
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China

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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Ms. Yu,

Please be advised that as of 9 November 2015, 35 Technology Co., Ltd. ("35 Technology") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 19 March 2014 ("RAA"). These breaches result from:

1. 35 Technology's failure to maintain and make available to ICANN registration data and records relating to dealings with the Registered Name Holder ("RNH") of the domain name <shoesbbalweb.com>, as required by Sections 3.4.2 and 3.4.3 of the RAA; and
2. 35 Technology's failure to validate and verify Whois contact information, as required by Sections 1, 2 and 4 of the Whois Accuracy Program Specification ("WAPS") of the RAA.

Please refer to the attachment for details regarding these breaches.

In addition, 35 Technology has been deemed noncompliant in the following areas:

1. 35 Technology's failure to publish the full names and positions of all officers of the registrar on 35 Technology's website, as required by Section 3.17 of the RAA and Section 17 of the Registrar Information Specification ("RIS") of the RAA;

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2. 35 Technology's failure to clearly display on 35 Technology's website its renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the Expired Registration Recovery Policy ("ERRP");
3. 35 Technology's failure to display the correct ICANN logo on 35 Technology's website, as required by the Logo License Specification of the RAA; and
4. 35 Technology's failure to timely pay past due accreditation fees as required by Section 3.9 of the RAA.

Additional concerns

ICANN notes that 35 Technology has a 3rd Compliance notice with a response deadline of 12 November 2015 (see ticket DCX-410-71711). Failure to provide the information requested by ICANN by 12 November 2015 will result in a notice of breach for 35 Technology.

ICANN requests that 35 Technology cure these breaches by 30 November 2015, 21 days from the date of this letter, by taking the following actions:

1. Provide records and information demonstrating that 35 Technology took steps to verify and validate the Whois information of the domain name <shoesbbalweb.com> since 23 March 2015, or provide ICANN with an explanation why the domain name suspension was removed without verifying and validation Whois information;
2. Provide ICANN with corrective and preventative action(s), including implementation dates and milestones, to demonstrate that 35 Technology's systems and processes comply with the requirements of the RAA and WAPS;
3. Publish on 35 Technology's website the full names and positions of all officers of 35 Technology;
4. Clearly display 35 Technology's renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on 35 Technology's website;
5. Display the correct ICANN logo on 35 Technology's website in accordance with the Logo License Specification of the RAA, or remove the ICANN logo from 35 Technology's website; and



6. Pay all past and currently due accreditation fees.

If 35 Technology fails to timely cure the breaches and provide the information requested by 30 November 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,

A handwritten signature in blue ink, appearing to read "M Serad", is written over a light blue circular watermark.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to validate and verify Whois data or maintain domain name suspension

Section 1 of the WAPS of the RAA requires registrars to validate that required fields, including telephone numbers, postal addresses and email addresses, are in a standard format or template, as well as verify the email address or telephone number of the registrant by receiving an affirmative response from the registrant.

Section 2 of the WAPS of the RAA requires registrars to perform validation and verification, as set forth in Section 1 of the WAPS, if a registrar receives changes to any Whois contact information, whether the contact information was previously verified or validated. The registrar is required to (1) receive an affirmative response from the registrant, (2) manually verify the information or (3) suspend the domain name.

Section 4 of the WAPS of the RAA requires registrars to perform validation and verification, as set forth in Section 1 of the WAPS, if a registrar has any information suggesting that the contact information specified in the Whois is incorrect. The registrar must also (1) verify (or re-verify) the registrant's email address by receiving an affirmative response, (2) manually verify the information or (3) suspend the domain name.

On 13 April 2015, in response to a Whois inaccuracy complaint for <shoesbbalweb.com>, 35 Technology notified ICANN that the domain name was suspended. Through ICANN monitoring, it was determined that the suspension was lifted and the Whois data unchanged. Although 35 Technology re-suspended the domain name, 35 Technology's failure to provide documents and information demonstrating validation and verification of the Whois data for the domain name <shoesbbalweb.com> or an explanation why the suspension was lifted is a breach of the WAPS of the RAA.

Failure to retain registered name holder and registration data and failure to make such data available for inspection and copying

Sections 3.4.2 and 3.4.3 of the RAA requires registrars to maintain RNH and registration data, and to make those records available to ICANN upon reasonable notice. 35 Technology's failure to provide the requested registration records and data related to <shoesbbalweb.com> is a breach of Sections 3.4.2 and 3.4.3 of the RAA.



Failure to clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on registrar's website

Section 4.1 of the ERRP requires registrars to make their renewal fees, post-expiration renewal fees (if different) and redemption/restore fees reasonably available to RNHs and prospective RNHs at the time of registration of a gTLD name. At a minimum, these fees must be clearly displayed on the registrar's website and a link to these fees must be included in the registrar's registration agreement. 35 Technology's failure to clearly display these fees on its website is a breach of Section 4.1 of the ERRP.

Failure to display correct ICANN-Accredited Registrar logo

The Logo License Specification of the RAA requires registrars, if displaying the ICANN-Accredited Registrar logo, to use the logo displayed in the specification. 35 Technology's use of a modified version of the ICANN-Accredited Registrar logo is a breach of the Logo License Specification 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. 35 Technology owes ICANN in past due accreditation fees, in breach of Section 3.9 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
9-Sep-2015	16-Sep-2015	ICANN sent compliance inquiry via email to icann@35.cn .
17-Sep-2015	N/A	Email from Registrar (yuhx@35.cn) insufficient to demonstrate compliance.
18-Sep-2015	25-Sept-2015	ICANN sent 1st compliance notice via email to icann@35.cn .
21-Sep-2015	N/A	Email from Registrar (yuhx@35.cn) insufficient to demonstrate compliance.
21-Sep-2015	25-Sep-2015	ICANN sent a follow-up compliance notice via email to icann@35.cn .
23-Sep-2015	N/A	Email from Registrar (yuhx@35.cn) insufficient to demonstrate compliance.



Date of Notice	Deadline for Response	Details
29-Sep-2015	1-Oct-2015	ICANN sent follow-up compliance notice via email to icann@35.cn .
30-Sep-2015	N/A	Email from Registrar (yuhx@35.cn) insufficient to demonstrate compliance.
1-Oct-2015	8-Oct-2015	ICANN sent a follow-up compliance notice via email to icann@35.cn , No response received from Registrar.
9-Oct-2015	16-Oct-2015	ICANN sent 2nd compliance notice via email to icann@35.cn .
13-Oct-2015	N/A	ICANN called Primary Contact at +86 592 529 1694. No answer, no ability to leave message.
19-Oct-2015	N/A	Email from Registrar (yuhx@35.cn) insufficient to demonstrate compliance.
20-Oct-2015	23-Oct-2015	ICANN sent a follow-up compliance notice via email to icann@35.cn . No response received from Registrar.
26-Oct-2015	2-Nov-2015	ICANN sent 3rd compliance notice via email to icann@35.cn .
27-Oct-2015	N/A	ICANN sent 3rd compliance notice via fax to +865925391808. Fax successful.
28-Oct-2015	N/A	ICANN called Primary Contact at +86 592 529 1694. No answer, no ability to leave message.
2-Nov-2015	N/A	ICANN called Primary Contact at +86 592 529 1694. Spoke to Primary Contact and provided complaint details.
2-Nov-2015	N/A	Email from Registrar (yuhx@35.cn) insufficient to demonstrate compliance.
3-Nov-2015	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
9-Nov-2015	N/A	To date, the Registrar has not responded to ICANN with the requested information and issues remain unresolved.