



The Internet Corporation for Assigned Names and Numbers

30 June 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Girish Anand  
IPNIC, Inc. (IANA #830)  
c/o SITEUNCLE.COM 103 Pennsylvania Avenue  
Matamoras PA 18336  
United States

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Fax: +1 570 491 2959

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

Dear Mr. Anand,

Please be advised that as of 30 June 2014, IPNIC, Inc. ("IPNIC") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 7 December 2009 ("RAA"). This breach results from:

- Failure to escrow gTLD registration data, as required by Section 3.6 of the RAA.

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

1. Failure to timely pay past due accreditation fees in the amount of \$6,716.57, as required by Section 3.9 of the RAA; and
2. Failure to notify ICANN of a change to its contact information within thirty (30) days, as required by Section 5.11 of the RAA.

Please refer to the attachment for details regarding this breach.

Los Angeles  
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Los Angeles, CA 90094 USA  
Istanbul • Montevideo •

T +1 310 301 5800  
• Singapore •

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• Washington

<http://icann.org>



Additional Considerations

When ICANN attempted to telephone Mr. Anand (Primary Contact for IPNIC listed in RADAR), the former Primary Contact told ICANN that the registrar was sold and he was no longer associated with IPNIC. Mr. Anand's name is listed in RADAR, however the contact information is for the former Primary Contact. The former Primary Contact provided ICANN with alternate contact information for Mr. Anand. ICANN contacted Mr. Anand several times requesting that he complete the process for purchasing an ICANN-accredited registrar. Mr. Anand has not responded to ICANN's requests.

ICANN requests that IPNIC cure the breaches by 22 July 2014, 15 working days from the date of this letter, by taking the following actions:

1. Deposit gTLD registration data on a weekly basis to Iron Mountain Intellectual Property Management, Inc. ("Iron Mountain") and ensure the deposits meet the required specifications;
2. Pay past due accreditation fees in the amount of \$6,716.57; and
3. Provide ICANN with written notification of updated contact information in accordance with Section 5.11 of the RAA.

If IPNIC fails to timely cure the breaches and provide the information requested by 22 July 2014, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Owen Smigelski at [owen.smigelski@icann.org](mailto: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 escrow gTLD registration data

Section 3.6 of the RAA requires registrars to submit an electronic copy of the database described in Subsection 3.4.1 of the RAA to ICANN, or at registrar's expense, to a reputable escrow agent mutually approved by the registrar and ICANN. Registrars shall submit the data on a schedule, under the terms, and in a format specified by ICANN.

As detailed in the chronology, ICANN sent IPNIC multiple compliance notices concerning missed data escrow deposits. ICANN's records show that IPNIC is required to escrow data with Iron Mountain on a weekly basis. However, based on the reports provided by Iron Mountain, since 13 April 2014 IPNIC failed to make data deposits that comply with the requirements of ICANN's data escrow specifications. IPNIC's repeated failure to comply with ICANN's data escrow specifications constitutes a breach of Section 3.6 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. IPNIC owes ICANN \$6,716.57 in past due accreditation fees, in breach of Section 3.9 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. IPNIC's failure to provide ICANN with written notice of changes to its contact information is a breach of Section 5.11 of the RAA.

### **Chronology:**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
21-Apr-2014	28-Apr-2014	ICANN sent 1st compliance notice via email to <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> . No response received from Registrar.
6-May-2014	13-May-2014	ICANN sent 2nd compliance notice via email to <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> . No response received from Registrar.

Date of Notice	Deadline for Response	Details
9-May-2014	N/A	ICANN called Primary Contact ("PC") at +1 570 491 2959. Answered by representative who indicated PC was hospitalized and based in India. ICANN asked if someone else could discuss data escrow deposits. Representative replied, "No." ICANN called Public Contact in RADAR at: +1 570 491 2959. Former PC responded stating that the registrar was sold and he was no longer associated with registrar.
13-May-2014	N/A	ICANN called PC's mobile listed in RADAR at: +1 914 384 7412. Former PC answered. ICANN called alternate number provided by former PC (in another ticket) +91-8745047067. Phone rang then played music before disconnecting. No option to leave a message.
27-May-2014	3-Jun-2014	ICANN sent 3rd compliance notice via email to <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> . No response received from Registrar.
27-May-2014	N/A	The 3rd compliance notice was faxed to +1 570 491 2959. Fax was unsuccessful.
27-May-2014	N/A	ICANN called PC at +91-8745047067. Answered by voice recording, "The number you are calling is either switched off or not reachable at the moment. Please try later." No option to leave a message.
27-May-2014	N/A	ICANN sent 3rd compliance notice via email to <a href="mailto:gjsna2008@gmail.com">gjsna2008@gmail.com</a> (an alternate email address provided by former PC). No response received from Registrar.
3-Jun-2014	N/A	ICANN called PC at +91-8745047067. Phone rang then played music before disconnecting. No option to leave a message.
5-Jun-2014	N/A	A copy of the 3rd compliance notice was faxed to Data Escrow Contact in RADAR at +1 570 491 4868. Fax unsuccessful.

Date of Notice	Deadline for Response	Details
5-Jun-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
6-Jun-2014	N/A	ICANN sent Registrar Primary Contact Update Form via email to <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> and <a href="mailto:gjsna2008@gmail.com">gjsna2008@gmail.com</a> . ICANN also advised Registrar to deposit its registration data immediately.
6-Jun-2014	N/A	Email from Registrar ( <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> ) requesting an extension until 15 June 2014 to deposit registration data due to recovery of illness.
6-June-2014	N/A	ICANN responded via email to <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> and <a href="mailto:gjsna2008@gmail.com">gjsna2008@gmail.com</a> confirming receipt of request, advising Registrar to complete the attached Registrar Primary Contact Form, and that ICANN will respond soon regarding extension request.
9-June-2014	16-Jun-2014	ICANN sent a follow-up notice via email to <a href="mailto:girish@siteuncle.com">girish@siteuncle.com</a> and <a href="mailto:gjsna2008@gmail.com">gjsna2008@gmail.com</a> advising Registrar of due date extension until 16 June 2014 and requesting that Registrar complete Primary Contact Form. ICANN advised registrar that failure to respond by 16 June 2014 will result in a notice of breach.
19-Jun-2014	N/A	ICANN conducted compliance check for other areas of noncompliance.
30-Jun-2014	N/A	No response received from Registrar and issue remains unresolved.