



The Internet Corporation for Assigned Names and Numbers

1 September 2015

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

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

Dear Mr. Garcia,

Please be advised that as of 1 September 2015, Arsys Internet, S.L. dba NICLINE.COM (“nicline.com”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 1 March 2015 (“RAA”). This breach results from:

1. 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 <pabloiglesias.org>, as required by Sections 3.4.2 and 3.4.3 of the RAA;
2. Failure to take reasonable steps to investigate and correct claimed Whois inaccuracies regarding the domain name <pabloiglesias.org>, as required by Section 3.7.8 of the RAA; and
3. Failure to validate and verify Whois contact information, as required by Sections 2 and 4 of the Whois Accuracy Program Specification (“WAPS”) of the 2013 RAA.

Please refer to the attachment for details regarding these breaches.



In addition, nicline.com has been deemed noncompliant in the following areas:

1. Failure to publish the full name and position of all officers of the registrar on nicline.com's website, as required by Section 3.17 of the RAA and Section 17 of the Registrar Information Specification ("RIS") of the RAA;
2. Failure to publish an email address to receive abuse reports on the home page of nicline.com's website, as required by Section 3.18.1 of the RAA;
3. Failure to publish on its website a description of nicline.com's procedures for the receipt, handling and tracking of abuse reports, as required by Section 3.18.3 of the RAA; and
4. Failure to provide domain name data in the specified response format, as required by Section 1.4 of the Registration Data Directory Service (Whois) Specification of the RAA ("Whois Specification").

ICANN requests that nicline.com cure the breaches by 22 September 2015, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that nicline.com took reasonable steps to investigate and, where applicable, correct the Whois inaccuracy concerning the domain name <pabloiglesias.org>. This includes: (a) copies of nicline.com's correspondence with the RNH while investigating the Whois inaccuracy claims (including dates, times, means of inquiries, telephone numbers, e-mail addresses and postal addresses used) and (b) the steps nicline.com took to verify and validate the Whois information;
2. Publish on nicline.com's website the full name and position of all officers of nicline.com;
3. Publish an email address to receive abuse reports on the home page of nicline.com's website;
4. Publish a description of nicline.com's procedures for the receipt, handling and tracking of abuse reports on nicline.com's website; and
5. Display domain name data in the specified response format, as required by Section 1.4 of the Whois Specification.

If nicline.com fails to timely cure the breaches and provide the information requested by 22 September 2015, 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 in a cursive style.

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



## ATTACHMENT

### 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. nicline.com's failure to provide the requested registration records and data related to the domain name <pabloiglesias.org> is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

### Failure to take reasonable steps to investigate and correct Whois inaccuracy

Section 3.7.8 of the RAA requires registrars, upon notification of a claimed inaccuracy in the contact information associated with a registered name sponsored by a registrar, to take reasonable steps to investigate the claimed inaccuracy. In the event the registrar learns of inaccurate contact information associated with a registered name it sponsors, the registrar shall take reasonable steps to correct that inaccuracy. nicline.com's failure to provide documentation demonstrating the reasonable steps it took to investigate and correct the alleged Whois inaccuracy is a breach of Section 3.7.8 of the RAA.

### Failure to validate and verify Whois data

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 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.



nicline.com's failure to provide documents and information demonstrating validation and verification of the Whois data for the domain name <pabloiglesias.org> is a breach of the WAPS of the RAA.

Failure to publish the full name and position of all officers on registrar's website

Section 3.17 of the RAA requires registrars to maintain and provide to ICANN the information specified in the RIS. In addition, registrars must publish on each website through which it provides or offers registrar services, the information specified in the RIS as requiring publication. nicline.com's failure to publish the full name and position of all of its officers on its website is a breach of Section 3.17 of the RAA and Section 17 of the RIS.

Failure to publish an email address to receive reports of abuse

Section 3.18.1 of the RAA requires registrars to publish on the home page of their website an email address to receive abuse reports. nicline.com's failure to publish an email address on the home page of its website to receive abuse reports is a breach of Section 3.18.1 of the RAA.

Failure to publish a description of procedures for receipt, handling and tracking of abuse reports

Section 3.18.3 of the RAA requires registrars to publish on their website a description of their procedures for the receipt, handling and tracking of abuse reports. nicline.com's failure to publish a description of its procedures for the receipt, handling and tracking of abuse reports on its website is a breach of Section 3.18.3 of the RAA.

Failure to display required Whois format

Section 1.4 of the Whois Specification of the RAA requires registrars to display domain name data in a specified format for Whois query responses. The format of responses shall contain all the elements and follow a semi-free text format outlined in Section 1.4 of the Whois Specification. nicline.com's failure to display Whois data in the specified format is a breach of Section 1.4 of the Whois Specification of the RAA.

**Chronology:**

Date of Notice	Deadline for Response	Details
24-Jun-2015	15-Jul-2015	ICANN sent 1st compliance notice via email to <a href="mailto:domainnames@arsys.es">domainnames@arsys.es</a> .

Date of Notice	Deadline for Response	Details
9-Jul-2015	N/A	Email from Registrar ( <a href="mailto:nicline@nicline.com">nicline@nicline.com</a> ). Response insufficient to demonstrate compliance.
9-Jul-2015	15-Jul-2015	ICANN sent follow up compliance notice via email to <a href="mailto:domainnames@arsys.es">domainnames@arsys.es</a> . No response received from Registrar.
16-Jul-2015	23-Jul-2015	ICANN sent 2nd compliance notice via email to <a href="mailto:domainnames@arsys.es">domainnames@arsys.es</a> .
20-Jul-2015	N/A	ICANN called Primary Contact at +34 941 62 01 00 and mobile [MOBILE REDACTED]. ICANN left a detailed message with complaint details.
24-Jul-2015	N/A	Email from Registrar ( <a href="mailto:nicline@nicline.com">nicline@nicline.com</a> ). Response insufficient to demonstrate compliance.
28-Jul-2015	4-Aug-2015	ICANN sent 3rd compliance notice via email to <a href="mailto:domainnames@arsys.es">domainnames@arsys.es</a> .
28-Jul-2015	N/A	ICANN sent 3rd compliance notice via fax to +34 941 20 47 93. Fax successful.
31-Jul-2015	N/A	ICANN called Primary Contact at +34 941 62 01 00 and mobile [MOBILE REDACTED]. ICANN left a detailed message with complaint details.
4-Aug-2015	N/A	Email from Registrar ( <a href="mailto:nicline@nicline.com">nicline@nicline.com</a> ). Response insufficient to demonstrate compliance.
4-Aug-2015	N/A	ICANN called Primary Contact at +34 941 62 01 00. ICANN spoke to Registrar representative and provided complaint details.
4-Aug-2015	N/A	Email from Registrar ( <a href="mailto:nicline@nicline.com">nicline@nicline.com</a> ) requesting extension to respond to complaint.
4-Aug-2015	11-Aug-2015	ICANN sent follow up compliance notice via email to <a href="mailto:domainnames@arsys.es">domainnames@arsys.es</a> granting extension.
11-Aug-2015	N/A	Email from Registrar ( <a href="mailto:nicline@nicline.com">nicline@nicline.com</a> ). Response insufficient to demonstrate compliance.
27-Aug-2015	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
1-Sep-2015	N/A	To date, Registrar has not responded to ICANN with the requested information and documentation.