



The Internet Corporation for Assigned Names and Numbers

15 July 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Jan Horak
Gransy, s.r.o. d/b/a subreg.cz (IANA # 1505)
Borivojova 35, Prague 3 13000
Czech Republic

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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mr. Horak,

Please be advised that as of 15 July 2014, Gransy, s.r.o. d/b/a subreg.cz (“Gransy”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 11 September 2013 (“RAA”). These breaches result from:

1. Gransy’s failure to maintain and make available to ICANN registration records relating to dealings with the Registered Name Holder (“RNH”) of the domain name <czshare.com>, pursuant to Sections 3.4.2 and 3.4.3 of the RAA; and
2. Gransy’s failure to delete a domain name within 45 days of either the registrar or the registrant terminating a registration agreement; or, alternatively, to provide an explanation of the extenuating circumstances associated with the renewal, pursuant to Section 3.7.5.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

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

1. Failure to provide a description on Gransy's website of 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");
2. Failure to provide a description on Gransy's website of methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the ERRP;
3. Failure to pay past due accreditation fees, pursuant to Section 3.9 of the RAA;
4. Failure to publish on Gransy's website the full name, contact information, and position of all officers of the registrar, as required by Section 3.17 and Section 17 of the Registrar Information Specification ("RIS") of the RAA; and
5. Failure to enter into a registration agreement with a person or legal entity other than Gransy for the domain name <czshare.com>, which is not being used for the purpose of conducting Registrar Services (as defined by Section 1.19), as required by Section 3.7.7 of the RAA.

ICANN requests that Gransy cure the breaches by 5 August 2014, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide copies of all written communications, including time-stamped communications, between Gransy and the RNH of the domain name <czshare.com>, including a copy of the registration agreement entered between Gransy and the RNH, copies of the time stamped renewal notices sent to the RNH and a copy of the Form of Authorization (FOA) sent to the RNH with full TCP headers;
2. Provide evidence that the Domain Name System resolution path for this domain name was interrupted after expiration and the date(s) of interruption;
3. Immediately delete the domain name <czshare.com> and allow the Registrant At Expiration ("RAE") to restore it;
4. Clearly display a link to renewal fees, post-expiration renewal fees (if different), and redemption/restore fees on Gransy's website;



5. Provide a description of methods used to deliver pre- and post-expiration notifications on Gransy's website;
6. Report to ICANN how many domains sponsored by Gransy have "Gransy s.r.o." as the registrant or registrant organization, an explanation how the domains are used for the purposes of Registrar Services (as defined by Section 1.19 of the RAA), or alternately, a remediation plan (including timeline and milestone(s)) to resolve this self-registration issue;
7. Clearly publish on Gransy's website the full names, contact information, and positions of all officers of the registrar; and
8. Pay all past due accreditation fees of \$2,991.85;

If Gransy fails to timely cure the breaches and provide the information requested by 5 August 2014, 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 "MSerad", 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 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 registered name holder and registration data, and to make those records available to ICANN upon reasonable notice.

As detailed in the chronology below, since May 2014 ICANN sent Gransy multiple notices requesting registration data and records. To date, Gransy has provided incomplete and inconsistent information that has failed to demonstrate that the transfer was performed as provided by the Inter-Registrar Transfer Policy (“IRTP”), in breach of Sections 3.4.2 and 3.4.3 of the RAA.

Failure to delete a domain name within 45 days of termination of a registration agreement

Section 3.7.5.3 of the RAA requires registrars, in the absence of extenuating circumstances, to delete a domain name within 45 days of either the registrar or the registrant terminating a registration agreement.

Gransy stated the domain name <czshare.com> expired on 14 April 2014, and was deleted from the RNH’s account on 25 May 2014. As of 8 July 2014, 45 days after the registration agreement was terminated, the domain name was not deleted nor has Gransy provided an explanation of the extenuating circumstances associated with the renewal, is a breach of Section 3.7.5.3 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 registered name holders and prospective registered name holders 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 agreements. Gransy’s website does not provide a link or clearly display these fees in breach of Section 4.1 of the ERRP.



Failure to describe on its websites (if used) the methods used to deliver pre- and post-expiration notifications

Section 4.2 of the ERRP requires registrars to describe on their websites (if used) the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Gransy's website does not describe these notifications in breach of Section 4.2 of the ERRP.

Failure to publish officer information on registrar's website

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

Failure to enter into registration agreement with RNH

Section 3.7.7 of the RAA requires Gransy to enter into registration agreements with all RNHs for domains under Gransy's management, except those domains used for the purposes of Registrar Services (as defined by Section 1.19 of the RAA).

The domain name <czshare.com> currently displays Gransy as the registrant. Gransy affirmed that because the domain name was not renewed by the RNH, it was now "owned" by the Registrar. To date, Gransy has not provided any information regarding entering into a Registration Agreement for the domain <czshare.com>, and the domain name is not being used for Registrar Services, in breach of Section 3.7.7 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. Gransy owes ICANN \$2,991.85 in past due accreditation fees, in breach of Section 3.9 of the RAA.

Chronology:

Date of Notice	Deadline for Response	Details
22-May-2014	30-May-2014	ICANN sent 1st compliance notice via email to info@subreg.cz . No response received from Registrar.
6-Jun-2014	13-Jun-2014	ICANN sent 2nd compliance notice via email to info@subreg.cz . No response received from Registrar.
18-Jun-2014	N/A	ICANN called Primary Contact at +420 739 313 333. No answer.
21-Jun-2014	27-Jun-2014	ICANN sent 3rd compliance notice via email to info@subreg.cz and horak@gransy.com .
21-Jun-2014	N/A	3rd compliance notice was faxed to +420 226 517 341. Fax unsuccessful.
26-Jun-2014	N/A	ICANN called Primary Contact at +420 739 313 333. Answered by automated message, "the person you are trying to reach is not available. Please try later." No option to leave to leave a message.
26-Jun-2014	N/A	Email from Registrar indicating that Registrar was attending ICANN 50 and a response would be provided on 30 June 2014.
30-Jun-2014	N/A	Email from Registrar included incomplete information regarding the alleged unauthorized transfer. Registrar further advised that the domain name expired on 14 April 2014, deleted from the customer account on 24 May 2014, and was currently owned by Registrar.
1-Jul-2014	3-Jul-2014	ICANN sent a follow-up notice via email to info@subreg.cz requesting further information. No response received from Registrar.
7-Jul-2014	N/A	ICANN reviewed the Whois data for <czshare.com> and found that 45 days after the registration agreement was terminated, the domain name was still active and Registrar was listed as the RNH, Administrative and Technical Contacts.



Date of Notice	Deadline for Response	Details
10-Jul-2014	N/A	ICANN conducted compliance check to determine other areas of non-compliance.
14-Jul-2014	N/A	To date, Registrar has not provided the requested documentation.