



The Internet Corporation for Assigned Names and Numbers

11 January 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Richard L. Chambers  
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Fax Number: +1 423 510 0028

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

Dear Mr. Chambers,

Please be advised that as of 11 January 2013, R. Lee Chambers Company LLC dba DomainsToBeSeen.com ("DomainsToBeSeen.com") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 5 March 2008 ("RAA"). These breaches result from DomainsToBeSeen.com's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:

1. Failure to provide documents and information as required by the terms of Section 3.14.

Please refer to the attachment for details regarding these breaches.

Other Considerations

Since 13 December 2012, ICANN has requested several times that your registrar update its contact information in RADAR but to date your registrar has not responded to these requests.



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ICANN requests that DomainsToBeSeen.com cure the breaches by 1 February 2013, 15 working days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase, by:
  - a. Contacting [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
  - b. Completing the RFI and providing all supporting documentation through the Site.
  
2. A primary contact update form duly completed and signed.

If DomainsToBeSeen.com fails to timely cure the breaches and provide the information requested, ICANN may commence the 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 horizontal line.

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



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## ATTACHMENT

### Failure to Make Records Relating to Registered Name Holders Available to ICANN

Section 3.4.2 of the RAA requires DomainsToBeSeen.com to maintain registration data and records relating to its dealings with Registered Name Holders and with the Registry Operator(s) for every domain name under DomainsToBeSeen.com's management. Section 3.4.3 of the RAA requires DomainsToBeSeen.com to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 13 November 2012 ICANN sent DomainsToBeSeen.com six notices regarding the requirements of ICANN's Audit Program. To date, DomainsToBeSeen.com has logged into the Site, but has not completed and submitted the RFI and has not provided the supporting documentation.

### Failure to Update Contact Information

Section 5.11 of the RAA requires DomainsToBeSeen.com to notify ICANN within 30 days of any change to its contact information. ICANN contacted DomainsToBeSeen.com several times via email, courier and fax since 13 December 2012, requesting that the registrar update its contact information. To date, DomainsToBeSeen.com has not responded to these requests.

### **Chronology:**

<b>Date of Notice</b>	<b>Deadline for Response</b>	<b>Details</b>
13 Nov 2012	N/A	ICANN sent all Registrars and Registries a Pre-Audit Notification Letter with dates of future notifications. This letter was immediately published on icann.org
26 Nov 2012	17 Dec 2012	ICANN sent 1 <sup>st</sup> Notice via email to <a href="mailto:chambers@ricco.com">chambers@ricco.com</a> . In addition, the notice was faxed to: 423 510 0028.



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Date of Notice	Deadline for Response	Details
4 Dec 2012	N/A	Reminder Email sent to <a href="mailto:chambers@ricco.com">chambers@ricco.com</a> reminding registrar to login and comply with the RFI.
10 Dec 2012	N/A	ICANN sent Frequently Asked Questions to <a href="mailto:chambers@ricco.com">chambers@ricco.com</a> , which included dates for compliance. The FAQ was published on icann.org.
10 Dec 2012	N/A	ICANN published the Contractual Compliance Newsletter for November. This newsletter outlined the due dates, as well as the phases for the audit program. <a href="http://www.icann.org/en/resources/compliance/newsletter/newsletter-nov12-en.htm">http://www.icann.org/en/resources/compliance/newsletter/newsletter-nov12-en.htm</a>
17 Dec 2012	27 Dec 2012	ICANN sent 2 <sup>nd</sup> Notice via email to <a href="mailto:chambers@ricco.com">chambers@ricco.com</a> . In addition, the notice was faxed to: 423 510 0028.
28 Dec 2012	07 Jan 2013	ICANN sent 3 <sup>rd</sup> (FINAL) Notice via email to <a href="mailto:chambers@ricco.com">chambers@ricco.com</a> . In addition, the notice was faxed to: 423 510 0028.
<b>Other:</b> 28 Dec 2012	N/A	After email exchange with Richard Chambers, ICANN staff resent RFI form.
<b>Other:</b> 31 Dec 2012	N/A	Emails exchanged with Richard Chambers regarding login credentials. ICANN staff reset and provided new login information.
<b>Other:</b> 06 Jan 2013	N/A	ICANN notes that 06 January 2013 was the last login date by this registrar within <a href="http://compliance.icann.org">compliance.icann.org</a>