



The Internet Corporation for Assigned Names and Numbers

6 June 2016

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Arindom Hazarika
Bharti Enterprises (Holding) Private Limited (bharti)
Bharti Crescent
1 Nelson Mandela Road, Vasant Kunj, Phase II
New Delhi, Delhi 110070
IN

Email: arindom.hazarika@bharti.in

Fax: +911141666139

RE: NOTICE OF BREACH OF REGISTRY AGREEMENT

Dear Arindom Hazarika,

Please be advised that as of 6 June 2016, Bharti Enterprises (Holding) Private Limited (“Bharti Enterprises”) is in breach of its Registry Agreement with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 9 January 2014 (“RA”). These breaches result from:

1. Bharti Enterprises’ failure to provide a link on the primary website for the TLD bharti to a webpage designated by ICANN containing Whois policy and educational materials, as required by Section 1.11 of Specification 4 of the RA;
2. Bharti Enterprises’ failure to publish on its website the DNSSEC Practice Statements (DPS) describing critical security controls and procedures for key material storage, access and usage for its own keys and secure acceptance of registrants’ public-key material, as required by Section 1.3 of Specification 6 of the RA;
3. Bharti Enterprises’ failure to publish on its website abuse contact details, including a valid email and mailing address and primary contact for handling inquiries related to malicious conduct in the TLD bharti, as required by Section 4.1 of Specification 6 of the RA; and

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4. Bharti Enterprises' failure to timely pay past due fees, as required by Article 6 of the RA.

Please refer to the attachment for details regarding this breach.

Additional Concerns

ICANN notes that Bharti Enterprises exhibits a pattern of non-response to ICANN Contractual Compliance matters and, when responses are provided to ICANN, they are often untimely and incomplete.

ICANN requests that Bharti Enterprises cure these breaches by 6 July 2016, 30 calendar days from the date of this letter, by taking the following actions:

1. Provide a link on the primary website for the TLD bharti to a webpage designated by ICANN containing Whois policy and educational materials;
2. Publish on Bharti Enterprises' website the DNSSEC Practice Statements following the format described in RFC 6841;
3. Publish on Bharti Enterprises' website its accurate contact details including a valid email and mailing address as well as a primary contact for handling inquiries related to malicious conduct in the TLD bharti;
4. Provide ICANN with the corrective and preventative action(s) that Bharti Enterprises will take, with implementation date(s), to address its pattern of untimely, incomplete and non-response to ICANN Contractual Compliance matters; and
5. Pay all past due fees.

If Bharti Enterprises fails to timely cure the breaches and provide the information requested by 6 July 2016, ICANN may commence the RA termination process.



If you have questions or require assistance, please contact Jennifer Scott at jennifer.scott@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad". The signature is fluid and cursive.

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



ATTACHMENT

Failure to provide a link to Whois policy and educational materials on website

Section 1.11 of Specification 4 of the RA requires registry operators to provide a link on the primary website for the TLD (i.e., the website provided to ICANN for publishing on the ICANN website) to a webpage designated by ICANN containing Whois policy and educational materials. Bharti Enterprises' failure to provide a link on the primary website for the TLD bharti to a webpage designated by ICANN containing Whois policy and educational materials is a breach of Section 1.11 of Specification 4 of the RA.

Failure to publish DNSSEC Practice Statement on website

Section 1.3 of Specification 6 of the RA requires registry operators to, among other things, publish on its website the DNSSEC Practice Statements (DPS) describing critical security controls and procedures for key material storage, access and usage for its own keys and secure acceptance of registrants' public-key material following the format described in RFC 6841. Bharti Enterprises' failure to publish DPS on its website is a breach of Section 1.3 of Specification 6 of the RA.

Failure to publish abuse contact information on website

Section 4.1 of Specification 6 of the RA requires registry operators to provide to ICANN and publish on its website its accurate contact details including a valid email and mailing address as well as a primary contact for handling inquiries related to malicious conduct in the TLD, and provide ICANN with prompt notice of any changes to such contact details. Bharti Enterprises' failure to publish abuse contact details on its website for TLD bharti is a breach of Section 4.1 of Specification 6 of the RA.

Failure to pay fees

Article 6 of the RA requires registry operators to pay Registry-Level Fees on a quarterly basis within 30 calendar days following the date of the invoice provided by ICANN. Bharti Enterprises owes ICANN in past due fees, in breach of Article 6 of the RA.

Chronology:

Date of Notice	Deadline for Response	Details
8-Feb-2016 7-Mar-2016 1-Apr-2016	N/A	ICANN Accounting sent detailed customer accounting statements to Registry Operator regarding past due fees.
19-Feb-2016	26-Feb-2016	ICANN sent 1st compliance inquiry via email to domains.admin@bharti.in .
24-Feb-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) insufficient to demonstrate compliance.
24-Feb-2016	26-Feb-2016	ICANN sent follow up compliance inquiry via email to domains.admin@bharti.in .
25-Feb-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) requesting an extension to respond and insufficient to demonstrate compliance.
26-Feb-2016	4-Mar-2016	ICANN resent 1st compliance inquiry via email to domains.admin@bharti.in with extended due date.
3-Mar-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) requesting an additional extension to respond and insufficient to demonstrate compliance.
3-Mar-2016	10-Mar-2016	ICANN resent 1st compliance inquiry via email to domains.admin@bharti.in with extended due date. No response received from Registry Operator.
14-Mar-2016	21-Mar-2016	ICANN sent 2nd compliance inquiry via email to domains.admin@bharti.in . No response received from Registry Operator.
18-Mar-2016	N/A	ICANN called Compliance Contact at +911244222222. No answer and no ability to leave a message. ICANN called called and spoke with Compliance Contact at mobile number [NUMBER REDACTED] and provided inquiry details.
22-Mar-2016	29-Mar-2016	ICANN sent 3rd compliance inquiry via email to domains.admin@bharti.in , akshay.kanade@airtel.com and mukesh.bhavnani@bharti.in .
22-Mar-2016	N/A	ICANN sent 3rd compliance inquiry via fax to 114666149 and +91114666149. Faxes unsuccessful.

Date of Notice	Deadline for Response	Details
28-Mar-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) requesting an additional extension to respond and insufficient to demonstrate compliance.
28-Mar-2016	29-Mar-2016	ICANN sent follow-up compliance inquiry via email to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , manpreetk@airtel.com and ravinder.bhardwaj@airtel.com . No response received from Registry Operator.
29-Mar-2016	N/A	ICANN called and spoke with Registry Operator representative at mobile number [NUMBER REDACTED] and provided inquiry details.
30-Mar-2016	6-Apr-2016	ICANN sent escalated compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , manpreetk@airtel.com and ravinder.bhardwaj@airtel.com .
30-Mar-2016	N/A	ICANN sent escalated compliance notice via fax to 114666149 and +91114666149. Faxes unsuccessful.
31-Mar-2016	N/A	ICANN called and spoke with Registry Operator representative at mobile number [NUMBER REDACTED] and provided notice details.
1-Apr-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) requesting an additional extension to respond and insufficient to demonstrate compliance.
1-Apr-2016	6-Apr-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , manpreetk@airtel.com and ravinder.bhardwaj@airtel.com .
4-Apr-2016	6-Apr-2016	ICANN sent follow up compliance notice via email and requested a conference call on 5 April 2016 to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , manpreetk@airtel.com and ravinder.bhardwaj@airtel.com .
5-Apr-2016	N/A	ICANN called and spoke with Compliance Contact at mobile number [NUMBER REDACTED] who requested ICANN speak with other Registry Operator representatives.

Date of Notice	Deadline for Response	Details
5-Apr-2016	N/A	ICANN called Primary and Legal Contacts at the following numbers with no answer and no ability to leave a message: +911244222222, mobile number [NUMBER REDACTED] and +911146666100. ICANN called Registry Operator representative at mobile number [NUMBER REDACTED]. No answer and no ability to leave a message.
5-Apr-2016	N/A	Email from Registry Operator (akshay.kanade@airtel.com) insufficient to demonstrate compliance.
5-Apr-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.
7-Apr-2016	N/A	Email from Registry Operator (akshay.kanade@airtel.com) insufficient to demonstrate compliance.
7-Apr-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.
8-Apr-2016	11-Apr-2016	ICANN sent follow up compliance notice via email and requested a conference call on 11 April 2016 to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , arindom.hazarika@bharti.in and ravinder.bhardwaj@airtel.com .
8-Apr-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.
9-Apr-2016	11-Apr-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , arindom.hazarika@bharti.in and ravinder.bhardwaj@airtel.com .
11-Apr-2016	N/A	ICANN conducted conference call with Primary Contact at mobile number [NUMBER REDACTED].
11-Apr-2016	N/A	Email from Registry Operator (akshay.kanade@airtel.com) insufficient to demonstrate compliance.
12-Apr-2016	19-Apr-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com , mukesh.bhavnani@bharti.in , arindom.hazarika@bharti.in and ravinder.bhardwaj@airtel.com .
17-Apr-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.

Date of Notice	Deadline for Response	Details
19-Apr-2016	20-Apr-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com , arindom.hazarika@bharti.in and ravinder.bhardwaj@airtel.com .
20-Apr-2016	N/A	Email from Registry Operator (akshay.kanade@airtel.com) insufficient to demonstrate compliance.
20-Apr-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) insufficient to demonstrate compliance.
20-Apr-2016	N/A	ICANN requested updated accounting information be provided to Registry Operator regarding past due fees.
22-Apr-2016	23-Apr-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com , arindom.hazarika@bharti.in and ravinder.bhardwaj@airtel.com .
27-Apr-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.
27-Apr-2016	31-May-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com and arindom.hazarika@bharti.in with a one month remediation period. No response received from Registry Operator.
2-May-2016	3-May-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com and arindom.hazarika@bharti.in . No response received from Registry Operator.
10-May-2016	11-May-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com and arindom.hazarika@bharti.in .
11-May-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) insufficient to demonstrate compliance.
18-May-2016	19-May-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com and arindom.hazarika@bharti.in .
19-May-2016	N/A	Email from Registry Operator (domains.admin@bharti.in) insufficient to demonstrate compliance.



Date of Notice	Deadline for Response	Details
19-May-2016	31-May-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com and arindom.hazarika@bharti.in .
31-May-2016	N/A	Email from Registry Operator (akshay.kanade@airtel.com) insufficient to demonstrate compliance.
31-May-2016	N/A	Email from Registry Operator (akshay.kanade@airtel.com) insufficient to demonstrate compliance.
31-May-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.
31-May-2016	31-May-2016	ICANN sent follow up compliance notice via email to domains.admin@bharti.in , akshay.kanade@airtel.com and arindom.hazarika@bharti.in . No response received from Registry Operator.
6-Jun-2016	N/A	Email from Registry Operator (arindom.hazarika@bharti.in) insufficient to demonstrate compliance.
6-Jun-2016	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
6-Jun-2016	N/A	To date, Registry Operator has not provided ICANN the requested information and the issues remain unresolved.