



The Internet Corporation for Assigned Names and Numbers

6 November 2014

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Paul Lomax  
Freeparking Domain Registrars, Inc. (IANA #837)  
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United States

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

Dear Mr. Lomax,

Please be advised that as of 6 November 2014, Freeparking Domain Registrars, Inc. ("Freeparking") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 12 December 2013 ("RAA"). This breach results from:

1. Freeparking's failure to maintain and make available registration data and records available upon request by ICANN, as required by Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

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

1. Failure to provide a policy consistent with the requirements of Section 2.1 of the Expired Registration Recovery Policy ("ERRP") to send expiration reminder notices to the Registered Name Holder ("RNH"); and
2. Failure to clearly display on Freeparking's website, and include a link in its registration agreement to, its renewal fees, post-expiration renewal fees (if different) and redemption/restore fees, as required by Section 4.1 of the ERRP.

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ICANN requests that Freeparking cure the breaches by 27 November 2014, 21 calendar days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that Freeparking obtained verification and validation of Whois contact information for the RNH of the domain name <adults.london>. This includes: (a) copies of Freeparking's correspondence with the RNH (including dates, times, means of inquiries, telephone numbers, e-mail addresses and postal addresses used) and (b) the steps Freeparking took to verify and validate the Whois information of the domain name <adults.london>;
2. Provide ICANN with a remediation plan, including dates and milestones, to ensure that Freeparking will send expiration reminders notices to the RNHs of domain names that it sponsors at the intervals required by the ERRP; and
3. Clearly display a link to renewal fees, post-expiration renewal fees (if different) and redemption/restore fees on Freeparking's website and provide a link to the renewal fees, post-expiration renewal fees (if different) and redemption/restore fees in the Freeparking registration agreement.

If Freeparking fails to timely cure the breaches and provide the information requested by 27 November 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 horizontal line.

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. Freeparking's failure to provide the requested registration records and data related to the compliance notices detailed in the chronology below is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

### Failure to demonstrate verification of Whois contact information

Section 1 of the WAPS of the 2013 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. Freeparking's failure to respond or provide documents demonstrating verification of Whois contact information is a breach of Section 1 of the WAPS of the RAA.

### Failure to send expiration reminder notices to the RNH

Section 2.1 of the ERRP requires registrars to notify the RNH of the expiration of a domain name at specific intervals. Pre-expiration reminder notices must be sent approximately one month prior to expiration and approximately one week prior to expiration. If a registration is not renewed by the RNH or deleted by the registrar, registrars must also send a post-expiration reminder notice within five days after expiration of the registration. Freeparking's website posts a policy that does not comply with Section 2.1 of the ERRP and the failure to send expiration reminder notices to the RNH at the required intervals is a breach of Section 2.1 of the ERRP.

### 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 RNHs and prospective RNHs 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. Freeparking's failure to provide a link or clearly display these fees is a breach of Section 4.1 of the ERRP.

**Chronology:**

Date of Notice	Deadline for Response	Details
30-Sep-2014	7-Oct-2014	ICANN sent 1st compliance notice via email to <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> . No response received from Registrar.
8-Oct-2014	15-Oct-2014	ICANN sent 2nd compliance notice via email to <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> .
9-Oct-2014	N/A	Email from registrar ( <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> ) insufficient to demonstrate compliance.
9-Oct-2014	N/A	ICANN called Primary Contact at +34 667 581147 and left message with complaint details. ICANN called Primary Contact at +44 845 363 1173. No answer and no ability to leave message.
10-Oct-2014	15-Oct-2014	ICANN sent follow up compliance notice via email to <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> . No response received from Registrar.
16-Oct-2014	23-Oct-2014	ICANN sent 3rd compliance notice via email to <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> .
16-Oct-2014	N/A	ICANN sent 3rd compliance notice via fax to +44 1624 693901. Fax successful.
17-Oct-2014	N/A	Email from registrar ( <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> ) insufficient to demonstrate compliance.
17-Oct-2014	23-Oct-2014	ICANN sent follow up compliance notice via email to <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> .
20-Oct-2014	N/A	Email from registrar ( <a href="mailto:dickie@fibranet-services.co.uk">dickie@fibranet-services.co.uk</a> ) insufficient to demonstrate compliance.
20-Oct-2014	23-Oct-2014	ICANN sent follow up compliance notice via email to <a href="mailto:plomax@fibranet-services.co.uk">plomax@fibranet-services.co.uk</a> and <a href="mailto:dickie@fibranet-services.co.uk">dickie@fibranet-services.co.uk</a> .



Date of Notice	Deadline for Response	Details
23-Oct-2014	N/A	ICANN called Primary Contact at +34 667 581147 and left message with complaint details. ICANN called Primary Contact at +44 845 363 1173. No answer and no ability to leave message.
28-Oct-2014	N/A	Email from registrar ( <a href="mailto:dickie@fibranet-services.co.uk">dickie@fibranet-services.co.uk</a> ) insufficient to demonstrate compliance.
28-Oct-2014	N/A	ICANN conducted compliance check to determine other areas of noncompliance.
6-Nov-2014	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation.